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

Governing Body Agenda

September 3, 2019
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:

"Mental and/or Substance Use Disorders Recovery Month"

2. PRESENTATIONS:

"Topeka Police Explorers Program"

3. ROLL CALL:

4. CONSENT AGENDA:

A. Resolution - Approving Issuance Health Care Facilities Revenue Bond - City of Wichita

RESOLUTION approving the issuance by the City of Wichita, Kansas, of its Health Care Facilities Revenue Bonds for the purpose of financing the acquisition, construction, improvement and equipping of an existing living facilities located in the City of Topeka, Kansas.

(Bonds not to exceed $53 million. The City and Wichita have previously entered into a cooperation agreement that permits Wichita to issue the Bonds on behalf of the City to finance improvements to Presbyterian Manor, Inc. facilities. One of the facilities constituting the Project is located within the city of Topeka, Kansas)

B. Ordinance - Expenditures for June 29 - August 2,2019

ORDINANCE introduced by City Manager Brent Trout, allowing and approving City expenditures for the period June 29, 2019 through August 2, 2019, and enumerating said expenditures therein.

(Approving expenditures in the amount of $23,879,192.01.)

C. Resolution - Specks Bar and Grill - Noise Exception

RESOLUTION introduced by Councilmember Jeff Coen, granting Specks Bar and Grill an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions. *(Council District No. 8)*

(Approval would allow for outdoor amplified music during the hours of 2:00 p.m. to 11:00 p.m. on September 7, 2019, at 2105 SW Mission Avenue.)

D. Resolution - Mission Fest 2019 Kick-Off Concert - Special Event

RESOLUTION introduced by Councilmember Karen Hiller, approving a special event known as Mission Fest 2019 Kick-Off Concert. *(Council District No. 1)*

(Approval would allow the sale, consumption and possession of alcohol within barricaded portions of the specified area during the Mission Fest event on October 12, 2019, from 12:00 p.m. to 10:00 p.m.)

E. Resolution - Mission Fest 2019 - Special Event

RESOLUTION introduced by Councilmember Karen Hiller, approving a special event known as Mission Fest 2019. *(Council District No. 1)*

(Approval would allow the sale, consumption and possession of alcohol within barricaded portions of the specified area during the Mission Fest event on October 12, 2019, from 12:00 p.m. to 8:00 p.m.)

F. Resolution - Celtic Fox Mission Fest 2019 - Noise Exception

RESOLUTION introduced by Councilmember Karen Hiller granting The Celtic Fox 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 live bands and amplified music and sound during the hours of 12:00 p.m. and 10:00 p.m. on October 12, 2019, on SW 8th Street between S. Kansas Avenue and Jackson Street.)

G. MINUTES of the regular meeting of August 20, 2019

H. APPLICATIONS:

5. ACTION ITEMS:

A. Ordinance - 2019 Standard Traffic Ordinance

ORDINANCE introduced by City Manager Brent Trout, adopting the 2019 Standard Traffic Ordinance (STO) and local amendments thereto, amending TMC 10.15.010 and TMC 10.15.020.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(*Approval will adopt the 2019 STO and local amendments.)*

B. Ordinance - 2019 Uniform Public Offense Code

ORDINANCE introduced by City Manager Brent Trout, adopting the 2019 Uniform Public Offense Code (UPOC) and local amendments thereto, amending TMC 9.05.080.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(*Approval will adopt the 2019 UPOC and local amendments.)*

C. Resolution - Dynamic Core TIF District - Setting Public Hearing

RESOLUTION introduced by City Manager Brent Trout, providing notice of a public hearing concerning the establishment of a Redevelopment District (TIF) within the City (Dynamic Core Redevelopment District) pursuant to K.S.A. 12 1770 et seq., as amended.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval would set a public hearing for October 8, 2019 to entertain public comment concerning establishment of the Dynamic Core TIF District.)

D. Public Health and Safety Committee Update/Report - Camping Ordinance

UPDATE and possible ACTION on the proposed camping ordinance. *(90-day update from the meeting of June 4, 2019.)*

Voting Requirement: Action would require at least six (6) votes of the Governing Body.

(Governing Body Rule 8.5(c) requires that each item referred to a committee shall be acted upon on or before any deadline set by the Governing Body or ninety (90) calendar days of the date upon which it was referred, whichever occurs first. The last update provided by the Public Health and Safety Committee related to the proposed camping ordinance occurred on June 4, 2019. Action or a subsequent update on the proposed camping ordinance is required on or before December 3, 2019.)

E. Special Committee Update/Report - Traffic and Pedestrian Safety Ordinance

UPDATE and possible ACTION on the proposed traffic and pedestrian safety ordinance. *(90-day update from the meeting of June 4, 2019.)*

Voting Requirement: Action would require at least six (6) votes of the Governing Body.

(Governing Body Rule 8.5(c) requires that each item referred to a committee shall be acted upon on or before any deadline set by the Governing Body or ninety (90) calendar days of the date upon which it was referred, whichever occurs first. The last update provided by the Special Committee related to the proposed Traffic and Pedestrian Safety Ordinance occurred on June 4, 2019. Action or a subsequent update on the proposed ordinance is required on or before December 3, 2019.)

6. NON-ACTION ITEMS:

A. Comprehensive Personnel-Related Document Review

DISCUSSION of proposed amendments to Title 2 of the Municipal Code to effectuate a comprehensive update of personnel-related provisions.

B. Discussion - Graphics Design Rapid Process Improvement Event

AN OVERVIEW of the Graphics Design Rapid Process Improvement Event.

7. ANNOUNCEMENTS:

8. PUBLIC COMMENT:

9. EXECUTIVE SESSION:

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

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

10. ADJOURNMENT:

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**		
CONTACT PERSON:	**Trey Brooks, Executive Assistant, Mayor's Office**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**006 Communication / 005 Other**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

"Mental and/or Substance Use Disorders Recovery Month"

VOTING REQUIREMENTS:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

Description

Proclamation

P R O C L A M A T I O N

By the Mayor

WHEREAS, *behavioral health is an essential part of health and one's overall wellness; and*

WHEREAS*, prevention of mental and/or substance use disorders works, treatment is effective, and people recover in Topeka, Kansas and around Shawnee County; and*

WHEREAS*, people in recovery achieve healthy lifestyles, both physically and emotionally, and contribute in positive ways to our communities; and*

WHEREAS*, we must encourage relatives and friends of people with mental and/or substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and*

WHEREAS, *to help more people to achieve and sustain long-term recovery and invite all residents of Topeka, Kansas to participate in Mental and/or Substance Use Disorders Recovery Month; and*

NOW, THEREFORE*, I, Michelle De La Isla, Mayor of the City of Topeka, Kansas, do proclaim the month of September, 2019, as*

Mental and/or Substance Use Disorders Recovery Month

And, I encourage the citizens of Topeka to support all the mental and substance use disorders health organizations in our community who work to promote wellness from mental and/or substance use disorders.

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 Day of September 3, 2019.*

_____

Michelle De La Isla, Mayor

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Bill Cochran, Topeka Police Chief**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:		**PROJECT #:**
CATEGORY/SUBCATEGORY	**006 Communication / 005 Other**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

"Topeka Police Explorers Program"

VOTING REQUIREMENTS:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Jessica Lamendola, Administrative and Financial Director**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Presbyterian Manors, Inc**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**020 Resolutions / 003 IRB**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION approving the issuance by the City of Wichita, Kansas, of its Health Care Facilities Revenue Bonds for the purpose of financing the acquisition, construction, improvement and equipping of an existing living facilities located in the City of Topeka, Kansas.

(Bonds not to exceed $53 million. The City and Wichita have previously entered into a cooperation agreement that permits Wichita to issue the Bonds on behalf of the City to finance improvements to Presbyterian Manor, Inc. facilities. One of the facilities constituting the Project is located within the city of Topeka, Kansas)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

POLICY ISSUE:

Under K.S.A. 12-1741a, the City of Topeka may authorize the City of Wichita to issue revenue bonds for the benefit of Presbyterian Manors, Inc. in the city of Topeka.

The Governing Body may affirmatively approve the issuance of the Bonds, reject the issuance of the Bonds or take no action. If no action is taken to reject the issuance of the Bonds within seven business days after the Governing Body's next regular meeting following receipt of Resolution of Intent (No. 19-304) and request for action (September 3, 2019), the issuance of the Bonds by Wichita shall be deemed to be approved.

STAFF RECOMMENDATION:

Staff recommends the Governing Body approve the issuance of bonds.

BACKGROUND:

On August 20, 2019, the City Council of the City of Wichita, Kansas ("Wichita") approved Resolution of Intent No. 19-304 (the "ROI") to issue its Health Care Facilities Revenue Bonds (Presbyterian Manors, Inc.), in one or more series, in an aggregate principal amount of not to exceed $53,000,000 (the "Bonds") pursuant to K.S.A. 12-1740 et seq. (the "Act") to provide funds to: (a) refund all or a portion of the City of Wichita, Kansas Health Care Facilities Revenue Bonds (Presbyterian Manors, Inc.), Series IV-A, 2013, Series IV-B, 2013 and Series IV-A, 2014 (collectively, the "Refunded Bonds"); and (b) to finance the acquisition, construction and equipping of improvements to senior living and health care facilities located within the State of Kansas (collectively, the "Project") operated by Presbyterian Manors, Inc. ("PMI"). One of the facilities constituting the Project is located within the City of Topeka, Kansas (the "City").

BUDGETARY IMPACT:

The City is not liable for the revenue bonds.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

Description

Resolution

City of Wichita Resolution of Intent No. 19-304

RESOLUTION NO. ____

A RESOLUTION APPROVING THE ISSUANCE BY THE CITY OF WICHITA, KANSAS OF ITS HEALTH CARE FACILITIES REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF AN EXISTING SENIOR LIVING FACILITIES LOCATED IN THE CITY OF TOPEKA, KANSAS

WHEREAS, on August 20, 2019, the governing body of the City of Wichita, Kansas (the "Issuer") adopted a resolution stating its intent to issue certain Health Care Facilities Revenue Bonds in the not to exceed principal amount of $53,000,000 (the "Bonds"), as more particularly set forth in said resolution; and

WHEREAS, Presbyterian Manors, Inc., a Kansas not-for-profit corporation (the "Corporation") with a health care facility within the boundaries of the City of Topeka, Kansas (the "City"), previously requested that the City and certain other participating cities in the State of Kansas (the "Participants") facilitate the refunding of certain outstanding revenue bonds and the financing of construction of improvements and additions to existing facilities of the Corporation in the State of Kansas (the "Facilities") located within the boundaries of the respective Participants in order to secure to the Participants and to the Corporation the economic and other benefits to be derived through the orderly and efficient financing of such facilities leased by the Issuer to the Corporation; and

WHEREAS, a portion of the proceeds of the Bonds will be used to fund the costs of construction of improvements and additions to the Facilities, including the Corporation's facility located within the limits of the City at 4712 SW Sixth, Topeka, Kansas 66606 (collectively, the "Project"); and

WHEREAS, the approval of the governing body of the City of Topeka, Kansas (the "Governing Body") is requested before the Issuer issues bonds for the Project pursuant to the provisions of K.S.A. 12-1741a, as amended; and

WHEREAS, the Governing Body hereby finds and determines that the Project and issuance of the Bonds would serve the public purposes stated in the Kansas Economic Development Revenue Bond Act, as amended and codified in K.S.A. 12-1740 *et seq.*, including particularly K.S.A. 12-1741a (the "Act"); and

WHEREAS, the Governing Body hereby finds and determines that issuance of the Bonds will not create, and is not intended to create, any financial liability upon the Bonds on the part of the City;

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

Section 1. The issuance of the Bonds by the Issuer pursuant to the Act to pay the costs of the Project, as set forth in the resolution of intent of the Issuer and subsequent ordinance(s), resolution(s) and documents of the Issuer setting the dates, terms, maturities and other provisions of the Bonds and authorizing their issuance, is hereby approved.

Section 2. The Bonds will be special limited obligations of the Issuer payable solely from the money and revenue derived by the Issuer from the Facilities and not from any other fund or source.

The Bonds will not be general obligations of the Issuer or the City, nor constitute a pledge of the faith and credit of the Issuer or the City, and will not be payable in any manner by taxation.

Section 3. The Mayor is hereby authorized and directed to execute such documents, certificates and instruments as may be necessary or desirable to carry out and comply with the purposes and intent of this Resolution and deliver the same for and on behalf of and as the act and deed of the City. The City Clerk or any Deputy or Assistant Clerk of the City is hereby authorized and directed to attest the execution of such documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 4. This Resolution shall be in full force and effect after its adoption by the Governing Body.

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ADOPTED AND APPROVED by the Governing Body of the City of Topeka, Kansas, this 3rd day of September, 2019.

CITY OF TOPEKA, KANSAS

_____

(SEAL) Michelle De La Isla, Mayor

ATTEST:

_____

Brenda Younger, City Clerk

Gilmore & Bell, P.C.
08/08/2019

RESOLUTION NO. 19-304

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS DETERMINING THE ADVISABILITY OF ISSUING HEALTH CARE FACILITIES REVENUE BONDS FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF SENIOR LIVING AND HEALTH CARE RELATED FACILITIES; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS.

WHEREAS, the City of Wichita, Kansas (the "City") is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State of Kansas (the "State"); and

WHEREAS, the City Council (the "Governing Body") of the City desires to promote, stimulate and develop the general economic welfare and prosperity of the City, and thereby to further promote, stimulate and develop the general economic welfare and prosperity of the State; and

WHEREAS, pursuant to the provisions of the Kansas Economic Development Revenue Bond Act, as amended and codified in K.S.A. 12-1740 *et seq.,* and K.S.A. 10-116a (collectively, the "Act"), the City is authorized to issue revenue bonds for such purposes and to issue revenue bonds for the purpose of refunding such bonds; and

WHEREAS, pursuant to the provisions of the Act, the City has heretofore issued multiple series of health care facilities revenue bonds for the purpose of financing or refinancing the acquisition, construction, renovation and equipping of a senior living and health care facility and corporate office facility (collectively, the "Wichita Facilities") located within the corporate limits of the City for the benefit of Presbyterian Manors, Inc., a Kansas not for profit corporation (the "Corporation"); and

WHEREAS, the City has, pursuant to K.S.A. 12-2901 *et seq.,* as amended (the "Interlocal Cooperation Act"), previously entered into interlocal cooperation agreements with the cities of Arkansas City, Clay Center, Dodge City, Emporia, Ft. Scott, Lawrence, Newton, Parsons, Salina, and Topeka, Kansas (the "Participants") for the purpose of acting as Issuer of health care facilities revenue bonds for the purpose of financing or refinancing the acquisition, construction, renovation and equipping of senior living and health care facilities located within the city limits of the Participants (collectively, the "Participant Facilities"); and

WHEREAS, the City has heretofore issued its Health Care Facilities Revenue Bonds (Presbyterian Manors, Inc.), Series IV-A, 2013 and Series IV-B, 2013 (collectively, the "Series 2013 Bonds"), the proceeds of which were used to: (a) acquire, construct, improve, equip, reimburse or refinance the costs of improvements to the Wichita Facilities and certain of the Participant Facilities; and (b) refund certain of the Issuer's then outstanding revenue bonds previously issued for the benefit of the Corporation; and

WHEREAS, the City has heretofore issued its Health Care Facilities Revenue Bonds (Presbyterian Manors, Inc.), Series IV-A, 2014 (the "Series 2014 Bonds"), which were issued to acquire, construct, improve, equip, reimburse or refinance the costs of improvements to the Wichita Facilities; and

WHEREAS, the City has heretofore issued its Health Care Facilities Revenue Bonds (Presbyterian Manors, Inc.), Series I, 2018, the proceeds of which were used to: (a) acquire existing senior living and health care facilities located in the City of Olathe, Kansas (the "Olathe Facility"); (b) refund and refinance revenue bonds issued by the City of Olathe, Kansas for the Olathe Facility; and (c) construct, improve, equip, reimburse or refinance the costs of improvements to the Olathe Facility, the Wichita Facilities and certain of the Participant Facilities; and

WHEREAS, the Wichita Facilities, the Participant Facilities and the Olathe Facility (collectively, the "Facilities") are leased by the City to the Corporation; and

WHEREAS, the Governing Body determines it to be advisable and in the interest and for the welfare of the City and its inhabitants that revenue bonds of the City in the principal amount of not to exceed $53,000,000 be authorized and issued pursuant to the Act to provide funds to: (a) refund all or a portion of the Series 2013 Bonds and Series 2014 Bonds (collectively, the "Refunded Bonds"); and (b) to finance the acquisition, construction and equipping of improvements to the Facilities (collectively, the "Project").

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

Section 1. Public Purpose. The Governing Body hereby finds and determines that the Project will promote, stimulate and develop the general economic welfare and prosperity of the City, and further promote, stimulate and develop the general economic welfare and prosperity of the State.

Section 2. Authorization of Project; Intent to Issue Bonds;. The City is hereby authorized to proceed with the Project, and to issue its revenue bonds, in one or more series, in an aggregate principal amount not to exceed $53,000,000 (the "Bonds") to pay the costs thereof, subject to satisfaction of the conditions of issuance set forth herein.

Section 3. Conditions to Issuance of Bonds. The issuance of the Bonds is subject to: (a) the Corporation's written acceptance of a Letter of Intent containing the City's conditions to the issuance of the Bonds in accordance with the City's Economic Development Incentive Policy (the "Letter of Intent"); (b) the successful negotiation and sale of the Bonds to a purchaser or purchasers to be determined by the Corporation and acceptable to the City (the "Purchaser"), which sale shall be the responsibility of the Corporation and not the City; (c) the receipt of the approving legal opinion of Gilmore & Bell, P.C. ("Bond Counsel") in form acceptable to the City, the Corporation and the Purchaser; (d) the obtaining of all necessary governmental approvals to the issuance of the Bonds; and (e) the commitment to and payment by the Corporation or Purchaser of all expenses relating to the issuance of the Bonds, including, but not limited to: (i) expenses of the City and the City Attorney; (ii) any underwriting or placement fees and expenses; (iii) all legal fees and expenses of Bond Counsel; and (iv) all recording and filing fees, including fees of the Kansas Board of Tax Appeals.

Section 4. Sales Tax Exemption. The Governing Body hereby determines that pursuant to the provisions of K.S.A. 79-3601 *et seq*. (the "Sales Tax Act"), particularly 79-3606(b) and (d) and other applicable laws, sales of tangible personal property or services purchased in connection with construction, renovation and equipping of the Facilities and financed with proceeds of the Bonds are entitled to exemption from the tax imposed by the Sales Tax Act; provided proper application is made therefore. In the event that the Bonds are not issued for any reason, the Corporation will not be entitled to a sales tax exemption under the terms of the Sales Tax Act and will remit to the State Department of Revenue all sales taxes that were not paid due to reliance on the sales tax exemption certificate granted hereunder.

Section 5. Reliance by Corporation; Limited Liability of City. It is contemplated that in order to expedite the Project and realization of the benefits to be derived thereby, the Corporation may incur temporary indebtedness or expend its own funds to pay costs of the Project prior to the issuance of the Bonds; provided that such expenditures incurred prior to the issuance of the Bonds are at the risk of the Corporation that the Bonds will actually be issued. Proceeds of Bonds may be used to reimburse the Corporation for such expenditures made not more than 60 days prior to the date this Resolution is adopted, and as provided by §1.150-2 of the U.S. Treasury Regulations. The Bonds herein authorized and all interest thereon shall be paid solely from the revenues to be received by the City from the Facilities and not from any other fund or source. The City shall not be obligated on such Bonds in any way, except as herein set out. In the event that the Bonds are not issued, the City shall have no liability to the Corporation.

Section 6. Execution and Delivery of Documents. The Mayor is hereby authorized to execute the Letter of Intent, and the City Clerk is authorized to deliver executed copies of this Resolution and the Letter of Intent to the Corporation. After the Corporation has demonstrated compliance with the provisions of the Letter of Intent, the Mayor and City Clerk are authorized to execute a bond purchase agreement with the Purchaser and the Corporation for the sale of the Bonds in a form satisfactory to the City Attorney and Bond Counsel.

Section 7. Further Action. The Mayor, City Clerk and other officials, employees and agents of the City, including the City Attorney and Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution, including, but not limited to: (a) cooperate with the Corporation in filing an application for a sales tax exemption certificate with the Kansas Department of Revenue with respect to Bond-financed property; (b) execution on behalf of the City of the information statement regarding the proposed issuance of the Bonds to be filed with the State Board of Tax Appeals pursuant to the Act; (c) cooperate with the Corporation to maintain any *ad valorem* property tax exemption for the Facilities which is consistent with the Corporation's charitable purposes, and execute such documents in connection therewith as are approved by the City Attorney; (d) notification to the Trustee for the Refunded Bonds to call such bonds for redemption on such permitted redemption date as the Corporation shall request in writing; and (e) dissemination of this Resolution or other notices as may be required by the Act.

Section 8. Effective Date. This resolution shall become effective upon adoption by the Governing Body and shall remain in effect until December 31, 2020, unless extended by affirmative vote of a majority of the Governing Body.

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ADOPTED by the City Council of the City of Wichita, Kansas, on August 20, 2019

(SEAL)

/s/ Jeff Longwell
Jeff Longwell, Mayor

ATTEST:

/s/ Karen Sublett
Karen Sublett, City Clerk

APPROVED AS TO FORM:

/s/ Jennifer Magaña
Jennifer Magaña, Director of Law and
City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution adopted by the City Council of the City of Wichita, Kansas on August 20, 2019, as the same appears of record in my office.

DATED: August 20, 2019

/s/ Karen Sublett
Karen Sublett, City Clerk

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City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Jessica Lamendola/kej**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Monthly Expenditures**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**014 Ordinances – Non-Codified / 005 Miscellaneous**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

ORDINANCE introduced by City Manager Brent Trout, allowing and approving City expenditures for the period June 29, 2019 through August 2, 2019, and enumerating said expenditures therein.

(Approving expenditures in the amount of $23,879,192.01.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

POLICY ISSUE:

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

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to adopt the ordinance.

BACKGROUND:

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

BUDGETARY IMPACT:

Approved expenditures for the period June 29, 2019 through August 2, 2019, in the amount of $23,879,192.01.

SOURCE OF FUNDING:

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

ATTACHMENTS:

Description

Ordinance
Detail A/P Report for 6/29/19 to 8/2/19
Detail CB55 Report for 6/29/19 to 8/2/19

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Brent Trout, allowing and approving City expenditures for the period of June 29, 2019 through August 2, 2019, and enumerating said expenditures herein.

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

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

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

Section 3.

Total of 534 vendor checks written this period	3,078,968.08
Total vendor payments voided in this period (net)	(00.00)
Total of 1,074 ACH transfers to vendors this period	15,335,185.06
Total of 29 payroll checks to employees this period	33,474.14
Total of 5,440 payroll electronic transfers this period	5,431,564.73
Total for expenditures in this period	$23,879,192.01

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

PASSED and APPROVED by the Governing Body _____

_____
Michelle DeLaIsla, Mayor

ATTEST:

_____
Brenda Younger, City Clerk

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
Electronic Payments					
75208	07/01/2019	ABBIE E KERN RVOC TR	11306		**557.00**
BAU102-0719		S+C JULY 2019 Payment		557.00	
75209	07/01/2019	AREA, ROBERT E	250		**785.00**
JEN103-0719		S+C JULY 2019 Payment		785.00	
75210	07/01/2019	AREA, WILLIAM C	9445		**2,230.00**
ALB101-0719		S+C JULY 2019 Payment		543.00	
HAY101-0719		S+C JULY 2019 Payment		593.00	
MCF101-0719		S+C JULY 2019 Payment		274.00	
MOO101-0719		S+C JULY 2019 Payment		245.00	
SCH101-0719		S+C JULY 2019 Payment		575.00	
75211	07/01/2019	BALANCED PROPERTY MANAGEMENT	10373		**1,770.00**
BAR108-0719		S+C JULY 2019 Payment		425.00	
COL104-0719		S+C JULY 2019 Payment		594.00	
FOR104-0719		S+C JULY 2019 Payment		251.00	
MCC107-0719		S+C JULY 2019 Payment		500.00	
75212	07/01/2019	BENNETT PROPERTY LLC	440		**569.00**
MUN113-0719		S+C JULY 2019 Payment		290.00	
THO104-0719		S+C JULY 2019 Payment		279.00	
75213	07/01/2019	BEST BUY SALES INC	8560		**3,010.00**
BUS102-0719		S+C JULY 2019 Payment		789.00	
MEN112-0719		S+C JULY 2019 Payment		775.00	
PRI108-0719		S+C JULY 2019 Payment		1,446.00	
75214	07/01/2019	BIG LLC	11628		**3,100.00**
AMA103-0719		S+C JULY 2019 Payment		965.00	
AMA103-APP		S+C JULY 2019 Payment		35.00	
AMA103-DEP		S+C JULY 2019 Deposit		700.00	
CUN104-0719		S+C JULY 2019 Payment		700.00	
SUH103-0719		S+C JULY 2019 Payment		700.00	
75215	07/01/2019	BPM LLC	579		**884.00**
BRO103-0719		S+C JULY 2019 Payment		480.00	
LAT102-0719		S+C JULY 2019 Payment		404.00	
75216	07/01/2019	BREAKTHROUGH HOUSE INC	599		**492.00**
COFF104-0719		S+C JULY 2019 Payment		172.00	
MOR104-0719		S+C JULY 2019 Payment		320.00	
75217	07/01/2019	BRICKHOUSE REAL ESTATE	11270		**1,125.00**
ORC101-0719		S+C JULY 2019 Payment		450.00	
REE102-0719		S+C JULY 2019 Payment		675.00	
75218	07/01/2019	BROOKWOOD TERRACE HOUSING LP	644		**6,896.00**
MIL101-0719		S+C JULY 2019 Payment		495.00	
MON104-0719		S+C JULY 2019 Payment		450.00	
RAN101-0719		S+C JULY 2019 Payment		473.00	
ROB107-0719		S+C JULY 2019 Payment		333.00	
STO101-0719		S+C JULY 2019 Payment		338.00	
WET101-0719		S+C JULY 2019 Payment		267.00	
CHA104-0719		S+C JULY 2019 Payment		366.00	
DOR101-0719		S+C JULY 2019 Payment		354.00	
ELD101-0719		S+C JULY 2019 Payment		473.00	
ENL101-0719		S+C JULY 2019 Payment		465.00	
GES101-0719		S+C JULY 2019 Payment		200.00	
KIR101-0719		S+C JULY 2019 Payment		369.00	
ALL105-0719		S+C JULY 2019 Payment		485.00	
BAK101-0719		S+C JULY 2019 Payment		78.00	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
BRI107-0719		S+C JULY 2019 Payment		485.00	
BRO111-0719		S+C JULY 2019 Payment		340.00	
BUR102-0719		S+C JULY 2019 Payment		480.00	
BUR103-0719		S+C JULY 2019 Payment		445.00	
75219	07/01/2019	BUESCHER, MELISSA	11525		**1,250.00**
GON101-0719		S+C JULY 2019 Payment		1,250.00	
75220	07/01/2019	CANDLESTICK MANAGEMENT LLC	10720		**1,920.00**
AND106-0719		S+C JULY 2019 Payment		490.00	
ATK103-0719		S+C JULY 2019 Payment		380.00	
FLO102-0719		S+C JULY 2019 Payment		525.00	
TUC101-0719		S+C JULY 2019 Payment		525.00	
75221	07/01/2019	CAPITOL MANAGEMENT LLC	792		**786.00**
DIT101-0719		S+C JULY 2019 Payment		786.00	
75222	07/01/2019	CARLSON, DEBORAH A	9352		**594.00**
MAR123-0719		S+C JULY 2019 Payment		594.00	
75223	07/01/2019	CASTLE HOME MANAGEMENT LLC	9474		**1,028.00**
SHA106-0719		S+C JULY 2019 Payment		1,028.00	
75224	07/01/2019	CJS REAL ESTATE	10107		**5,453.00**
AND107-0719		S+C JULY 2019 Payment		1,033.00	
BRA105-0719		S+C JULY 2019 Payment		593.00	
HAL102-0719		S+C JULY 2019 Payment		594.00	
KEN102-0719		S+C JULY 2019 Payment		322.00	
ONE101-0719		S+C JULY 2019 Payment		593.00	
SAN103-0719		S+C JULY 2019 Payment		123.00	
SES101-0719		S+C JULY 2019 Payment		785.00	
STA105-0719		S+C JULY 2019 Payment		299.00	
WAR101-0719		S+C JULY 2019 Payment		845.00	
WHI103-0719		S+C JULY 2019 Payment		266.00	
75225	07/01/2019	CLARK, JAMES M	10909		**475.00**
MAR103-0719		S+C JULY 2019 Payment		475.00	
75226	07/01/2019	COMMUNITY ACTION INC	11697		**2,867.00**
LEE102-0719		S+C JULY 2019 Payment		372.00	
RAM103-0719		S+C JULY 2019 Payment		372.00	
STR101-0719		S+C JULY 2019 Payment		368.00	
THO101-0719		S+C JULY 2019 Payment		278.00	
YOU101-0719		S+C JULY 2019 Payment		26.00	
BAK102-0719		S+C JULY 2019 Payment		347.00	
HAR107-0719		S+C JULY 2019 Payment		372.00	
JEF101-0719		S+C JULY 2019 Payment		366.00	
LAC102-0719		S+C JULY 2019 Payment		366.00	
75227	07/01/2019	CORNERSTONE APARTMENTS LP	7173		**495.00**
LAD1024-0719		S+C JULY 2019 Payment		194.00	
THO102-0719		S+C JULY 2019 Payment		301.00	
75228	07/01/2019	CORNERSTONE OF TOPEKA INC	1117		**3,821.00**
EDM101-0719		S+C JULY 2019 Payment		504.00	
SAN101-0719		S+C JULY 2019 Payment		320.00	
GAR102-0719		S+C JULY 2019 Payment		425.00	
HOM101-0719		S+C JULY 2019 Payment		460.00	
LEA101-0719		S+C JULY 2019 Payment		425.00	
LED102-0719		S+C JULY 2019 Payment		450.00	
PET101-0719		S+C JULY 2019 Payment		395.00	
PRI1029-0719		S+C JULY 2019 Payment		470.00	
FER102-0719		S+C JULY 2019 Payment		372.00	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75229	07/01/2019	COX, WILLIAM R	1151		**900.00**
KIM1032-0719		S+C JULY 2019 Payment		900.00	
75230	07/01/2019	CUEVAS, EMILIO	1197		**315.00**
LIN101-0719		S+C JULY 2019 Payment		315.00	
75231	07/01/2019	DELAPP, PATRICK	1315		**388.00**
KIV102-0719		S+C JULY 2019 Payment		388.00	
75232	07/01/2019	DERYL D WILSON	6401		**294.00**
HUG101-0719		S+C JULY 2019 Payment		294.00	
75233	07/01/2019	DONALD, JORDAN M	11484		**737.00**
DUP102-0719		S+C JULY 2019 Payment		285.00	
BAR107-0719		S+C JULY 2019 Payment		452.00	
75234	07/01/2019	DONALD, JOSEPH	12		**1,005.00**
LOY101-0719		S+C JULY 2019 Payment		530.00	
WUN101-0719		S+C JULY 2019 Payment		475.00	
75235	07/01/2019	DUNCAN, CLAUDE	1442		**1,721.00**
BOX1089-0719		S+C JULY 2019 Payment		379.00	
MAR120-0719		S+C JULY 2019 Payment		525.00	
MIM102-0719		S+C JULY 2019 Payment		495.00	
SPA1055-0719		S+C JULY 2019 Payment		322.00	
75236	07/01/2019	EMERT, JENNIFER	11689		**623.00**
WIL116-0719		S+C JULY 2019 Payment		623.00	
75237	07/01/2019	EUGENE & PARAMORE LLC	11174		**3,409.00**
ALV101-0719		S+C JULY 2019 Payment		423.00	
GAR105-0719		S+C JULY 2019 Payment		369.00	
LAN102-0719		S+C JULY 2019 Payment		347.00	
MCF102-0719		S+C JULY 2019 Payment		785.00	
RAN101-0719		S+C JULY 2019 Payment		785.00	
STA104-0719		S+C JULY 2019 Payment		700.00	
75238	07/01/2019	FIRM FOUNDATION MINISTRIES	11637		**550.00**
CON101-0719		S+C JULY 2019 Payment		550.00	
75239	07/01/2019	GARNER PROPERTIES LLC	9070		**293.00**
MAR121-0719		S+C JULY 2019 Payment		293.00	
75240	07/01/2019	GLENN OAKS CITY CENTRE GP LLC	9348		**1,690.00**
DAV103-0719		S+C JULY 2019 Payment		398.00	
FOR103-0719		S+C JULY 2019 Payment		456.00	
HLU101-0719		S+C JULY 2019 Payment		93.00	
JON107-0719		S+C JULY 2019 Payment		460.00	
TUR102-0719		S+C JULY 2019 Payment		283.00	
75241	07/01/2019	GOODALL, ROBERT G	9401		**895.00**
SMI121-0719		S+C JULY 2019 Payment		895.00	
75242	07/01/2019	HALL, DEBORAH	11218		**755.00**
FOS102-0719		S+C JULY 2019 Payment		370.00	
PET102-0719		S+C JULY 2019 Payment		385.00	
75243	07/01/2019	HERCULES, VICTOR	11175		**323.00**
BAR102-0719		S+C JULY 2019 Payment		323.00	
75244	07/01/2019	HIGGINBOTHOM, CORY	11411		**2,786.00**

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
BOU101-0719		S+C JULY 2019 Payment		1,033.00	
GAL102-0719		S+C JULY 2019 Payment		840.00	
RIT106-0719		S+C JULY 2019 Payment		320.00	
SAD101-0719		S+C JULY 2019 Payment		593.00	
75245	07/01/2019	INTERNATIONAL CENTERS	11660		**593.00**
GIL101-0719		S+C JULY 2019 Payment		593.00	
75246	07/01/2019	MASSEY, JEANETTE I	8460		**196.00**
BOW101-0719		S+C JULY 2019 Payment		196.00	
75247	07/01/2019	RAGSDALE, JEFF	7375		**109.00**
SEX108-0719		S+C JULY 2019 Payment		109.00	
75248	07/01/2019	KANSAS CAPITAL CORNERS LLC	11119		**3,238.00**
BLA105-0719		S+C JULY 2019 Payment		400.00	
CON103-0719		S+C JULY 2019 Payment		312.00	
FUN101-0719		S+C JULY 2019 Payment		813.00	
FUN101-DEP		S+C JULY 2019 Deposit		250.00	
STO102-0719		S+C JULY 2019 Payment		400.00	
WRI101-0719		S+C JULY 2019 Payment		813.00	
WRI101-DEP		S+C JULY 2019 Deposit		250.00	
75249	07/01/2019	KANSAS CARRIAGE HOUSE LLC	10256		**1,347.00**
BUR101-0719		S+C JULY 2019 Payment		538.00	
COL105-0719		S+C JULY 2019 Payment		334.00	
KOL103-0719		S+C JULY 2019 Payment		475.00	
75250	07/01/2019	KANSAS CORONADO LLC	11412		**398.00**
SIM106-0719		S+C JULY 2019 Payment		398.00	
75251	07/01/2019	KANSAS MT VERNON LLC	11151		**2,145.00**
COT101-0719		S+C JULY 2019 Payment		540.00	
HEA101-0719		S+C JULY 2019 Payment		515.00	
HUR103-0719		S+C JULY 2019 Payment		570.00	
JUD103-0719		S+C JULY 2019 Payment		361.00	
TUR104-0719		S+C JULY 2019 Payment		159.00	
75252	07/01/2019	KANSAS VILLAGE AT OLD TOWN LLC	11152		**7,731.00**
ANS102-0719		S+C JULY 2019 Payment		249.00	
BAR109-0719		S+C JULY 2019 Payment		309.00	
BEC101-0719		S+C JULY 2019 Payment		128.00	
DEC101-0719		S+C JULY 2019 Payment		283.00	
ROB107-0719		S+C JULY 2019 Payment		386.00	
SHO102-0719		S+C JULY 2019 Payment		750.00	
SIM107-0719		S+C JULY 2019 Payment		316.00	
TAY101-0719		S+C JULY 2019 Payment		279.00	
VEN101-0719		S+C JULY 2019 Payment		304.00	
WIL111-0719		S+C JULY 2019 Payment		297.00	
KIN101-0719		S+C JULY 2019 Payment		297.00	
KUH101-0719		S+C JULY 2019 Payment		313.00	
PER110-0719		S+C JULY 2019 Payment		404.00	
POW103-0719		S+C JULY 2019 Payment		351.00	
PRI105-0719		S+C JULY 2019 Payment		215.00	
ROB103-0719		S+C JULY 2019 Payment		359.00	
ERI101-0719		S+C JULY 2019 Payment		525.00	
FIL101-0719		S+C JULY 2019 Payment		425.00	
GAY101-0719		S+C JULY 2019 Payment		450.00	
HAR112-0719		S+C JULY 2019 Payment		288.00	
HAS101-0719		S+C JULY 2019 Payment		407.00	
JAR103-0719		S+C JULY 2019 Payment		396.00	
75253	07/01/2019	BRUBAKER, KENNETH L	7383		**475.00**

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
BEN101-0719		S+C JULY 2019 Payment		475.00	
75254	07/01/2019	KP PROPERTIES	10484		**360.00**
NAV101-DMGES		S+C JULY 2019 Payment		360.00	
75255	07/01/2019	LOCUST 1805 LLC	11534		**1,232.00**
FRI1060-0719		S+C JULY 2019 Payment		228.00	
OST101-0719		S+C JULY 2019 Payment		625.00	
PER108-0719		S+C JULY 2019 Payment		379.00	
75256	07/01/2019	LUELLEN, MICHAEL DEAN	3135		**1,048.00**
FIN103-0719		S+C JULY 2019 Payment		685.00	
JEN102-0719		S+C JULY 2019 Payment		363.00	
75257	07/01/2019	MADISON STREET APARTMENTS LLC	10691		**4,424.00**
BAL102-0719		S+C JULY 2019 Payment		125.00	
BRO118-0719		S+C JULY 2019 Payment		184.00	
CHA103-0719		S+C JULY 2019 Payment		540.00	
HAR104-0719		S+C JULY 2019 Payment		427.00	
MEH102-0719		S+C JULY 2019 Payment		223.00	
ROL101-0719		S+C JULY 2019 Payment		237.00	
ROS102-0719		S+C JULY 2019 Payment		510.00	
SCO101-0719		S+C JULY 2019 Payment		314.00	
SEI102-0719		S+C JULY 2019 Payment		309.00	
SHU101-0719		S+C JULY 2019 Payment		510.00	
SPA102-0719		S+C JULY 2019 Payment		535.00	
WIL113-0719		S+C JULY 2019 Payment		510.00	
75258	07/01/2019	MAHNOPOLY LLC	11407		**1,274.00**
HAM101-0719		S+C JULY 2019 Payment		349.00	
MAR115-0719		S+C JULY 2019 Payment		400.00	
PAU104-0719		S+C JULY 2019 Payment		525.00	
75259	07/01/2019	MAHONEY, DAVE	11219		**1,178.00**
MUR103-0719		S+C JULY 2019 Payment		650.00	
WIL112-0719		S+C JULY 2019 Payment		528.00	
75260	07/01/2019	MARK DB LLC	11396		**653.00**
ORT101-0719		S+C JULY 2019 Payment		653.00	
75261	07/01/2019	MEDFORD PROPERTY MANAGEMENT IN	6791		**3,181.00**
BET103-0719		S+C JULY 2019 Payment		357.00	
CRU101-0719		S+C JULY 2019 Payment		411.00	
DAM101-0719		S+C JULY 2019 Payment		465.00	
GLO102-0719		S+C JULY 2019 Payment		365.00	
GRI101-0719		S+C JULY 2019 Payment		377.00	
HES101-0719		S+C JULY 2019 Payment		500.00	
REC101-0719		S+C JULY 2019 Payment		341.00	
SMI122-0719		S+C JULY 2019 Payment		365.00	
75262	07/01/2019	MONARCH ASSETS LLC	10185		**307.00**
BRA101-0719		S+C JULY 2019 Payment		307.00	
75263	07/01/2019	MURPHREE ENTERPRISES INC	11173		**673.00**
LUT102-0719		S+C JULY 2019 Payment		673.00	
75264	07/01/2019	NUTTER, STEPHEN	6384		**466.00**
MAR101-0719		S+C JULY 2019 Payment		466.00	
75265	07/01/2019	OAKBROOK HOLDINGS LLC	11512		**2,314.00**
BEV101-0719		S+C JULY 2019 Payment		680.00	
BRA104-0719		S+C JULY 2019 Payment		810.00	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
MCG1031-0719		S+C JULY 2019 Payment		824.00	
75266	07/01/2019	SAGGART, PAMELA	7218		**210.00**
THE101-0719		S+C JULY 2019 Payment		210.00	
75267	07/01/2019	PARADISE PLAZA I LLC	3813		**597.00**
LYN104-0719		S+C JULY 2019 Payment		597.00	
75268	07/01/2019	PARADISE PLAZA II LLC	3814		**819.00**
DIV101-0719		S+C JULY 2019 Payment		623.00	
ZAV101-0719		S+C JULY 2019 Payment		196.00	
75269	07/01/2019	PARK SOUTH PARTNERS LLC	7387		**4,070.00**
PRI106-0719		S+C JULY 2019 Payment		356.00	
TIN102-0719		S+C JULY 2019 Payment		372.00	
WAD102-0719		S+C JULY 2019 Payment		485.00	
WIL101-0719		S+C JULY 2019 Payment		290.00	
ALL117-0719		S+C JULY 2019 Payment		363.00	
CRA100-0719		S+C JULY 2019 Payment		615.00	
ELR103-0719		S+C JULY 2019 Payment		361.00	
JAC104-0719		S+C JULY 2019 Payment		545.00	
JAM102-0719		S+C JULY 2019 Payment		198.00	
LAM101-0719		S+C JULY 2019 Payment		485.00	
75270	07/01/2019	PARKLANE PROPERTIES LLC	3822		**851.00**
DAR101-0719		S+C JULY 2019 Payment		500.00	
HAR111-0719		S+C JULY 2019 Payment		351.00	
75271	07/01/2019	PETERSEN, LONNIE	3909		**311.00**
SHA1042-0719		S+C JULY 2019 Payment		311.00	
75272	07/01/2019	PIONEER ADAMS II LP	7285		**646.00**
GAR104-0719		S+C JULY 2019 Payment		363.00	
POR101-0719		S+C JULY 2019 Payment		283.00	
75273	07/01/2019	PIONEER CURTIS HOMES	3941		**1,007.00**
DEP101-0719		S+C JULY 2019 Payment		349.00	
GUE101-0719		S+C JULY 2019 Payment		323.00	
HUN102-0719		S+C JULY 2019 Payment		335.00	
75274	07/01/2019	PIONEER MOTIVE POWER PLACE LP	9278		**1,887.00**
AND102-0719		S+C JULY 2019 Payment		243.00	
BAR105-0719		S+C JULY 2019 Payment		490.00	
COO102-0719		S+C JULY 2019 Payment		210.00	
DOU105-0719		S+C JULY 2019 Payment		97.00	
HAT101-0719		S+C JULY 2019 Payment		367.00	
MCC103-0719		S+C JULY 2019 Payment		480.00	
75275	07/01/2019	REDEN U JALOSJOS	11616		**326.00**
SUT101-0719		S+C JULY 2019 Payment		326.00	
75276	07/01/2019	RENT TOPEKA HOMES	4175		**1,911.00**
BLE101-0719		S+C JULY 2019 Payment		760.00	
SPI101-0719		S+C JULY 2019 Payment		551.00	
TIS101-0719		S+C JULY 2019 Payment		600.00	
75277	07/01/2019	RENTAL MANAGEMENT SOLUTIONS LL	4176		**5,168.00**
GIN102-0719		S+C JULY 2019 Payment		435.00	
HED101-0719		S+C JULY 2019 Payment		474.00	
HUD103-0719		S+C JULY 2019 Payment		463.00	
HUT101-0719		S+C JULY 2019 Payment		143.00	
KOZ1041-0719		S+C JULY 2019 Payment		376.00	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
MAR102-0719		S+C JULY 2019 Payment		645.00	
MOR103-0719		S+C JULY 2019 Payment		435.00	
NOR101-0719		S+C JULY 2019 Payment		483.00	
RHO103-0719		S+C JULY 2019 Payment		410.00	
SMI104-0719		S+C JULY 2019 Payment		515.00	
TOR102-0719		S+C JULY 2019 Payment		379.00	
WIS103-0719		S+C JULY 2019 Payment		410.00	
75278	07/01/2019	RIVERA, LENA MARIE	9498		**450.00**
PAR101-0719		S+C JULY 2019 Payment		450.00	
75279	07/01/2019	CUEVAS, RODOLFO	7291		**362.00**
FAR101-0719		S+C JULY 2019 Payment		362.00	
75280	07/01/2019	RUNNING R PROPERTY MANAGEMENT	10417		**1,894.00**
COO104-0719		S+C JULY 2019 Payment		744.00	
MES102-0719		S+C JULY 2019 Payment		575.00	
ZAR102-0719		S+C JULY 2019 Payment		575.00	
75281	07/01/2019	SCHMIDT, DONALD J	4401		**725.00**
HAD103-0719		S+C JULY 2019 Payment		725.00	
75282	07/01/2019	SHAWNEE MANAGEMENT LLC	7828		**2,507.00**
BAR110-0719		S+C JULY 2019 Payment		373.00	
BLA106-0719		S+C JULY 2019 Payment		343.00	
CLE102-0719		S+C JULY 2019 Payment		931.00	
LEE101-0719		S+C JULY 2019 Payment		593.00	
NAS102-0719		S+C JULY 2019 Payment		267.00	
75283	07/01/2019	SMALL FISH PARTNERS LLC	11065		**475.00**
BYR102-0719		S+C JULY 2019 Payment		475.00	
75284	07/01/2019	STONER, JAMES KYLE	10712		**1,028.00**
LAC101-0719		S+C JULY 2019 Payment		1,028.00	
75285	07/01/2019	SUAREZ 7 LLC	11066		**1,701.00**
CHI101-0719		S+C JULY 2019 Payment		785.00	
RAI102-0719		S+C JULY 2019 Payment		323.00	
ROL102-0719		S+C JULY 2019 Payment		593.00	
75286	07/01/2019	SY HIGHLAND INVESTORS LP	11059		**396.00**
PER110-0719		S+C JULY 2019 Payment		396.00	
75287	07/01/2019	THE LIBRARY APARTMENTS INC	11304		**1,137.00**
BYR103-0719		S+C JULY 2019 Payment		425.00	
HET101-0719		S+C JULY 2019 Payment		287.00	
SIS101-0719		S+C JULY 2019 Payment		425.00	
75288	07/01/2019	TJB PROPERTIES LLC	10719		**650.00**
SMI109-0719		S+C JULY 2019 Payment		650.00	
75289	07/01/2019	TOPEKA RENTALS LLC	5046		**3,588.00**
ALL114-0719		S+C JULY 2019 Payment		750.00	
BAR106-0719		S+C JULY 2019 Payment		590.00	
BIL101-0719		S+C JULY 2019 Payment		590.00	
CAS113-0719		S+C JULY 2019 Payment		113.00	
GRA101-0719		S+C JULY 2019 Payment		526.00	
NEL103-0719		S+C JULY 2019 Payment		317.00	
VIC101-0719		S+C JULY 2019 Payment		593.00	
WIL115-0719		S+C JULY 2019 Payment		109.00	
75290	07/01/2019	TRINITY PROPERTIES LLC	5098		**3,669.00**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
BOO101-0719		S+C JULY 2019 Payment		373.00	
CAR101-0719		S+C JULY 2019 Payment		379.00	
CHA102-0719		S+C JULY 2019 Payment		594.00	
FRE108-0719		S+C JULY 2019 Payment		136.00	
HAR102-0719		S+C JULY 2019 Payment		594.00	
HOP101-0719		S+C JULY 2019 Payment		152.00	
KRI101-0719		S+C JULY 2019 Payment		373.00	
KUT108-0719		S+C JULY 2019 Payment		355.00	
LUC104-0719		S+C JULY 2019 Payment		713.00	
75291	07/01/2019	TUCKING JR, CHARLES DELMAR	10910		**603.00**
LIT103-0719		S+C JULY 2019 Payment		603.00	
75292	07/01/2019	UH APARTMENT PROPERTIES LLC	11420		**2,158.00**
BAI101-0719		S+C JULY 2019 Payment		425.00	
BEL102-0719		S+C JULY 2019 Payment		485.00	
PEO101-0719		S+C JULY 2019 Payment		556.00	
SCO102-0719		S+C JULY 2019 Payment		331.00	
SPA106-0719		S+C JULY 2019 Payment		361.00	
75293	07/01/2019	VANHOUSE, DANIEL W	5201		**1,216.00**
MCC106-0719		S+C JULY 2019 Payment		466.00	
PAI102-0719		S+C JULY 2019 Payment		750.00	
75294	07/01/2019	WASHBURN NORTH APARTMENTS LLC	10954		**547.00**
MYE109-0719		S+C JULY 2019 Payment		253.00	
PRY104-0719		S+C JULY 2019 Payment		294.00	
75295	07/01/2019	WASHBURN SOUTH APARTMENTS LLC	11009		**2,930.00**
FAI101-0719		S+C JULY 2019 Payment		475.00	
HEN106-0719		S+C JULY 2019 Payment		475.00	
HIL107-0719		S+C JULY 2019 Payment		550.00	
MAR122-0719		S+C JULY 2019 Payment		143.00	
RHO104-0719		S+C JULY 2019 Payment		480.00	
WEA102-0719		S+C JULY 2019 Payment		361.00	
WIL114-0719		S+C JULY 2019 Payment		446.00	
75296	07/01/2019	WATSON REAL ESTATE DEVELOPMENT	11198		**1,656.00**
LAY102-0719		S+C JULY 2019 Payment		611.00	
NIE101-0719		S+C JULY 2019 Payment		1,045.00	
75297	07/01/2019	WCW ENTERPRISES INC	5339		**864.00**
KEM101-0719		S+C JULY 2019 Payment		434.00	
WEL104-0719		S+C JULY 2019 Payment		430.00	
75298	07/01/2019	WIEGERT, JASON	11438		**593.00**
MON113-0719		S+C JULY 2019 Payment		593.00	
75299	07/01/2019	WILCOX, CHRISTOHER J	11404		**508.00**
GOO101-0719		S+C JULY 2019 Payment		260.00	
LOT101-0719		S+C JULY 2019 Payment		248.00	
75300	07/01/2019	WOLFE, JO ANN	5517		**284.00**
ALL104-0719		S+C JULY 2019 Payment		284.00	
75301	07/01/2019	WONDERFUL WORKS RENTAL	11105		**550.00**
DAL102-0719		S+C JULY 2019 Payment		550.00	
75302	07/05/2019	STATE OF KANSAS	2732		**152.35**
00000007419070		Child Support - Amt		152.35	
75303	07/05/2019	STATE OF KANSAS	2732		**81.71**

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00000008619070		Child Support - Amt		81.71	
75304	07/05/2019	STATE OF KANSAS	2732		**277.00**
00000009419070		Child Support - Amt		277.00	
75305	07/05/2019	STATE OF KANSAS	2732		**923.08**
00000017119070		Child Support - Amt		923.08	
75306	07/05/2019	STATE OF KANSAS	2732		**1,233.73**
00000022219070		Child Support - Amt		1,233.73	
75307	07/05/2019	STATE OF KANSAS	2732		**53.08**
00000024219070		Child Support - Amt		53.08	
75308	07/05/2019	STATE OF KANSAS	2732		**112.15**
00000031619070		Child Support - Amt		112.15	
75309	07/05/2019	STATE OF KANSAS	2732		**810.71**
00000032819070		Child Support - Amt		810.71	
75310	07/05/2019	STATE OF KANSAS	2732		**277.38**
00000034019070		Child Support - Amt		277.38	
75311	07/05/2019	STATE OF KANSAS	2732		**498.46**
00000034319070		Child Support - Amt		498.46	
75312	07/05/2019	STATE OF KANSAS	2732		**92.10**
00000034519070		Child Support - Amt		92.10	
75313	07/05/2019	STATE OF KANSAS	2732		**183.29**
00000034819070		Child Support - Amt		183.29	
75314	07/05/2019	STATE OF KANSAS	2732		**207.52**
00000038519070		Child Support - Amt		207.52	
75315	07/05/2019	STATE OF KANSAS	2732		**1,215.59**
00000063319070		Child Support - Amt		1,215.59	
75316	07/05/2019	STATE OF KANSAS	2732		**323.08**
00000064119070		Child Support - Amt		323.08	
75317	07/05/2019	STATE OF KANSAS	2732		**207.75**
00000066719070		Child Support - Amt		207.75	
75318	07/05/2019	STATE OF KANSAS	2732		**692.52**
00000068219070		Child Support - Amt		692.52	
75319	07/05/2019	STATE OF KANSAS	2732		**209.08**
00000075419070		Child Support - Amt		209.08	
75320	07/05/2019	STATE OF KANSAS	2732		**286.15**
00000077919070		Child Support - Amt		286.15	
75321	07/05/2019	STATE OF KANSAS	2732		**185.08**
00000078519070		Child Support - Amt		185.08	
75322	07/05/2019	STATE OF KANSAS	2732		**122.77**
00000079119070		Child Support - Amt		122.77	
75323	07/05/2019	STATE OF KANSAS	2732		**369.34**
00000081019070		Child Support - Amt		369.34	

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Check No.	Check Date/PO #	Vendor Name and Number		Check Amount
75324	07/05/2019	STATE OF KANSAS	2732	**256.15**
00000082719070		Child Support - Amt	256.15	
75325	07/05/2019	STATE OF KANSAS	2732	**715.38**
00000085319070		Child Support - Amt	715.38	
75326	07/05/2019	STATE OF KANSAS	2732	**232.45**
00000091119070		Child Support - Amt	232.45	
75327	07/05/2019	STATE OF KANSAS	2732	**147.23**
00000092419070		Child Support - Amt	147.23	
75328	07/05/2019	STATE OF KANSAS	2732	**88.64**
00000093619070		Child Support - Amt	88.64	
75329	07/05/2019	STATE OF KANSAS	2732	**304.15**
00000095919070		Child Support - Amt	304.15	
75330	07/05/2019	STATE OF KANSAS	2732	**487.38**
00000098219070		Child Support - Amt	487.38	
75331	07/05/2019	STATE OF KANSAS	2732	**368.88**
00000104319070		Child Support - Amt	368.88	
75332	07/05/2019	STATE OF KANSAS	2732	**276.92**
00000109319070		Child Support - Amt	276.92	
75333	07/05/2019	STATE OF KANSAS	2732	**71.08**
00000109719070		Child Support - Amt	71.08	
75334	07/05/2019	STATE OF KANSAS	2732	**109.64**
00000112419070		Child Support - Amt	109.64	
75335	07/05/2019	STATE OF KANSAS	2732	**196.21**
00000112919070		Child Support - Amt	196.21	
75336	07/05/2019	STATE OF KANSAS	2732	**715.60**
00000113119070		Child Support - Amt	715.60	
75337	07/05/2019	STATE OF KANSAS	2732	**335.64**
00000118119070		Child Support - Amt	335.64	
75338	07/05/2019	STATE OF KANSAS	2732	**183.23**
00000147419070		Child Support - Amt	183.23	
75339	07/05/2019	STATE OF KANSAS	2732	**246.53**
00000197319070		Child Support - Amt	246.53	
75340	07/05/2019	STATE OF KANSAS	2732	**115.38**
00000215419070		Child Support - Amt	115.38	
75341	07/05/2019	STATE OF KANSAS	2732	**412.74**
00000225919070		Child Support - Amt	412.74	
75342	07/05/2019	STATE OF KANSAS	2732	**236.84**
00000226219070		Child Support - Amt	236.84	
75343	07/05/2019	STATE OF KANSAS	2732	**180.46**
00000233519070		Child Support - Amt	180.46	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75344	07/05/2019	STATE OF KANSAS	2732		**66.92**
00000237919070		Child Support - Amt		66.92	
75345	07/05/2019	STATE OF KANSAS	2732		**207.75**
00000241319070		Child Support - Amt		207.75	
75346	07/05/2019	STATE OF KANSAS	2732		**946.56**
00000247619070		Child Support - Amt		946.56	
75347	07/05/2019	STATE OF KANSAS	2732		**393.95**
00000247819070		Child Support - Amt		393.95	
75348	07/05/2019	STATE OF KANSAS	2732		**239.28**
00000247819070		Child Support - Amt		239.28	
75349	07/05/2019	STATE OF KANSAS	2732		**102.46**
00000251519070		Child Support - Amt		102.46	
75350	07/05/2019	STATE OF KANSAS	2732		**357.34**
00000254819070		Child Support - Amt		357.34	
75351	07/05/2019	STATE OF KANSAS	2732		**50.00**
00000257819070		Child Support - Amt		50.00	
75352	07/05/2019	STATE OF KANSAS	2732		**264.00**
00000261619070		Child Support - Amt		264.00	
75353	07/05/2019	STATE OF KANSAS	2732		**66.00**
00000264219070		Child Support - Amt		66.00	
75354	07/05/2019	STATE OF KANSAS	2732		**260.77**
00000272019070		Child Support - Amt		260.77	
75355	07/05/2019	STATE OF KANSAS	2732		**292.62**
00000275819070		Child Support - Amt		292.62	
75356	07/05/2019	STATE OF KANSAS	2732		**193.38**
00000285519070		Child Support - Amt		193.38	
75357	07/05/2019	STATE OF KANSAS	2732		**113.08**
00000287019070		Child Support - Amt		113.08	
75358	07/05/2019	STATE OF KANSAS	2732		**183.74**
00000287419070		Child Support - Amt		183.74	
75359	07/05/2019	STATE OF KANSAS	2732		**268.15**
00000289319070		Child Support - Amt		268.15	
75360	07/05/2019	STATE OF KANSAS	2732		**115.38**
00000297519070		Child Support - Amt		115.38	
75361	07/05/2019	STATE OF KANSAS	2732		**62.31**
00000299619070		Child Support - Amt		62.31	
75362	07/05/2019	STATE OF KANSAS	2732		**16.15**
00000299619070		Child Support - Amt		16.15	
75363	07/05/2019	STATE OF KANSAS	2732		**120.46**
00000299619070		Child Support - Amt		120.46	
75364	07/05/2019	STATE OF KANSAS	2732		**16.15**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
00000299619070		Child Support - Amt		16.15	
75365	07/05/2019	STATE OF KANSAS	2732		**86.31**
00000303919070		Child Support - Amt		86.31	
75366	07/05/2019	AAA CLUB ALLIANCE INC	10251		**1,003.00**
299176	45353			38.00	
299177	45353			38.00	
299197	45353			38.00	
299199	45353			38.00	
299037	45353			38.00	
299054	45469			38.00	
299056	45353			38.00	
299058	45353			38.00	
299173	45353			38.00	
299175	45353			38.00	
298839	45353			38.00	
298841	45353			38.00	
298842	45353			38.00	
298954	45353			38.00	
299033	45353			38.00	
299036	45353			38.00	
298431	45353			38.00	
298579	45353			38.00	
298784	45353			38.00	
298787	45353			38.00	
298788	45353			38.00	
298789	45353			38.00	
283177	45353			38.00	
283178	45353			91.00	
298430	45353			38.00	
75367	07/05/2019	AMERIPRIDE SERVICES INC	197		**583.91**
2301045381	45656			99.37	
2301045281	45401			34.61	
2301045287	45401			15.86	
2301045292	45656			12.65	
2301045293	45656			20.27	
2301045294	45656			141.19	
2301045295	45656			49.82	
2301044954	45401			31.71	
2301045280	45677			178.43	
75368	07/05/2019	AMINO BROTHERS CO INC	8026		**220,680.68**
43429 8 FINAL	43429			188,390.78	
44972 3 FINAL	44972			32,289.90	
75369	07/05/2019	BARR THORP ELECTRIC CO INC	385		**417.18**
S1488252 001	47409			417.18	
75370	07/05/2019	BERMUDEZ, OSCAR	10602		**12,796.23**
47204 2605 MOR	47204			6,163.53	
46975 4211 SW (	46975			3,542.00	
47062 3118 SW 3	47062			397.20	
47123 1607 SW J	47123			2,693.50	
75371	07/05/2019	BLUE CROSS BLUE SHIELD INC	528		**99,907.15**
W/E 7/2/19	45603			99,907.15	
75372	07/05/2019	BOETTCHER SUPPLY INC	543		**4.13**
1106252 1	45405			-27.25	
1106253 1	45405			31.38	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75373	07/05/2019	BORDER STATES INDUSTRIES INC	10997		**534.16**
917850998	45658			63.77	
917897991	45658			470.39	
75374	07/05/2019	BUTLER ANIMAL HEALTH HOLDING	9758		**433.66**
RH41979	45352			103.41	
RK29727	45352			85.65	
RK31671	45352			35.64	
RK33838	45352			55.07	
RH41955	45352			153.89	
75375	07/05/2019	BVH INC	11518		**17,297.50**
6704496	45128			17,297.50	
75376	07/05/2019	C & C PRODUCE	7788		**949.00**
001474122	45366			949.00	
75377	07/05/2019	CBS DOOR & HARDWARE LLC	11696		**2,313.00**
707950	45684			2,313.00	
75378	07/05/2019	CENTRAL SALT LLC	8550		**11,332.78**
306709	45881			1,738.84	
306619	45881			2,080.62	
306658	45881			5,434.16	
306673	45881			2,079.16	
75379	07/05/2019	CENTURY BUSINESS TECHNOLOGIES	870		**4,238.28**
527943	45397			3,523.08	
527941	45397			-1,511.32	
527922	45397			1,630.24	
527921	45397			596.28	
75380	07/05/2019	CONCRETE SUPPLY OF TOPEKA	1066		**1,667.50**
250764	45532			1,150.00	
251656	45532			230.00	
251657	45532			287.50	
75381	07/05/2019	CONRAD FIRE EQUIPMENT INC	1073		**1,954.56**
535669	45413			1,916.33	
535679	45413			38.23	
75382	07/05/2019	COPY CENTER OF TOPEKA	1107		**3,901.65**
145990	47448			2,705.40	
145995	47448			1,196.25	
75383	07/05/2019	DEAN, ALLEN	11754		**550.00**
47560	47560			550.00	
75384	07/05/2019	DELL FINANCIAL SERVICES LP	1320		**8,982.42**
80016883	24838			1,754.23	
80016884	25842			4,534.82	
80016885	28753			732.91	
80016886	30650			910.46	
80020174	31492			1,050.00	
75385	07/05/2019	DELTA DENTAL OF KANSAS INC	1323		**15,931.88**
45604 ADMIN JU	45604			3,413.60	
W/E 06/27/19	45604			12,518.28	
75386	07/05/2019	DEZURIK INC	6583		**2,357.73**
RPI 65010137	46445			109.75	
RPI 65010231	47365			2,200.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
RPI 65010360	47365			47.98	
75387	07/05/2019	DOWNTOWN TOPEKA INC	1408		**8,110.52**
BID ADMIN 2019	CONTRACT			8,110.52	
75388	07/05/2019	EMBROIDERY PLUS BY TURQUOISE &	1522		**77.58**
013359	46043			77.58	
75389	07/05/2019	ETHANOL PRODUCTS LLC	9576		**3,435.91**
CO2235747	45528			1,762.96	
CO2235897	45528			1,672.95	
75390	07/05/2019	EUROFINS EATON ANALYTICAL INC	8594		**875.00**
L0455805	45633			400.00	
L0455806	45633			25.00	
L0455817	45633			400.00	
L0455821	45633			50.00	
75391	07/05/2019	FINNEY & TURNIPSEED	1669		**27,832.98**
32396 3	32396			23,615.64	
47402 2	47402			4,217.34	
75392	07/05/2019	FLEETPRIDE INC	7822		**2,337.31**
28972587	45458			547.48	
29073945	45458			265.72	
29260383	45458			677.02	
29344598	45458			212.92	
28696061	45458			354.71	
28971335	45458			279.46	
75393	07/05/2019	FOLEY EQUIPMENT COMPANY	9605		**107,734.35**
PS200120576	45465			234.35	
F3791801	47358			107,500.00	
75394	07/05/2019	GALLS PARENT HOLDINGS LLC	11211		**13,702.81**
BC0860543	45921			1,122.81	
BC0857530	45921			110.00	
BC0860407	45921			5,966.00	
BC0860541	45921			3,312.00	
BC0860542	45921			3,192.00	
75395	07/05/2019	GLMV ARCHITECTURE INC	8325		**7,500.00**
0117432	45330			7,500.00	
75396	07/05/2019	HAMM INC	6576		**7,246.53**
251111	45668			465.58	
251341	45668			4,817.83	
251438	45668			604.33	
252087	45668			1,358.79	
75397	07/05/2019	HARRIS & SONS ENTERPRISES INC	7996		**595.00**
46683 2631 MAS	46683			595.00	
75398	07/05/2019	HENRY OUTDOOR POWER LLC	8004		**1,862.50**
1684	46745			390.00	
1685	46746			180.00	
1675	46686			50.00	
1677	46770			1,047.50	
1682	46748			155.00	
1683	46747			40.00	
75399	07/05/2019	HERNLY ENVIRONMENTAL INC	9487		**300.00**

COUNCIL REPORT OF VENDOR PAYMENTS

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
1262	47393			300.00	
75400	07/05/2019	J WARREN COMPANY INC	2469		**17,827.00**
46424 1	46424			17,827.00	
75401	07/05/2019	JOBBERS AUTOMOTIVE WAREHOUSE	2639		**2,161.27**
3121522	45488			-46.85	
3121523	45488			1.70	
3121545	45430			-66.82	
3121578	45430			-44.44	
3121601	45388			32.96	
3121673	45388			116.72	
3124646	45430			67.29	
3124655	45430			10.45	
3124680	45388			23.50	
3125104	45388			65.68	
3125371	45430			7.07	
3124529	45488			32.76	
3124530	45430			11.46	
3124536	45430			4.70	
3124562	45394			4.81	
3124592	45430			4.07	
3124593	45488			51.30	
3124304	45388			11.40	
3124341	45430			4.58	
3124370	45430			7.52	
3124421	45430			1.50	
3124437	45394			5.65	
3124496	45430			5.09	
3124221	45394			18.52	
3124226	45430			22.95	
3124252	45394			8.57	
3124263	45430			12.75	
3124264	45430			7.58	
3124284	45430			45.72	
3124184	45430			3.72	
3124185	45430			7.07	
3124187	45430			5.65	
3124191	45430			4.65	
3124193	45388			10.05	
3124197	45394			-0.07	
3124180	45388			6.79	
3124181	45394			12.19	
3124029	45430			14.52	
3124030	45430			14.52	
3124034	45430			-10.80	
3124095	45430			30.47	
3124171	45430			31.14	
3123576	45430			1.70	
3123611	45430			2.29	
3123612	45430			2.29	
3123800	45430			22.15	
3123861	45430			41.04	
3124017	45430			15.01	
3123445	45430			3.75	
3123458	45430			72.00	
3123500	45488			5.18	
3123503	45388			17.18	
3123509	45430			12.77	
3123527	45388			3.24	
3123282	45430			36.89	
3123292	45430			3.03	
3123297	45430			36.69	
3123305	45394			4.42	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
3123310	45430			74.33	
3123405	45488			211.90	
3123053	45430			12.04	
3123070	45430			69.75	
3123076	45430			2.12	
3123235	45430			6.09	
3123270	45430			7.68	
3123274	45488			37.25	
3122587	45388			16.08	
3122597	45394			19.94	
3122683	45430			90.88	
3122744	45430			8.08	
3122922	45430			227.20	
3122965	45430			14.79	
3122428	45488			56.32	
3122433	45388			6.26	
3122447	45388			5.36	
3122502	45388			11.70	
3122509	45430			15.28	
3122520	45430			8.06	
3122191	45430			16.36	
3122215	45430			10.76	
3122250	45394			3.58	
3122262	45430			4.13	
3122300	45430			102.84	
3122326	45488			119.08	
3121980	45430			6.58	
3121990	45430			15.72	
3122001	45394			72.33	
3122029	45394			5.16	
3122157	45430			16.76	
3122171	45394			5.81	
3121794	45388			17.00	
3121842	45430			3.87	
3121871	45430			2.56	
3121906	45430			3.40	
3121919	45430			8.86	
3121975	45430			7.64	
75402	07/05/2019	KANSAS PERSONNEL SERVICES INC	2849		**2,091.44**
3051718	45735			648.00	
3051720	45687			540.00	
3051722	45870			822.44	
3051716	46180			81.00	
75403	07/05/2019	KANSAS STATE TREASURER	2757		**40,877.19**
JUNE 2019	DE			40,877.19	
75404	07/05/2019	KBS CONSTRUCTORS INC	2645		**49,746.00**
19 0522	40283			49,746.00	
75405	07/05/2019	KCR INTERNATIONAL TRUCKS INC	1347		**2,967.39**
130136976	45414			455.69	
130137120	45414			2,511.70	
75406	07/05/2019	LEWIS LEGAL NEWS INC	11367		**35.00**
L80490	46141			17.50	
L80528	46141			17.50	
75407	07/05/2019	LEWIS, GAIL A	9952		**2,083.00**
47900 2019	CONTRACT			2,083.00	
75408	07/05/2019	LIGHTHOUSE CONTRACTING INC	3061		**6,200.00**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
801OAKL 1	47115			6,200.00	
75409	07/05/2019	MICHAEL & SONS INC	3377		**23,931.55**
47321 2007 NW 1	47321			23,931.55	
75410	07/05/2019	MINNESOTA ELEVATOR INC	7834		**829.00**
807550	47082			829.00	
75411	07/05/2019	O REILLY AUTOMOTIVE STORES INC	3714		**2,623.91**
0152 480321	45439			166.91	
0152 480394	45439			-22.00	
0152 480468	45439			9.07	
0152 480563	45439			7.43	
0152 480917	45390			4.89	
0152 483757	45439			40.71	
0152 483993	45395			9.00	
0152 484013	45439			217.80	
0152 484032	45439			38.73	
2439 246109	45439			3.49	
0152 482914	45439			226.38	
0152 482916	45439			28.71	
0152 483425	45439			42.11	
0152 483472	45439			48.61	
0152 483699	45439			16.37	
0152 483705	45390			9.25	
0152 482008	45439			3.91	
0152 482092	45439			11.14	
0152 482204	45390			27.50	
0152 482223	45439			118.49	
0152 482233	45439			63.17	
0152 482486	45439			79.63	
0152 481436	45390			9.88	
0152 481455	45439			80.85	
0152 481467	45439			72.76	
0152 481508	45439			121.50	
0152 481765	45439			133.57	
0152 481766	45439			30.29	
0191 405593	45439			16.65	
0191 407273	45439			14.60	
0191 407961	45439			16.65	
0191 407978	45439			26.88	
0191 409189	45439			12.57	
0152 481434	45439			44.57	
0152 478672	45439			30.29	
0152 478620	45390			3.71	
0152 478600	45439			9.00	
0152 478212	45390			48.98	
0191 405146	45439			9.25	
0191 405176	45439			6.85	
0152 479389	45395			36.25	
0152 479154	45439			102.89	
0152 478951	45439			-9.18	
0152 478937	45439			15.12	
0152 478921	45439			172.24	
0152 478897	45439			88.90	
0152 480920	45439			80.48	
0152 480262	45439			-322.40	
0152 480261	45493			287.49	
0152 480212	45439			197.65	
0152 480151	45439			28.07	
0152 479810	45439			106.25	
75412	07/05/2019	ONEILL EXCAVATING INC	10202		**10,771.65**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
47388 2001 NW 1	47388			10,771.65	
75413	07/05/2019	PACE ANALYTICAL SERVICES	3794		**629.00**
1960078128	45876			629.00	
75414	07/05/2019	POLYDYNE INC	5879		**27,720.00**
1361308	45859			27,720.00	
75415	07/05/2019	POMPS TIRE SERVICE INC	10675		**6,663.60**
1160025382	45470			30.00	
1160025483	45470			206.75	
1160025498	45470			673.94	
1160025112	45470			130.00	
1160025141	45470			40.00	
1160025279	45470			150.00	
1160025280	45470			816.50	
1160025330	45470			150.00	
1160025340	45470			1,652.16	
1160024833	45470			1,801.00	
1160024837	45470			733.00	
1160024877	45470			30.00	
1160025024	45470			100.25	
1160025096	45470			150.00	
75416	07/05/2019	SBB ENGINEERING LLC	8999		**55,434.00**
3589	47183			27,594.00	
3590	39612			27,840.00	
75417	07/05/2019	SHAWNEE COUNTY	4503		**76,061.74**
MAY 2019	46474			76,061.74	
75418	07/05/2019	SHAWNEE F LLC	11043		**32,887.00**
22232	46274			32,887.00	
75419	07/05/2019	SOCRATA INC	9820		**16,934.00**
080 1636	DE			16,934.00	
75420	07/05/2019	SPLENDOR JANITORIAL SOLUTIONS	10630		**1,068.00**
7012019	45608			1,068.00	
75421	07/05/2019	STAPLES CONTRACT N COMMERCIAL	4725		**4,210.84**
3416200020	47326			179.94	
3416200022	47364			149.95	
3416345992	47390			408.49	
3416345993	47423			25.64	
3416345994	47423			13.76	
3416345995	47435			131.62	
3416642227	47486			67.85	
3416642228	47487			93.30	
3416642229	47491			37.44	
3416642230	47482			93.87	
3416490645	47469			254.75	
3416560885	47442			2,222.94	
3416560886	47482			66.95	
3416430409	47435			24.68	
3416430410	47441			79.79	
3416430411	47442			10.25	
3416490642	47454			176.43	
3416490643	47455			117.03	
3416490644	47467			56.16	
75422	07/05/2019	SUPER OIL CO INC	3893		**79.90**
1034276	45440			79.90	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75423	07/05/2019	SUPERION LLC	11603		**1,339.40**
241363	45651			1,339.40	
75424	07/05/2019	TERMINIX INTERNATIONAL	10096		**210.10**
21325046	45364			210.10	
75425	07/05/2019	THE GOODYEAR TIRE & RUBBER CO	9375		**1,366.68**
123 1058361	45464			1,366.68	
75426	07/05/2019	THE VICTOR L PHILLIPS CO	5225		**32.50**
PSO006501 1	45449			32.50	
75427	07/05/2019	TOPEKA LODGING ASSOCIATION	11196		**32,398.96**
JUNE 2019	TBID			32,398.96	
75428	07/05/2019	TRAFFIC CONTROL CORPORATION	8892		**15,500.00**
113410	47264			15,500.00	
75429	07/05/2019	TRIA HEALTH LLC	6938		**1,980.00**
0719 0006	45610			1,980.00	
75430	07/05/2019	U S LIME COMPANY - ST CLAIR	5117		**17,497.40**
173247	45540			8,595.62	
173299	45540			4,400.16	
173322	45540			4,501.62	
75431	07/05/2019	UMB BANK NA	5127		**35,842.15**
PCARD06282019				35,842.15	
75432	07/05/2019	UNIVERSAL SYSTEMS INC	5161		**4,430.40**
549103	45521			4,430.40	
75433	07/05/2019	VANDERBILT'S NO 6	5199		**429.97**
375844	46396			169.99	
377593	45383			134.99	
377690	46179			124.99	
75434	07/05/2019	VETERINARY MEDICAL & SURGICAL	5222		**194.11**
122703	45362			194.11	
75435	07/05/2019	WALKER TOWEL & UNIFORM	5266		**126.40**
2630011	45517			8.00	
2629313	45517			23.70	
2629314	45517			4.80	
2629315	45517			15.00	
2629316	45517			11.60	
2630006	45380			23.90	
2630007	45380			7.65	
2628346	45380			12.45	
2629311	45517			16.90	
2629312	45517			2.40	
75436	07/05/2019	WELLS, DAVID L	5359		**1,468.50**
092	45363			1,468.50	
75437	07/05/2019	WILLIS OF GREATER KANSAS INC	5472		**12,666.70**
2157194	45382			6,333.33	
2157195	45382			6,333.37	
75438	07/05/2019	MEDTRAK SERVICES LLC	3330		**110,591.50**
324376	45605			99,739.71	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
324637	45605			8,672.59	
324638	45605			2,179.20	
75439	07/05/2019	VALEO BEHAVIORAL HEALTH CARE	5187		**1,287.12**
45576 QTR 2 201	45576			1,287.12	
75440	07/05/2019	AFSCME MISSOURI STATE COUNCIL	83		**2,194.50**
UNA1190705180		Union Dues - AFSCME		346.50	
UNA1190705180		Union Dues - AFSCME		308.00	
UNA1190705180		Union Dues - AFSCME		693.00	
UNA1190705180		Union Dues - AFSCME		847.00	
75441	07/05/2019	APPLICATION SOFTWARE INC	8140		**741.00**
JUNE 2019 FEES	PAYROLL			741.00	
75442	07/05/2019	CITY OF TOPEKA FRIENDSHIP FUND	948		**497.17**
FR101907051805		Friendship Fund		17.00	
FR101907051805		Friendship Fund		34.00	
FR101907051805		Friendship Fund		111.92	
FR101907051805		Friendship Fund		59.00	
FR101907051805		Friendship Fund		34.50	
FR101907051805		Friendship Fund		98.50	
FR101907051805		Friendship Fund		12.00	
FR101907051805		Friendship Fund		5.50	
FR101907051805		Friendship Fund		40.75	
FR101907051805		Friendship Fund		8.00	
FR101907051805		Friendship Fund		46.00	
FR101907051805		Friendship Fund		30.00	
75443	07/05/2019	COLONIAL LIFE & ACCIDENT	8789		**7,938.08**
ADJ-D HEAD 6/19	PAYROLL			24.64	
6/07/19 PAYROLI	PAYROLL			3,956.72	
6/21/19 PAYROLI	PAYROLL			3,956.72	
75444	07/05/2019	COLONIAL LIFE & ACCIDENT	8789		**10,936.30**
6/21/19 PAYROLI	PAYROLL			5,493.33	
6/07/19 PAYROLI	PAYROLL			5,442.97	
75445	07/05/2019	COLONIAL LIFE & ACCIDENT	8789		**2,964.38**
6/21/19 PAYROLI	PAYROLL			1,482.19	
6/07/19 PAYROLI	PAYROLL			1,482.19	
75446	07/05/2019	COLONIAL LIFE & ACCIDENT	8789		**8,315.56**
6/21/19 PAYROLI	PAYROLL			4,181.91	
6/07/19 PAYROLI	PAYROLL			4,133.65	
75447	07/05/2019	FIREMENS OFF DUTY RELIEF FUND	1676		**3,632.20**
FO101907051805		Firefighter's Off Duty Relief		3,632.20	
75448	07/05/2019	FRIENDS OF THE TOPEKA ZOO	1794		**847.34**
FOTZ19070518O5		Friends of the Topeka Zoo Pass		137.02	
FOTZ19070518O5		Friends of the Topeka Zoo Pass		176.98	
FOTZ19070518O5		Friends of the Topeka Zoo Pass		22.56	
FOTZ19070518O5		Friends of the Topeka Zoo Pass		40.90	
FOTZ19070518O5		Friends of the Topeka Zoo Pass		18.76	
FOTZ19070518O5		Friends of the Topeka Zoo Pass		32.92	
FOTZ19070518O5		Friends of the Topeka Zoo Pass		6.60	
FOTZ19070518O5		Friends of the Topeka Zoo Pass		38.98	
FOTZ19070518O5		Friends of the Topeka Zoo Pass		60.10	
FOTZ19070518O5		Friends of the Topeka Zoo Pass		251.68	
FOTZ19070518O5		Friends of the Topeka Zoo Pass		55.70	
FOTZ19070518O5		Friends of the Topeka Zoo Pass		5.14	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75449	07/05/2019	INTERNATIONAL ASSOCIATION OF	2424		**7,869.07**
7/5/19 ADMIN FE	PAYROLL			-13.98	
UNI11907051805		Union Dues - IAFF		7,883.05	
75450	07/05/2019	INTERNATIONAL CITY MANAGEMENT	11301		**208.34**
DC95190705180		DEF COMP(ICMA RC) ER CONTRIB		208.34	
75451	07/05/2019	KANSAS ASSOCIATION OF PUBLIC	2630		**622.51**
UNK1190705180		Union Dues - KAPE		62.28	
UNK1190705180		Union Dues - KAPE		90.80	
UNK1190705180		Union Dues - KAPE		33.41	
UNK1190705180		Union Dues - KAPE		20.76	
UNK1190705180		Union Dues - KAPE		61.19	
UNK1190705180		Union Dues - KAPE		91.26	
UNK1190705180		Union Dues - KAPE		243.14	
UNK1190705180		Union Dues - KAPE		19.67	
75452	07/05/2019	SURENCY LIFE & HEALTH	10654		**43.62**
52920 7/1-31/19	45580			43.62	
75453	07/05/2019	TEAMSTERS LOCAL UNION 696	4892		**1,166.00**
UNT1190705180		Union Dues - Teamsters		1,166.00	
75454	07/05/2019	UNITED WAY OF GREATER TOPEKA	5157		**360.80**
UW10190705180		United Way		32.00	
UW10190705180		United Way		8.00	
UW10190705180		United Way		27.50	
UW10190705180		United Way		15.00	
UW10190705180		United Way		29.50	
UW10190705180		United Way		64.00	
UW10190705180		United Way		10.00	
UW10190705180		United Way		24.00	
UW10190705180		United Way		105.80	
UW10190705180		United Way		45.00	
75455	07/05/2019	UNITED WORKERS OF	10010		**687.40**
7/5/19 ADMIN FE	PAYROLL			-2.60	
UNW219070518C		Union Dues - UWETT		690.00	
75456	07/05/2019	ACE ELECTRIC JONES COMPANY INC	35		**8,385.00**
5574	45617			8,385.00	
75457	07/05/2019	BERRY COMPANIES INC	5408		**757.69**
06196091	45450			260.70	
06195857	45614			496.99	
75458	07/05/2019	C-HAWKK CONSTRUCTION INC	911		**18,282.00**
00018087A	45672			5,090.50	
00018103	45514			576.00	
00018102	45514			270.00	
00018101	45514			307.50	
00018100	45514			1,150.50	
00018099	45514			176.00	
00018106	45657			1,248.00	
00018105	45657			80.00	
00018098	45514			2,227.00	
00018097	45514			2,820.00	
00018096	45514			1,642.50	
00018095	45514			2,394.00	
00018108	45672			108.00	
00018107	45672			192.00	
75459	07/05/2019	CAPITAL BELT & SUPPLY INC	776		**155.33**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
113892	45585			47.68	
113924	45659			44.43	
113927	45585			27.22	
114011	45659			36.00	
75460	07/05/2019	CAPITAL CITY OIL CO INC	778		**24,116.34**
1104344	45334			23,016.65	
1104552	45334			35.72	
GN 386	45334			1,063.97	
75461	07/05/2019	CONSOLIDATED ELECTRICAL	4174		**10,275.35**
8792 619487	45526			918.42	
8792 619516	45526			420.17	
8792 620010	45526			62.57	
8792 619426	45526			98.01	
8792 618629	45775			89.06	
8792 618688	45775			2,139.09	
8792 619378	45526			535.25	
8792 618689	45526			376.69	
8792 618740	45526			2,575.68	
8792 618967	45526			1,010.46	
8792 619171	45526			580.83	
8792 619348	45526			1,441.12	
8792 619351	45526			28.00	
75462	07/05/2019	CORE & MAIN LP	2146		**10,546.88**
K701400	47468			10,546.88	
75463	07/05/2019	DANCO SYSTEMS INC	1243		**8,980.00**
60974	47109			8,980.00	
75464	07/05/2019	ELECTROLIFE BATTERY INC	5014		**1,191.96**
NT248292	45443			1,191.96	
75465	07/05/2019	FLU-CON INC	1729		**71.18**
P 41727 0	45417			71.18	
75466	07/05/2019	GADES SALES COMPANY INC	1820		**2,152.00**
0076297 IN	47481			2,152.00	
75467	07/05/2019	GRAINGER	1964		**3,395.45**
9203746145	47479			1,008.01	
9202503323	47243			888.92	
9202980554	47476			724.56	
9201687762	45361			374.56	
9202077443	47470			399.40	
75468	07/05/2019	HD SUPPLY FACILITIES	5175		**1,045.37**
920278	45595			1,045.37	
75469	07/05/2019	IBT INC	2377		**119.21**
7480510	45424			119.21	
75470	07/05/2019	JCI INDUSTRIES INC	2507		**15,710.83**
8179272	46687			4,393.52	
8179273	47361			8,439.32	
8179275	47361			1,613.40	
8179277	47361			316.59	
8179464	46869			948.00	
75471	07/05/2019	JOHN G LEVIN	3071		**175.27**
12098	45907			16.50	

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12397	46426			8.46	
12654	45907			19.68	
16987	46457			19.68	
248956	45337			74.95	
24511	46426			10.00	
23678	46426			10.00	
23624	46426			8.00	
23038	46457			8.00	
75472	07/05/2019	KEY EQUIPMENT & SUPPLY CO	2847		**2,802.84**
257098	45803			530.52	
257133	45433			2,272.32	
75473	07/05/2019	NEPTUNE TECHNOLOGY GROUP INC	3658		**158,120.00**
N570561	47323			153,000.00	
N570389	47360			5,120.00	
75474	07/05/2019	OLATHE WINWATER WORKS CO	3737		**34,329.06**
140228 00	47287			13,271.06	
139930 00	47287			11,688.00	
140435 00	47464			9,370.00	
75475	07/05/2019	OLDCASTLE PRECAST INC	3739		**613.36**
120042674	45609			613.36	
75476	07/05/2019	SAFETY CONSULTING INC	4335		**3,310.00**
190570	45875			780.00	
190571	45981			2,530.00	
75477	07/05/2019	SALISBURY SUPPLY COMPANY INC	4352		**323.63**
192478	45587			42.65	
192621	45587			42.19	
192757	45587			36.57	
192775	45763			159.95	
192882	45587			42.27	
75478	07/05/2019	SAMCO INC	4355		**207.00**
SVC12269	45862			207.00	
75479	07/05/2019	SCHMIDTLEIN EXCAVATING INC	4406		**190,787.41**
19113 P03	45928			31,978.32	
19122 02	47194			158,809.09	
75480	07/05/2019	TAZCO INC	4885		**6,882.20**
44978 3773 CLAI	44978			6,882.20	
75481	07/05/2019	TOPEKA ELECTRIC MOTOR REPAIR	5025		**162.00**
48082	45766			162.00	
75482	07/12/2019	BAKER & HOSTETLER LLP	11692		**750.00**
50640170	47248			750.00	
75483	07/12/2019	BOND, STACY R	11209		**187.50**
47657 JUNE 201	47657			187.50	
75484	07/12/2019	HENSON HUTTON MUDRICK GRAGSON	2199		**22,534.00**
36850	46199			39.00	
36851	45075			22,495.00	
75485	07/12/2019	WHITE, S MARK	5404		**536.50**
3054	40655			536.50	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75486	07/12/2019	A 1 LOCK & KEY LLC	13		**15.10**
96861	45573			15.10	
75487	07/12/2019	A-1 RENTAL INC	20		**360.00**
62440	45621			270.00	
62441	45673			90.00	
75488	07/12/2019	A-TEC RECYCLING	8981		**1,767.75**
190619 50061	45732			1,767.75	
75489	07/12/2019	AAA CLUB ALLIANCE INC	10251		**1,769.00**
299187	45353			77.00	
299203	45353			38.00	
299204	45353			38.00	
3160719	45360			750.00	
299186	45353			38.00	
299039	45353			38.00	
299059	45353			38.00	
298581	45353			38.00	
298790	45353			38.00	
299180	45353			38.00	
299182	45353			38.00	
299184	45353			38.00	
298793	45353			38.00	
299034	45353			38.00	
299038	45353			38.00	
298434	45469			38.00	
298437	45353			106.00	
298438	45353			38.00	
298584	45353			38.00	
299119	45353			38.00	
299125	45353			38.00	
283180	45353			38.00	
283181	45353			38.00	
283182	45353			38.00	
297725	45353			38.00	
75490	07/12/2019	AMEC FOSTER WHEELER	7704		**3,850.00**
S56560867	46773			1,130.00	
S56560800	46773			1,492.50	
S56560799	44214			1,227.50	
75491	07/12/2019	AMERICAN PRESORT	177		**11,749.35**
JUNE 2019	POSTAGE			11,749.35	
75492	07/12/2019	AMERIPRIDE SERVICES INC	197		**583.91**
2301047416	45656			20.27	
2301047421	45656			141.19	
2301047425	45656			49.82	
2301047611	45656			99.37	
2301046927	45401			31.71	
2301047376	45677			178.43	
2301047379	45401			34.61	
2301047392	45401			15.86	
2301047413	45656			12.65	
75493	07/12/2019	AMINO BROTHERS CO INC	8026		**53,254.64**
43995 4	43995			53,254.64	
75494	07/12/2019	ANSWER TOPEKA	237		**865.65**
190600027	45520			865.65	
75495	07/12/2019	BARR THORP ELECTRIC CO INC	385		**3,078.74**

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S1488252 002	47409			3,078.74	
75496	07/12/2019	BENHAM, HEIDI	439		**96.00**
47568 CASE#19	47568			96.00	
75497	07/12/2019	BERMUDEZ, OSCAR	10602		**13,365.17**
47341 738 SW G	47341			1,580.00	
47407 SW 57TH8	47407			8,524.00	
47276 946 NE KE	47276			1,234.00	
47107 1317 SE M	47107			2,027.17	
75498	07/12/2019	BLACKBURN MANUFACTURING CO	11425		**2,151.36**
0596500 IN	47475			2,151.36	
75499	07/12/2019	BLUE CROSS BLUE SHIELD INC	528		**63,245.27**
W/E 7/9/19	45603			63,245.27	
75500	07/12/2019	BOETTCHER SUPPLY INC	543		**126.54**
1109368 1	45405			126.54	
75501	07/12/2019	BORDER STATES INDUSTRIES INC	10997		**301.26**
917954219	45590			222.66	
917973911	45658			78.60	
75502	07/12/2019	BOYS & GIRLS CLUB OF TOPEKA	576		**5,332.94**
2019 46483 01	46483			5,332.94	
75503	07/12/2019	SCHMIDTLEIN, BRIAN A	7498		**360.00**
917442	46589			360.00	
75504	07/12/2019	C & C PRODUCE	7788		**43.75**
001477626	45366			62.75	
C9CJU0	45366			-19.00	
75505	07/12/2019	CAPITAL CRANE LLC	11197		**360.00**
1906 016	45949			360.00	
75506	07/12/2019	CBS DOOR & HARDWARE LLC	11696		**15,962.06**
707660	45965			6,541.44	
708217	47008			7,922.07	
708420	45864			635.00	
708422	47008			863.55	
75507	07/12/2019	CENTRAL NEBRASKA PACKING INC	7337		**3,839.63**
032478	46009			3,839.63	
75508	07/12/2019	CENTRAL SALT LLC	8550		**1,912.66**
306744	45881			1,912.66	
75509	07/12/2019	CENTURY BUSINESS TECHNOLOGIES	870		**24,799.01**
528243	45397			596.28	
528218	45397			623.71	
528219	45397			680.37	
528220	45397			646.56	
528221	45397			596.28	
528222	45397			596.28	
528064	45397			-3,571.61	
528065	45397			3,547.80	
528214	45397			596.28	
528215	45397			632.79	
528216	45397			602.72	
528217	45397			621.00	

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528354	45397			1,776.28	
528364	45397			1,453.44	
528397	45397			44.81	
528564	45397			2,937.90	
528003	45397			9,593.40	
528004	45397			2,824.72	
75510	07/12/2019	CONCRETE SOLUTIONS LLC	10914		**1,280.80**
46649 2 FINAL	46649			1,280.80	
75511	07/12/2019	CONCRETE SUPPLY OF TOPEKA	1066		**4,159.75**
250833R	45532			180.00	
252152	45752			1,307.25	
252153	45752			372.50	
252795	45532			575.00	
252796	45532			575.00	
253214	45532			1,150.00	
75512	07/12/2019	CONRAD FIRE EQUIPMENT INC	1073		**38.10**
535999	45413			38.10	
75513	07/12/2019	CONSOLIDATED ELECTRICAL	6778		**1,367.93**
8795 571182	45756			56.50	
8795 571421	45756			24.00	
8795 571661	45756			128.56	
8795 571725	45725			58.70	
8795 571861	45725			246.00	
8795 572017	45756			188.58	
8795 572072	45756			120.94	
8795 572076	45725			202.65	
8795 572171	45756			342.00	
75514	07/12/2019	CONSOLIDATED RURAL WATER	1075		**4,153.50**
45649 6	45649			4,153.50	
75515	07/12/2019	COOK FLATT & STROBEL ENGINEERS	1089		**506.06**
40217	39746			506.06	
75516	07/12/2019	DELTA DENTAL OF KANSAS INC	1323		**11,308.30**
W/E 07/04/19	45604			11,308.30	
75517	07/12/2019	DH PACE COMPANY INC	1346		**147.00**
SVC 231906	45878			147.00	
75518	07/12/2019	DOWNTOWN TOPEKA INC	1408		**75,000.00**
2019 REDEV GR	CONTRACT			75,000.00	
75519	07/12/2019	ENDSLEY, BYRON L	10136		**300.00**
45342 JUN 2019	45342			300.00	
75520	07/12/2019	ETHANOL PRODUCTS LLC	9576		**1,602.73**
CO2235991	45528			1,602.73	
75521	07/12/2019	EUROFINS EATON ANALYTICAL INC	8594		**6,958.75**
L0445734	45633			3,577.50	
L0445735	45633			2,981.25	
L0456992	45633			400.00	
75522	07/12/2019	FINNEY & TURNIPSEED	1669		**5,005.13**
45988 1	45988			5,005.13	
75523	07/12/2019	FLEETMATICS USA HOLDINGS INC	11210		**5,190.40**

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IN3451920	45558			2,128.00	
IN3455766	45666			3,062.40	
75524	07/12/2019	FLEETPRIDE INC	7822		**1,004.71**
29585250	45458			112.61	
29444476	45458			265.72	
29875954	45458			396.00	
29828723	45458			94.49	
29771284	45458			18.52	
29589977	45458			117.37	
75525	07/12/2019	GALLS PARENT HOLDINGS LLC	11211		**266.80**
BC0865411	45921			266.80	
75526	07/12/2019	HAMM INC	6576		**5,202.10**
252582	45668			1,221.12	
252904	45668			1,246.60	
252909	45668			843.35	
253524	45668			1,891.03	
75527	07/12/2019	HARCROS CHEMICALS INC	2090		**3,356.97**
010224903	45525			3,356.97	
75528	07/12/2019	HARRIS & SONS ENTERPRISES INC	7996		**5,105.60**
47202 1730 WAN	47202			5,105.60	
75529	07/12/2019	HELPING HANDS HUMANE SOCIETY	2183		**5,105.40**
45351 JUN 2019	45351			5,105.40	
75530	07/12/2019	HENRY OUTDOOR POWER LLC	8004		**2,360.00**
1670	46805			660.00	
1669	46806			225.00	
1668	46807			145.00	
1667	46803			125.00	
1686	46686			50.00	
1681	46805			660.00	
1680	46806			225.00	
1679	46807			145.00	
1678	46803			125.00	
75531	07/12/2019	HERNLY ENVIRONMENTAL INC	9487		**300.00**
1274	47399			300.00	
75532	07/12/2019	HOUSING & CREDIT COUNSELING IN	2312		**10,606.09**
06 2019A	47471			3,581.67	
06 2019B	47471			2,750.00	
TLL06 2019	45734			4,274.42	
75533	07/12/2019	HOUSE OF TOOL & ENGINEERING	10409		**3,456.81**
768534 001	45523			3,456.81	
75534	07/12/2019	INTERSTATE ELEVATOR INC	2438		**1,039.82**
19136	47680			510.70	
19200	47680			529.12	
75535	07/12/2019	JOBBERS AUTOMOTIVE WAREHOUSE	2639		**600.01**
3125614	45430			119.34	
3125624	45430			4.41	
3125647	45430			18.49	
3125861	45430			2.08	
3125875	45394			1.96	
3125189	45388			3.76	

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3125329	45488		30.68	
3125423	45430		2.29	
3125490	45488		282.79	
3125518	45430		116.58	
3125571	45488		15.34	
3125181	45430		2.29	
75536	07/12/2019	KANSAS GAS SERVICE	2707	**4,677.67**
142366182-06.19		215 SE 7TH - COMMONS 2.69%	5.45	
142366182A-06.1		215 SE 7TH - CONTRACTS 1.95%	3.97	
142366182B-06.1		215 SE 7TH - IT/ERP 7.32%	14.90	
142366182C-06.1		215 SE 7TH - FACILITIES .20%	0.41	
142366182D-06.1		215 SE 7TH - TPAC 60%	122.12	
142366182E-06.1		215 SE 7TH - COURT 5.6%	11.40	
145210518P-06.1		320 S KANSAS AVE - FLEET 8.44%	12.18	
145210518H-06.1		320 S KANSAS AVE SCHOOL RES 2.	2.89	
164248773-06.19		2200 SW CENTRAL PRK	166.30	
164679945-06.19		1115 NE POPLAR	550.57	
164679945A-06.1		1115 NE POPLAR	293.48	
202392000-06.19		635 SW Gage & Quar	37.18	
203447609-06.19		636 SW Zoo PKWY # DGH	34.94	
156651709-06.19		619 SE RICE RD #2	98.05	
155014382-06.19		2521 SE 2ND ST	125.66	
155014682-06.19		500 NE STRAIT	30.72	
156677591-06.19		1901 SW WESTERN	30.11	
160108282-06.19		2101 SW URISH #12	83.81	
160204909-06.19		1215 SW 38TH	30.72	
162940345-06.19		6305 SW 9TH ST	47.25	
145210518L-06.1		320 S KANSAS AVE PD IT .32%	0.46	
145210518M-06.1		320 S KANSAS AVE NARC 3.0%	4.33	
145210518N-06.1		320 S KANSAS AVE BIKE UNIT 1.0	1.44	
145210518O-06.1		320 S KANSAS AVE CANINE UNIT 2	2.89	
145210518Q-06.1		320 S KANSAS AVE - CORONER 4.0	5.77	
145210518R-06.1		320 S KANSAS AVE - SHERIFF 27.	40.30	
145210518E-06.1		320 S KANSAS AVE CRIME SCENE 1	1.44	
145210518F-06.1		320 S KANSAS AVE FIELD OPS 26.	37.96	
145210518G-06.1		320 S KANSAS AVE COMM POLICE 2	2.89	
145210518I-06.19		320 S KANSAS AVE MOTORCYCLE UN	1.44	
145210518J-06.1		320 S KANSAS AVE ANIMAL CONTRO	4.33	
145210518K-06.1		320 S KANSAS AVE REC/PROP 6.0%	8.66	
145209500O-06.1		620 MADISON - PW ADMIN 4.07%	2.63	
145209500P-06.1		620 MADISON - PLANNING 11.3%	7.31	
145210518-06.19		320 S KANSAS AVE CHIEF OFF 3.0	4.32	
145210518B-06.1		320 S KANSAS AVE EXEC SRV 1.0	1.44	
145210518C-06.1		320 S KANSAS AVE TRAIN 1.0%	1.44	
145210518D-06.1		320 S KANSAS AVE ADULT CRIME 7	10.10	
145209500I-06.19		620 MADISON - ENG 18.8%	12.16	
145209500J-06.1		620 MADISON - CODE 4.9%	3.17	
145209500K-06.1		620 MADISON - DSD PERMIT 6.45%	4.17	
145209500L-06.1		620 MADISON - DSD INSPECTION 6	4.17	
145209500M-06.1		620 MADISON - TPD EMER COMM 2.	1.89	
145209500N-06.1		620 MADISON - FIRE INS 2.52%	1.63	
145209500C-06.1		620 MADISON - TPD INTERNAL AFF	0.94	
145209500D-06.1		620 MADISON - WATER 3.6%	2.33	
145209500E-06.1		620 MADISON - HND 14.6%	9.44	
145209500F-06.1		620 MADISON - IT 5.3%	3.43	
145209500G-06.1		620 MADISON - TSG 5.6%	3.62	
145209500H-06.1		620 MADISON - PARKING 3.12%	2.02	
144752045-06.19		5961 SW 10TH	30.08	
144752136-06.19		545 NE LAKE	30.68	
145208391-06.19		504 NW WINTER	58.52	
145209500-06.19		620 MADISON - COMMONS .14%	0.10	
145209500A-06.1		620 MADISON - HOLLIDAY ROOM 5.	3.56	
145209500B-06.1		620 MADISON - WELLNESS CLINIC	2.12	

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144747818E-06.1		4200 SW 6TH BIG GAGE	115.49	
144747818F-06.1		815 SW GAGE APES	79.94	
144747818G-06.1		639 SW GAGE RAINFOREST	76.55	
144748418-06.19		2816 SW 29TH	32.99	
144748591-06.19		2447 SE 29TH #9	89.73	
144748782-06.19		2010 SW 37TH #10	77.93	
144747382-06.19		2700 SW FAIRLAWN #8	92.69	
144747818-06.19		701 SW GAGE	64.69	
144747818A-06.1		823 SW GAGE ZOO	66.39	
144747818B-06.1		821 SW GAGE	63.00	
144747818C-06.1		635 SW GAGE #C ZOO	63.00	
144747818D-06.1		635 SW GAGE #B-B ZOO	64.69	
144746336C-06.1		201 NW TOPEKA-FACILITIES 4.7%	7.04	
144746564-06.19		3245 NW WATERWORKS	64.69	
144746645-06.19		813 SW CLAY #4	67.90	
144746918-06.19		720 SW 21ST #5	197.07	
144747064-06.19		1901 SW WESTERN - WATER	68.08	
144747164-06.19		1215 SW OAKLEY #7	74.38	
144746036-06.19		322 NW CRANE - PD IMP LOT	39.14	
144746127-06.19		318 NW CRANE - ENG 27.52%	12.19	
144746127A-06.1		318 NW CRANE - FACILITIES 72.4	32.09	
144746336-06.19		201 NW TOPEKA-STREET 47.8%	71.55	
144746336A-06.1		201 NW TOPEKA-FLEET 25.1%	37.58	
144746336B-06.1		201 NW TOPEKA-FORESTRY 22.4%	33.54	
144744300-06.19		1115 NE POPLAR	115.09	
144744873-06.19		934 NE QUINCY #1	40.43	
144745291-06.19		927 NW HARRISON - TRAFFIC	97.38	
144745491-06.19		2000 NW 17TH #11	92.69	
144745545-06.19		1600 NW BUTTON	331.35	
144745745-06.19		2521 SE 2ND ST	75.28	
144743664-06.19		324 SE JEFFERSON ACA	52.55	
144743709-06.19		312 SE JEFFERSON FIRE ADMIN 54	45.26	
144743709A-06.1		312 SE JEFFERSON FLEET 46%	38.55	
144743873-06.19		318 SE JEFFERSON #3	47.25	
144743927-06.19		1419 NE SEWARD #6	41.68	
144744009-06.19		1200 NE DIVISION	47.25	
142366182L-06.1		215 SE 7TH - CITY4 .86%	1.75	
142366182M-06.1		215 SE 7TH - LEGAL 1.3%	2.65	
142366182N-06.1		215 SE 7TH - LEGAL SPEC LIABIL	2.65	
142366182O-06.1		215 SE 7TH - MAYOR .82%	1.67	
142366182P-06.1		215 SE 7TH - CITY MGR 1.3%	2.65	
142366182Q-06.1		215 SE 7TH - FINANCE 3.80%	7.73	
142366182F-06.1		215 SE 7TH - CREDIT UNION 1.2%	2.44	
142366182G-06.1		215 SE 7TH - CITY CLERK 1.6%	3.26	
142366182H-06.1		215 SE 7TH - HR/WELLNESS 4.7%	9.57	
142366182I-06.19		215 SE 7TH - PROSECUTION 1.86%	3.79	
142366182J-06.1		215 SE 7TH - PROBATION 2.4%	4.88	
142366182K-06.1		215 SE 7TH - COUNCIL OFFICE 1.	2.24	
75537	07/12/2019	KANSAS HEAVY CONSTRUCTION LLC	9260	**181,059.30**
6500 3	46756		181,059.30	
75538	07/12/2019	KANSAS PERSONNEL SERVICES INC	2849	**6,090.95**
3051789	45541		397.44	
3051786	45735		627.75	
3051785	45541		1,539.00	
3051784	46180		60.75	
3051721	45541		264.96	
3051719	45901		621.20	
3051717B	45541		660.15	
3051717A	45541		623.70	
3051654	45541		1,296.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75539	07/12/2019	KCR INTERNATIONAL TRUCKS INC	1347		**85.31**
130137197	45414			20.91	
130137209	45414			64.40	
75540	07/12/2019	KELLEY CONSTRUCTION CO INC	2813		**9,741.00**
1938 1	46672			9,741.00	
75541	07/12/2019	KEY WORKFORCE SOLUTIONS INC	9879		**1,566.00**
5001259	45524			365.40	
5001282	45524			417.60	
5001308	45524			783.00	
75542	07/12/2019	LEATHAM FAMILY LLC	4849		**160.00**
0330527 IN	46192			160.00	
75543	07/12/2019	LIGHTHOUSE CONTRACTING INC	3061		**900.00**
1107LANE 5	46556			900.00	
75544	07/12/2019	MATHESON TRI-GAS INC	7179		**153.55**
19894635	45347			153.55	
75545	07/12/2019	MINNESOTA ELEVATOR INC	7834		**1,328.00**
807896	45757			1,328.00	
75546	07/12/2019	MISSOURI DOOR CO INC	3747		**6,279.11**
22267	45741			3,188.00	
22219	45741			320.00	
22218	45741			2,771.11	
75547	07/12/2019	NCH CORPORATION	875		**399.95**
3589084	45480			399.95	
75548	07/12/2019	O REILLY AUTOMOTIVE STORES INC	3714		**67.76**
0152 483924	45439			80.62	
0152 483935	45439			49.88	
0152 483980	45439			19.76	
0152 481723	45439			-82.50	
75549	07/12/2019	ONTARIO SYSTEMS LLC	11389		**269.06**
INV86597	45683			269.06	
75550	07/12/2019	POMPS TIRE SERVICE INC	10675		**333.73**
1160025510	45470			30.00	
1160025596	45470			130.00	
1160025602	45470			173.73	
75551	07/12/2019	PROFESSIONAL ENGINEERING	4018		**56,219.05**
520024	44677			1,596.40	
520025	42413			19,150.00	
520026	36943			827.50	
520027	39879			10,455.00	
520028	40619			3,951.02	
520029	40127			3,353.10	
520030	46411			10,099.00	
520031	46272			4,279.53	
520032	47222			2,507.50	
75552	07/12/2019	RALPH W STUMBAUGH III	5777		**2,062.00**
46423 FINAL	46423			2,062.00	
75553	07/12/2019	ROBERT ARMSTRONG	255		**4,000.00**
3748	47456			4,000.00	

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Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number		Check Amount
75554	07/12/2019	ROCHESTER CEMETERY ASSOCIATION	4257	**15,000.00**
2019 GRANT	CONTRACT		15,000.00	
75555	07/12/2019	SHELLEY ELECTRIC INC	4530	**342,350.00**
6789	45188		198,450.00	
7371	45188		63,090.00	
6976	45188		46,575.00	
7610	45188		34,235.00	
75556	07/12/2019	SIMPLIFILE LC	9508	**2,172.00**
JUNE 2019	DE		2,172.00	
75557	07/12/2019	SPLENDOR JANITORIAL SOLUTIONS	10630	**500.00**
61819	47569		500.00	
75558	07/12/2019	STAPLES CONTRACT N COMMERCIAL	4725	**1,847.81**
3417205476	47561		141.80	
3417205477	47553		172.54	
3417825577	47517		299.90	
3418506034	47517		-299.90	
3418882962	47111		-59.77	
3416991992	47519		67.66	
3417054203	47442		148.08	
3417132073	47545		73.46	
3417132074	47548		25.68	
3417132075	47549		83.76	
3417205475	47559		41.00	
3416723423	47457		299.90	
3416903419	47504		96.81	
3416903420	47508		573.82	
3416991989	47467		14.81	
3416991990	47504		1.38	
3416991991	47513		166.88	
75559	07/12/2019	STATE OF KANSAS	8210	**36,043.00**
709 2020 06	47557		36,043.00	
75560	07/12/2019	SUPERIOR OUTDOOR LLC	11756	**3,507.37**
Q100	47586		2,555.85	
Q101	47586		951.52	
75561	07/12/2019	TERMINIX INTERNATIONAL	10096	**210.10**
21325047	45364		210.10	
75562	07/12/2019	TERRY'S PLUMBING	4908	**1,920.00**
423132	45819		1,920.00	
75563	07/12/2019	THE GOODYEAR TIRE & RUBBER CO	9375	**3,315.88**
123 1058363	45464		-53.00	
123 1058386	45502		534.48	
123 1058387	45502		2,834.40	
75564	07/12/2019	THE TIRE CUTTERS INC	5633	**450.00**
63182	47606		450.00	
75565	07/12/2019	THE VICTOR L PHILLIPS CO	5225	**6,419.18**
SWO001498 1	45449		6,419.18	
75566	07/12/2019	TIMBERLINE FISHERIES CORP	10900	**61.08**
104512281	45350		61.08	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75567	07/12/2019	TOPEKA CEMETERY INC	5019		**37,500.00**
2019 GRANT	CONTRACT			37,500.00	
75568	07/12/2019	TORGESON TRENCHING SERVICE	5062		**1,350.00**
2004417	47704			1,350.00	
75569	07/12/2019	U S LIME COMPANY - ST CLAIR	5117		**18,189.82**
173373	45540			4,633.34	
173408	45540			9,001.46	
173455	45540			4,555.02	
75570	07/12/2019	UMB BANK NA	5127		**51,949.32**
PCARD07052019				51,949.32	
75571	07/12/2019	US BANCORP GOVERNMENT	8797		**195,539.37**
077 0019076 004	SCBA EQUIPMENT			195,539.37	
75572	07/12/2019	US BANK INC	5174		**1,000.00**
5404610	BONDS			1,000.00	
75573	07/12/2019	US WATER SERVICES INC	11620		**3,000.00**
INV443244	46505			1,000.00	
INV445321	46505			1,000.00	
INV452330	46505			1,000.00	
75574	07/12/2019	UTILITY MAINTENANCE CONTRACTOR	5827		**79,157.97**
2195	46908			79,157.97	
75575	07/12/2019	VANDERBILT'S NO 6	5199		**174.99**
377263	46396			174.99	
75576	07/12/2019	VETERINARY MEDICAL & SURGICAL	5222		**455.74**
122746	45362			147.36	
122895	45362			308.38	
75577	07/12/2019	WALKER TOWEL & UNIFORM	5266		**164.05**
2631391	45380			12.60	
2631415	45373			33.25	
2632410	45516			86.65	
2633165	45380			23.90	
2633166	45380			7.65	
75578	07/12/2019	YORK RISK SERVICES GROUP INC	11307		**14,250.22**
CLAIMS 2/1-28/19	46220			70.68	
CLAIMS 3/1-31/19	46220			432.38	
CLAIMS 4/1-30/19	46220			9,922.01	
CLAIMS 5/1-31/19	46220			1,473.69	
CLAIMS 6/1-30/19	46220			461.36	
CLAIMS 6/1-30/19	46220			-1,342.02	
CLAIMS JAN 19 F	46220			3,232.12	
75579	07/12/2019	AREA, ROBERT E	250		**1,033.00**
DEA101-DMGES		S+C JULY 2019 Damages		1,033.00	
75580	07/12/2019	BEST BUY SALES INC	8560		**72.00**
BUS102-0719A		S+C JULY 2019 Payment		72.00	
75581	07/12/2019	BREAKTHROUGH HOUSE INC	599		**426.00**
SIM104-0719		S+C JULY 2019 Payment		426.00	
75582	07/12/2019	BROOKWOOD TERRACE HOUSING LP	644		**181.00**
JAM102-0719		S+C JULY 2019 Payment		181.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75583	07/12/2019	COMMUNITY ACTION INC	11697		**982.00**
BAR111-0719		S+C JULY 2019 Payment		389.00	
JON104-0719		S+C JULY 2019 Payment		593.00	
75584	07/12/2019	KANSAS MT VERNON LLC	11151		**338.00**
TUR104-0719A		S+C JULY 2019 Payment		338.00	
75585	07/12/2019	KANSAS VILLAGE AT OLD TOWN LLC	11152		**136.00**
HAS101-0719A		S+C JULY 2019 Payment		43.00	
POW103-0719A		S+C JULY 2019 Payment		93.00	
75586	07/12/2019	MEDFORD PROPERTY MANAGEMENT IN	6791		**1,260.00**
WIC101-0719		S+C JULY 2019 Payment		810.00	
WIC101-DEP		S+C JULY 2019 Deposit		450.00	
75587	07/12/2019	PARK SOUTH PARTNERS LLC	7387		**572.00**
BRO111-0719		S+C JULY 2019 Payment		572.00	
75588	07/12/2019	POTTS, GERALD	6378		**750.00**
WIL109-DMGES		S+C JULY 2019 Damages		750.00	
75589	07/12/2019	RENT TOPEKA HOMES	4175		**250.00**
MOE102-0719		S+C JULY 2019 Payment		250.00	
75590	07/12/2019	SHAWNEE MANAGEMENT LLC	7828		**346.00**
MIL102-0719		S+C JULY 2019 Payment		346.00	
75591	07/12/2019	WIEGERT, JASON	11438		**1,508.00**
HEN101-0719		S+C JULY 2019 Payment		833.00	
HEN101-DEP		S+C JULY 2019 Deposit		675.00	
75592	07/12/2019	ACE ELECTRIC JONES COMPANY INC	35		**5,666.37**
5582	45998			522.00	
5588	45617			3,120.08	
5589	47282			1,943.29	
5599	45730			81.00	
75593	07/12/2019	ANCOR INFORMATION MANAGEMENT	7058		**19,000.00**
0819 PA	45333			19,000.00	
75594	07/12/2019	BERRY COMPANIES INC	5408		**40.77**
06196134	45450			25.18	
06196329	45450			15.59	
75595	07/12/2019	BETTIS ASPHALT & CONSTRUCTION	470		**333,328.59**
1906 100	47227			333,328.59	
75596	07/12/2019	C-HAWKK CONSTRUCTION INC	911		**350.00**
00018121	45672			234.50	
00018122	45672			60.00	
00018123	45384			55.50	
75597	07/12/2019	CAPITAL BELT & SUPPLY INC	776		**13.99**
113999	45585			13.99	
75598	07/12/2019	CAPITAL CITY OIL CO INC	778		**20,014.62**
1104609	45334			19,979.26	
1105018	45334			35.36	
75599	07/12/2019	CORE & MAIN LP	2146		**30,597.00**
K492416	47078			30,597.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75600	07/12/2019	ELECTROLIFE BATTERY INC	5014		**59.98**
NT248483	45443			59.98	
75601	07/12/2019	FLU-CON INC	1729		**14.36**
P 41932 0	45417			14.36	
75602	07/12/2019	GRAINGER	1964		**31.81**
9208939422	45419			31.81	
75603	07/12/2019	HD SUPPLY FACILITIES	5175		**235.59**
925357	45595			235.59	
75604	07/12/2019	JCI INDUSTRIES INC	2507		**3,873.55**
8179429	46869			30.78	
8179937	46869			3,842.77	
75605	07/12/2019	JOHN G LEVIN	3071		**264.40**
12319	45915			38.40	
24583	45915			16.00	
2289	47595			210.00	
75606	07/12/2019	KEY EQUIPMENT & SUPPLY CO	2847		**89.22**
257102	45803			89.22	
75607	07/12/2019	MCELROY'S INC	3289		**1,280.09**
SVC70225	47703			1,280.09	
75608	07/12/2019	NEPTUNE TECHNOLOGY GROUP INC	3658		**4,602.00**
N571168	47360			4,602.00	
75609	07/12/2019	OLDCASTLE PRECAST INC	3739		**795.11**
120042794	45609			681.74	
120042810	45609			113.37	
75610	07/12/2019	SALISBURY SUPPLY COMPANY INC	4352		**280.09**
193101	45441			3.00	
193375	45587			159.75	
193499	45587			50.84	
193630	45587			66.50	
75611	07/12/2019	SHAWNEE COUNTY	4518		**718,317.01**
JUNE 2019	DE			718,317.01	
75612	07/12/2019	TAZCO INC	4885		**66,150.62**
47092 2762 SE G	47092			3,488.00	
47226 2437 SW K	47226			3,368.50	
47354 1459 JEFF	47354			3,170.12	
47655 2501 SW F	47655			56,124.00	
75613	07/12/2019	TFM COMM INC	4914		**34,240.98**
202070	45378			39.96	
202071	45879			794.34	
202072	45764			266.68	
201847	44692			11,950.00	
201849	44692			11,950.00	
201996	44692			9,145.00	
201997	45764			95.00	
75614	07/12/2019	TOPEKA ELECTRIC MOTOR REPAIR	5025		**1,151.86**
48129	45766			1,151.86	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75615	07/19/2019	STATE OF KANSAS	2732		**152.35**
00000007419071		Child Support - Amt		152.35	
75616	07/19/2019	STATE OF KANSAS	2732		**81.71**
00000008619071		Child Support - Amt		81.71	
75617	07/19/2019	STATE OF KANSAS	2732		**277.00**
00000009419071		Child Support - Amt		277.00	
75618	07/19/2019	STATE OF KANSAS	2732		**923.08**
00000017119071		Child Support - Amt		923.08	
75619	07/19/2019	STATE OF KANSAS	2732		**1,233.66**
00000022219071		Child Support - Amt		1,233.66	
75620	07/19/2019	STATE OF KANSAS	2732		**53.08**
00000024219071		Child Support - Amt		53.08	
75621	07/19/2019	STATE OF KANSAS	2732		**112.15**
00000031619071		Child Support - Amt		112.15	
75622	07/19/2019	STATE OF KANSAS	2732		**738.68**
00000032819071		Child Support - Amt		738.68	
75623	07/19/2019	STATE OF KANSAS	2732		**277.38**
00000034019071		Child Support - Amt		277.38	
75624	07/19/2019	STATE OF KANSAS	2732		**498.46**
00000034319071		Child Support - Amt		498.46	
75625	07/19/2019	STATE OF KANSAS	2732		**92.10**
00000034519071		Child Support - Amt		92.10	
75626	07/19/2019	STATE OF KANSAS	2732		**183.29**
00000034819071		Child Support - Amt		183.29	
75627	07/19/2019	STATE OF KANSAS	2732		**207.52**
00000038519071		Child Support - Amt		207.52	
75628	07/19/2019	STATE OF KANSAS	2732		**1,159.66**
00000063319071		Child Support - Amt		1,159.66	
75629	07/19/2019	STATE OF KANSAS	2732		**323.08**
00000064119071		Child Support - Amt		323.08	
75630	07/19/2019	STATE OF KANSAS	2732		**207.75**
00000066719071		Child Support - Amt		207.75	
75631	07/19/2019	STATE OF KANSAS	2732		**692.52**
00000068219071		Child Support - Amt		692.52	
75632	07/19/2019	STATE OF KANSAS	2732		**209.08**
00000075419071		Child Support - Amt		209.08	
75633	07/19/2019	STATE OF KANSAS	2732		**286.15**
00000077919071		Child Support - Amt		286.15	
75634	07/19/2019	STATE OF KANSAS	2732		**185.08**
00000078519071		Child Support - Amt		185.08	
75635	07/19/2019	STATE OF KANSAS	2732		**122.77**

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Check No.	Check Date/PO #	Vendor Name and Number		Check Amount
00000079119071		Child Support - Amt	122.77	
75636	07/19/2019	STATE OF KANSAS	2732	**369.34**
00000081019071		Child Support - Amt	369.34	
75637	07/19/2019	STATE OF KANSAS	2732	**256.15**
00000082719071		Child Support - Amt	256.15	
75638	07/19/2019	STATE OF KANSAS	2732	**715.38**
00000085319071		Child Support - Amt	715.38	
75639	07/19/2019	STATE OF KANSAS	2732	**147.23**
00000092419071		Child Support - Amt	147.23	
75640	07/19/2019	STATE OF KANSAS	2732	**88.64**
00000093619071		Child Support - Amt	88.64	
75641	07/19/2019	STATE OF KANSAS	2732	**304.15**
00000095919071		Child Support - Amt	304.15	
75642	07/19/2019	STATE OF KANSAS	2732	**487.38**
00000098219071		Child Support - Amt	487.38	
75643	07/19/2019	STATE OF KANSAS	2732	**368.88**
00000104319071		Child Support - Amt	368.88	
75644	07/19/2019	STATE OF KANSAS	2732	**276.92**
00000109319071		Child Support - Amt	276.92	
75645	07/19/2019	STATE OF KANSAS	2732	**71.08**
00000109719071		Child Support - Amt	71.08	
75646	07/19/2019	STATE OF KANSAS	2732	**109.64**
00000112419071		Child Support - Amt	109.64	
75647	07/19/2019	STATE OF KANSAS	2732	**196.21**
00000112919071		Child Support - Amt	196.21	
75648	07/19/2019	STATE OF KANSAS	2732	**715.60**
00000113119071		Child Support - Amt	715.60	
75649	07/19/2019	STATE OF KANSAS	2732	**335.64**
00000118119071		Child Support - Amt	335.64	
75650	07/19/2019	STATE OF KANSAS	2732	**183.23**
00000147419071		Child Support - Amt	183.23	
75651	07/19/2019	STATE OF KANSAS	2732	**246.53**
00000197319071		Child Support - Amt	246.53	
75652	07/19/2019	STATE OF KANSAS	2732	**115.38**
00000215419071		Child Support - Amt	115.38	
75653	07/19/2019	STATE OF KANSAS	2732	**412.74**
00000225919071		Child Support - Amt	412.74	
75654	07/19/2019	STATE OF KANSAS	2732	**236.84**
00000226219071		Child Support - Amt	236.84	
75655	07/19/2019	STATE OF KANSAS	2732	**180.46**
00000233519071		Child Support - Amt	180.46	

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Check No.	Check Date/PO #	Vendor Name and Number		Check Amount
75656	07/19/2019	STATE OF KANSAS	2732	**66.92**
00000237919071		Child Support - Amt	66.92	
75657	07/19/2019	STATE OF KANSAS	2732	**207.75**
00000241319071		Child Support - Amt	207.75	
75658	07/19/2019	STATE OF KANSAS	2732	**946.56**
00000247619071		Child Support - Amt	946.56	
75659	07/19/2019	STATE OF KANSAS	2732	**230.14**
00000247819071		Child Support - Amt	230.14	
75660	07/19/2019	STATE OF KANSAS	2732	**258.54**
00000247819071		Child Support - Amt	258.54	
75661	07/19/2019	STATE OF KANSAS	2732	**102.46**
00000251519071		Child Support - Amt	102.46	
75662	07/19/2019	STATE OF KANSAS	2732	**357.34**
00000254819071		Child Support - Amt	357.34	
75663	07/19/2019	STATE OF KANSAS	2732	**50.00**
00000257819071		Child Support - Amt	50.00	
75664	07/19/2019	STATE OF KANSAS	2732	**264.00**
00000261619071		Child Support - Amt	264.00	
75665	07/19/2019	STATE OF KANSAS	2732	**66.00**
00000264219071		Child Support - Amt	66.00	
75666	07/19/2019	STATE OF KANSAS	2732	**260.77**
00000272019071		Child Support - Amt	260.77	
75667	07/19/2019	STATE OF KANSAS	2732	**292.62**
00000275819071		Child Support - Amt	292.62	
75668	07/19/2019	STATE OF KANSAS	2732	**193.38**
00000285519071		Child Support - Amt	193.38	
75669	07/19/2019	STATE OF KANSAS	2732	**113.08**
00000287019071		Child Support - Amt	113.08	
75670	07/19/2019	STATE OF KANSAS	2732	**183.74**
00000287419071		Child Support - Amt	183.74	
75671	07/19/2019	STATE OF KANSAS	2732	**268.15**
00000289319071		Child Support - Amt	268.15	
75672	07/19/2019	STATE OF KANSAS	2732	**62.31**
00000299619071		Child Support - Amt	62.31	
75673	07/19/2019	STATE OF KANSAS	2732	**16.15**
00000299619071		Child Support - Amt	16.15	
75674	07/19/2019	STATE OF KANSAS	2732	**120.46**
00000299619071		Child Support - Amt	120.46	
75675	07/19/2019	STATE OF KANSAS	2732	**16.15**
00000299619071		Child Support - Amt	16.15	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75676	07/19/2019	STATE OF KANSAS	2732		**93.23**
00000303919071		Child Support - Amt		93.23	
75677	07/19/2019	A 1 LOCK & KEY LLC	13		**43.35**
96749	45573			43.35	
75678	07/19/2019	AAA CLUB ALLIANCE INC	10251		**1,203.00**
299208	45353			38.00	
299209	45469			38.00	
299347	45353			38.00	
299497	45353			38.00	
299547	45353			38.00	
299126	45353			38.00	
299127	45353			38.00	
299128	45353			38.00	
299129	45353			38.00	
299189	45353			38.00	
299191	45353			38.00	
299041	45353			38.00	
299044	45353			38.00	
299046	45353			38.00	
299061	45353			38.00	
299064	45353			38.00	
299109	45469			38.00	
298794	45353			38.00	
298795	45353			38.00	
298796	45353			38.00	
298845	45353			38.00	
298950	45469			38.00	
299040	45469			38.00	
298034	45469			38.00	
298041	45353			38.00	
298042	45353			63.00	
298440	45353			38.00	
298441	45353			38.00	
298442	45353			38.00	
297726	45353			38.00	
297727	45353			38.00	
75679	07/19/2019	ABRAXIS LLC	9922		**2,370.00**
227665	46405			2,370.00	
75680	07/19/2019	ADS LLC	60		**16,730.00**
3530 0619	47079			16,730.00	
75681	07/19/2019	ADVANCED ENVIRONMENTAL TESTING	8000		**1,170.00**
2784	46119			1,170.00	
75682	07/19/2019	AMEC FOSTER WHEELER	7704		**7,732.50**
S56560864	40252			7,732.50	
75683	07/19/2019	AMERIPRIDE SERVICES INC	197		**583.49**
2301048851	45401			31.71	
2301049337	45656			99.37	
2301049380	45677			178.01	
2301049388	45401			34.61	
2301049421	45401			15.86	
2301049449	45656			12.65	
2301049451	45656			20.27	
2301049455	45656			141.19	
2301049457	45656			49.82	
75684	07/19/2019	ANSWER TOPEKA	237		**74.50**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
190600026	45991			74.50	
75685	07/19/2019	ASL CONNECTIONS LLC	11533		**134.22**
6825	47628			134.22	
75686	07/19/2019	BARTLETT & WEST ENGINEERS	391		**416,971.94**
730071311	46827			48,239.10	
730071520	43917			2,306.32	
730071522	29826			40,840.00	
730071523	29826			55,930.00	
730071524	29826			28,793.10	
730071526	46295			15,794.66	
730071740	37836			759.00	
730071732	35611			3,321.20	
730071736	37968			462.50	
730071737	38105			3,150.00	
730071738	39911			3,440.00	
730071739	46598			185.11	
730071712	45067			153.90	
730071713	43882			5,475.57	
730071714	46657			12,957.75	
730071715	46658			105,194.44	
730071721	45963			715.30	
730071727	44442			1,056.00	
730071527	46465			1,455.76	
730071528	41853			4,794.00	
730071669	31654			7,643.34	
730071708	31654			31,780.89	
730071709	44975			21,793.50	
730071711	31654			20,730.50	
75687	07/19/2019	BERRY COMPANIES INC	463		**926.72**
03031767	45404			242.68	
03031768	45404			183.37	
03031769	45404			352.79	
03031770	45404			147.88	
75688	07/19/2019	BINSWANGER ENTERPRISES LLC	7825		**208.97**
I593029816	45459			208.97	
75689	07/19/2019	BLUE CROSS BLUE SHIELD INC	528		**70,409.04**
W/E 7/16/19	45603			70,409.04	
75690	07/19/2019	BLUEALLY TECHNOLOGY SOLUTIONS	11604		**1,400.00**
SI3008641	46963			1,400.00	
75691	07/19/2019	BRB CONTRACTORS INC	597		**2,790,819.41**
43986 7	43986			8,000.00	
46389 4	46389			5,850.00	
46390 4	46390			241,083.90	
44222 8	44222			878,311.78	
44222 9	44222			1,657,573.73	
75692	07/19/2019	C & C PRODUCE	7788		**2,430.00**
001477254	45366			1,102.50	
001480245	45366			1,327.50	
75693	07/19/2019	CARLSON UTILITY LLC	805		**50,599.50**
46107 2	46107			50,599.50	
75694	07/19/2019	CBS DOOR & HARDWARE LLC	11696		**2,168.27**
704999	45684			1,800.00	
708508	47690			368.27	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75695	07/19/2019	CENTRAL MECHANICAL CONST CO IN	863		**10,211.86**
0000507289	45575			245.00	
0000507299	45871			932.17	
0000507307	45575			125.00	
0000507316	45871			895.00	
0000507351	45575			140.00	
0000507502	45873			682.60	
0000507190	45575			4,995.00	
0000506422	45871			2,197.09	
75696	07/19/2019	CODE PUBLISHING COMPANY	999		**858.00**
63963	46221			858.00	
75697	07/19/2019	COLLECTION BUREAU	1023		**10.62**
6343	45344			10.62	
75698	07/19/2019	CONCRETE SUPPLY OF TOPEKA	1066		**2,200.38**
254656	45752			246.88	
254899	45752			186.25	
253555	45532			460.00	
253810	45752			1,307.25	
75699	07/19/2019	CONRAD FIRE EQUIPMENT INC	1073		**766.81**
536080	45413			766.81	
75700	07/19/2019	COOK FLATT & STROBEL ENGINEERS	1089		**29,563.38**
40701	39650			7,782.50	
40702	45807			5,614.86	
40703	47327			16,166.02	
75701	07/19/2019	COPY CENTER OF TOPEKA	1107		**2,478.00**
145940	47237			435.00	
146535	47640			1,827.00	
146587	47659			216.00	
75702	07/19/2019	CUT N EDGE INC	5919		**1,800.00**
146717	47072			1,800.00	
75703	07/19/2019	DAYMARK SOLUTIONS INC	1286		**125.00**
105232	47741			125.00	
75704	07/19/2019	DELTA DENTAL OF KANSAS INC	1323		**13,601.18**
W/E 07/11/19	45604			13,601.18	
75705	07/19/2019	DLT SOLUTIONS LLC	1370		**5,399.64**
SI436728	47432			5,399.64	
75706	07/19/2019	DOORSTEP INC	1385		**4,827.41**
2018 DSP HESG	46815			4,827.41	
75707	07/19/2019	ELECTRONICS SUPPLY CO INC	1505		**1,373.04**
1752077	45616			1,373.04	
75708	07/19/2019	EMBROIDERY PLUS BY TURQUOISE &	1522		**11.62**
013400	46043			11.62	
75709	07/19/2019	ETHANOL PRODUCTS LLC	9576		**1,712.24**
CO2236737	45528			1,712.24	
75710	07/19/2019	EUROFINS EATON ANALYTICAL INC	8594		**5,708.00**
L0459205	45633			25.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
L0459206	45633			50.00	
S336251	45633			2,798.00	
L0458173	45633			400.00	
L0458181	45633			50.00	
L0458957	45633			2,385.00	
75711	07/19/2019	EXELON CORPORATION	8898		**1,290.41**
2645686	CONSTELLATION			1,290.41	
75712	07/19/2019	EXPERIAN INFORMATION SOLUTIONS	5760		**412.50**
CD2003004649	45664			360.50	
CD2003004650	45664			52.00	
75713	07/19/2019	EXPRESS SERVICES INC	9622		**18,604.56**
22533660	45529			3,352.68	
22533661	45884			1,972.48	
22556788	45529			-458.28	
22497769	46764			391.95	
22497770	45529			3,248.16	
22533656	47185			536.00	
22533657	45529			643.20	
22533658	45685			536.00	
22533659	46764			391.95	
22467322	46764			489.10	
22467323	45529			2,894.40	
22467324	45884			1,350.72	
22497766	47185			428.80	
22497767	45529			643.20	
22497768	45685			509.20	
22467319	47185			495.80	
22467320	45529			643.20	
22467321	45685			536.00	
75714	07/19/2019	FIRE EYE INC	11672		**35.19**
10176482	47631			35.19	
75715	07/19/2019	FLEETMATICS USA HOLDINGS INC	11210		**504.00**
IN3479665	45762			504.00	
75716	07/19/2019	FOLEY EQUIPMENT COMPANY	9605		**2,094.13**
SS340011480	45867			624.49	
SS340011481	45867			1,469.64	
75717	07/19/2019	GALLS PARENT HOLDINGS LLC	11211		**1,250.94**
BC0867981	45921			1,062.00	
BC0869905	45921			188.94	
75718	07/19/2019	GROTH CORPORATION	10011		**10,177.17**
GP84174	44550			10,177.17	
75719	07/19/2019	HAMM INC	6576		**3,410.28**
255306	45668			827.64	
254022	45668			1,592.95	
254418	45668			989.69	
75720	07/19/2019	HARRIS & SONS ENTERPRISES INC	7996		**1,743.20**
46791 6625 SW \	46791			740.00	
47436 2126 SE P	47436			1,003.20	
75721	07/19/2019	HENRY OUTDOOR POWER LLC	8004		**3,017.50**
1695	46746			180.00	
1696	46686			50.00	
1689	46807			145.00	

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1690	46806			225.00	
1691	46805			660.00	
1692	46748			155.00	
1693	46747			40.00	
1694	46745			390.00	
1687	46770			1,047.50	
1688	46803			125.00	
75722	07/19/2019	IMAGING OFFICE SYSTEMS	5922		**21,750.00**
CONT015491	47742			21,750.00	
75723	07/19/2019	INFOR US INC	8591		**2,665.00**
20741684 US0AE	42272			1,025.00	
20746735 US0AE	42272			1,640.00	
75724	07/19/2019	INTERSTATE ELEVATOR INC	2438		**2,065.28**
19303	47727			2,065.28	
75725	07/19/2019	J WARREN COMPANY INC	2469		**135,500.72**
46555 1	46555			135,500.72	
75726	07/19/2019	JOBBERS AUTOMOTIVE WAREHOUSE	2639		**165.89**
3125926	45430			23.40	
3126194	45430			80.52	
3126278	45430			50.34	
3125820	45394			11.63	
75727	07/19/2019	KAN EQUIPMENT INC	2621		**560.52**
16 247171	45429			363.12	
16 246915	45429			197.40	
75728	07/19/2019	STATE OF KANSAS	2673		**8,828.28**
2019 06 AH	46481			4,372.14	
2019 06 CI	46479			4,456.14	
75729	07/19/2019	KANSAS FENCING INC	2703		**122.24**
19692	47712			61.12	
20029	47712			61.12	
75730	07/19/2019	KANSAS PERSONNEL SERVICES INC	2849		**4,587.98**
3051861	45870			797.63	
3051788	45687			540.00	
3051790	45870			811.81	
3051855	46180			81.00	
3051856	45541			1,036.80	
3051858	45735			486.00	
3051859	45901			248.48	
3051787	45901			586.26	
75731	07/19/2019	KANSAS VAN & STORAGE	5830		**50.00**
JUNE 2019	45888			50.00	
75732	07/19/2019	KCR INTERNATIONAL TRUCKS INC	1347		**47.17**
130137329	45414			467.86	
CM130136976	45414			-420.69	
75733	07/19/2019	KELLEY CONSTRUCTION CO INC	2813		**87,970.50**
45258 6	45258			87,970.50	
75734	07/19/2019	KEY WORKFORCE SOLUTIONS INC	9879		**156.60**
5001340	45524			156.60	

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75735	07/19/2019	LAYNE CHRISTENSEN COMPANY	3005		**11,081.00**
1606052	47474			11,081.00	
75736	07/19/2019	LETS HELP INC	5775		**3,500.11**
LH 08	40427			3,500.11	
75737	07/19/2019	LEWIS LEGAL NEWS INC	11367		**21.00**
L80527	46141			21.00	
75738	07/19/2019	LOVES ENTERPRISES	3112		**8,275.50**
47397 634 SW W	47397			8,275.50	
75739	07/19/2019	MIDWEST COATING	3407		**927.50**
4646	45740			92.50	
4728	45740			147.50	
4729	45740			92.50	
4730	45740			147.50	
4734	45740			447.50	
75740	07/19/2019	MILLS, RICKY A	3457		**324.71**
45339 JUN 2019	45339			324.71	
75741	07/19/2019	NATIONAL VISION INC	3634		**150.00**
58920619A	45562			150.00	
75742	07/19/2019	ONEILL EXCAVATING INC	10202		**26,150.30**
47406 1	47406			26,150.30	
75743	07/19/2019	OPTIV SECURITY INC	1700		**7,422.64**
INV 100119507	47439			7,422.64	
75744	07/19/2019	PACE ANALYTICAL SERVICES	3794		**1,538.00**
1960079267	45876			354.00	
1960079466	45876			1,184.00	
75745	07/19/2019	PATTERSON VETERINARY SUPPLY	11338		**1,562.35**
0036818902	45376			118.44	
0036861836	45376			207.27	
0037063921	45376			549.23	
0037778630	45376			549.23	
0038585028	45376			138.18	
75746	07/19/2019	PEOPLES COMMERCIAL INSURANCE	6948		**80.00**
WAGERS KRISTI	47175			80.00	
75747	07/19/2019	POE, LTD	3964		**9,895.00**
WIC 9871	42341			9,895.00	
75748	07/19/2019	R & R VENTURES OF TOPEKA INC	4065		**120.00**
2019 14	45877			120.00	
75749	07/19/2019	R E PEDROTTI COMPANY	4067		**14,680.00**
00062673 TOKSS	47511			14,680.00	
75750	07/19/2019	RHYTHM ENGINEERING LLC	4192		**99,600.00**
1 876	47019			99,600.00	
75751	07/19/2019	ROBERT ARMSTRONG	255		**5,050.00**
3149	47612			3,500.00	
3150	47456			1,550.00	
75752	07/19/2019	ROGER ENGEMANN DRAINAGE CO INC	11757		**76,229.48**

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47624 1	47624			76,229.48	
75753	07/19/2019	SBB ENGINEERING LLC	8999		**965.00**
3622	47597			965.00	
75754	07/19/2019	SHAWNEE F LLC	11043		**20,223.00**
22360	47232			20,223.00	
75755	07/19/2019	SOUTHERN UNIFORM & EQUIPMENT	4672		**739.50**
88211	46913			739.50	
75756	07/19/2019	SOUTHWEST PAPER COMPANY INC	4674		**1,906.56**
176692	47537			1,906.56	
75757	07/19/2019	STAPLES CONTRACT N COMMERCIAL	4725		**2,944.04**
3417684284	47588			122.91	
3417684285	47589			23.03	
3417684286	47590			50.21	
3417772009	47589			3.79	
3417772010	47590			15.75	
3417772011	47600			185.65	
3417262433	47524			119.96	
3417262434	47531			1,799.40	
3417403162	47482			181.92	
3417403163	47553			42.06	
3417403164	47574			96.44	
3417544916	47578			51.29	
3414405447	47255			251.63	
75758	07/19/2019	SUEZ WTS ANALYTICAL	11335		**375.48**
99874407	45806			375.48	
75759	07/19/2019	SUNFLOWER PAVING INC	4815		**96,876.88**
7004	46759			96,876.88	
75760	07/19/2019	SUPER OIL CO INC	3893		**1,049.00**
1034827	45494			1,049.00	
75761	07/19/2019	SUPERIOR OUTDOOR LLC	11756		**3,274.91**
Q102	47586			3,274.91	
75762	07/19/2019	TERMINIX INTERNATIONAL	10096		**210.10**
21325048	45364			210.10	
75763	07/19/2019	THE GOODYEAR TIRE & RUBBER CO	9375		**2,863.39**
123 1058411	45502			461.40	
123 1058418	45464			604.57	
123 1058421	45464			216.84	
123 1058426	45464			1,580.58	
75764	07/19/2019	THE VICTOR L PHILLIPS CO	5225		**704.60**
SWO001943 1	45449			704.60	
75765	07/19/2019	TIMBERLINE FISHERIES CORP	10900		**74.83**
104518556	45350			74.83	
75766	07/19/2019	TRAFFIC CONTROL CORPORATION	8892		**5,950.00**
113864	47480			5,950.00	
75767	07/19/2019	U S LIME COMPANY - ST CLAIR	5117		**8,616.98**
173467	45540			4,323.62	
173519	45540			4,293.36	

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75768	07/19/2019	UMB BANK NA	5127		**104,718.40**
PCARD07122019				104,718.40	
75769	07/19/2019	VANDERBILT'S NO 6	5199		**847.95**
378393	45383			149.99	
378540	47428			239.00	
378624	46396			164.98	
378705	46396			149.99	
377197	45383			143.99	
75770	07/19/2019	WALKER TOWEL & UNIFORM	5266		**126.85**
2635562	45517			4.80	
2635563	45517			15.00	
2635564	45517			11.60	
2636304	45380			23.90	
2636305	45380			7.65	
2636309	45517			8.00	
2634592	45380			12.90	
2635559	45517			16.90	
2635560	45517			2.40	
2635561	45517			23.70	
75771	07/19/2019	WELLS, DAVID L	5359		**1,170.00**
093	45363			1,170.00	
75772	07/19/2019	WESTERN WATERPROOFING CO INC	7364		**2,980.00**
62006	47055			2,980.00	
75773	07/19/2019	WSP USA INC	10927		**274.90**
877828	40554			274.90	
75774	07/19/2019	CANDLESTICK MANAGEMENT LLC	10720		**48.00**
AND106-0719A		S+C JULY 2019 Payment		48.00	
75775	07/19/2019	COMMUNITY ACTION INC	11697		**388.00**
VEL101-0719		S+C JULY 2019 Payment		388.00	
75776	07/19/2019	EUGENE & PARAMORE LLC	11174		**590.00**
REE101-DMGES		S+C JULY 2019 Damages		590.00	
75777	07/19/2019	RENT TOPEKA HOMES	4175		**344.00**
MOE102-0719A		S+C JULY 2019 Payment		344.00	
75778	07/19/2019	UH APARTMENT PROPERTIES LLC	11420		**119.00**
SPA106-0719A		S+C JULY 2019 Payment		119.00	
75779	07/19/2019	CITY OF TOPEKA FRIENDSHIP FUND	948		**495.17**
FR101907191924		Friendship Fund		17.00	
FR101907191924		Friendship Fund		34.00	
FR101907191924		Friendship Fund		111.92	
FR101907191924		Friendship Fund		59.00	
FR101907191924		Friendship Fund		12.00	
FR101907191924		Friendship Fund		32.50	
FR101907191924		Friendship Fund		30.00	
FR101907191924		Friendship Fund		46.00	
FR101907191924		Friendship Fund		8.00	
FR101907191924		Friendship Fund		40.75	
FR101907191924		Friendship Fund		5.50	
FR101907191924		Friendship Fund		98.50	
75780	07/19/2019	COLONIAL LIFE & ACCIDENT	8789		**7,982.92**

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
7/19/19 PAYROLL	PAYROLL			3,979.14	
7/5/19 PAYROLL	PAYROLL			3,979.14	
ADJ-D HEAD 7/1	PAYROLL			24.64	
75781	07/19/2019	COLONIAL LIFE & ACCIDENT	8789		**10,882.38**
7/19/19 PAYROLL	PAYROLL			5,441.19	
7/5/19 PAYROLL	PAYROLL			5,441.19	
75782	07/19/2019	COLONIAL LIFE & ACCIDENT	8789		**2,980.02**
7/19/19 PAYROLL	PAYROLL			1,490.01	
7/5/19 PAYROLL	PAYROLL			1,490.01	
75783	07/19/2019	COLONIAL LIFE & ACCIDENT	8789		**8,427.08**
7/19/19 PAYROLL	PAYROLL			4,213.54	
7/5/19 PAYROLL	PAYROLL			4,213.54	
75784	07/19/2019	FRIENDS OF THE TOPEKA ZOO	1794		**822.92**
FOTZ190719192		Friends of the Topeka Zoo Pass		6.60	
FOTZ190719192		Friends of the Topeka Zoo Pass		38.98	
FOTZ190719192		Friends of the Topeka Zoo Pass		38.02	
FOTZ190719192		Friends of the Topeka Zoo Pass		251.68	
FOTZ190719192		Friends of the Topeka Zoo Pass		79.10	
FOTZ190719192		Friends of the Topeka Zoo Pass		5.14	
FOTZ190719192		Friends of the Topeka Zoo Pass		137.02	
FOTZ190719192		Friends of the Topeka Zoo Pass		148.90	
FOTZ190719192		Friends of the Topeka Zoo Pass		22.56	
FOTZ190719192		Friends of the Topeka Zoo Pass		43.24	
FOTZ190719192		Friends of the Topeka Zoo Pass		18.76	
FOTZ190719192		Friends of the Topeka Zoo Pass		32.92	
75785	07/19/2019	INTERNATIONAL ASSOCIATION OF	2424		**7,797.89**
7/19/19 ADMIN F	PAYROLL			-14.46	
UNI11907191924		Union Dues - IAFF		7,812.35	
75786	07/19/2019	INTERNATIONAL CITY MANAGEMENT	11301		**208.34**
DC95190719192		DEF COMP(ICMA RC) ER CONTRIB		208.34	
75787	07/19/2019	KANSAS ASSOCIATION OF PUBLIC	2630		**603.94**
UNK1190719192		Union Dues - KAPE		20.76	
UNK1190719192		Union Dues - KAPE		61.19	
UNK1190719192		Union Dues - KAPE		72.69	
UNK1190719192		Union Dues - KAPE		243.14	
UNK1190719192		Union Dues - KAPE		19.67	
UNK1190719192		Union Dues - KAPE		62.28	
UNK1190719192		Union Dues - KAPE		90.80	
UNK1190719192		Union Dues - KAPE		33.41	
75788	07/19/2019	SURENCY LIFE & HEALTH	10654		**9,475.18**
7/5/19 PAYROLL	PAYROLL			4,728.95	
ADJ-D HEAD 7/19	PAYROLL			17.28	
7/19/19 PAYROLL	PAYROLL			4,728.95	
75789	07/19/2019	UNITED WAY OF GREATER TOPEKA	5157		**360.80**
UW10190719192		United Way		105.80	
UW10190719192		United Way		45.00	
UW10190719192		United Way		27.50	
UW10190719192		United Way		15.00	
UW10190719192		United Way		29.50	
UW10190719192		United Way		64.00	
UW10190719192		United Way		10.00	
UW10190719192		United Way		24.00	
UW10190719192		United Way		32.00	
UW10190719192		United Way		8.00	

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Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75790	07/19/2019	ACE ELECTRIC JONES COMPANY INC	35		**784.20**
5619	45998			150.00	
5620	45998			634.20	
75791	07/19/2019	BERRY COMPANIES INC	5408		**2,599.05**
06196445	45450			1,438.67	
06196545	45450			644.30	
06196610	45450			516.08	
75792	07/19/2019	BETTIS ASPHALT & CONSTRUCTION	470		**670.03**
1906079	45667			670.03	
75793	07/19/2019	C-HAWKK CONSTRUCTION INC	911		**17,278.70**
00018137	45657			3,099.50	
00018138	45657			1,750.00	
00018139	45657			468.00	
00018140	45657			208.00	
00018141	45657			109.00	
00018118	45514			1,410.50	
00018119	45514			540.50	
00018120	45514			730.00	
00018133	45514			258.00	
00018134	45514			276.00	
00018136	45514			901.00	
00018086A	45514			2,083.20	
00018087	45514			750.00	
00018104	45514			54.00	
00018109	47686			197.50	
00018116	45514			1,616.50	
00018117	45514			832.00	
00018086	45514			1,995.00	
75794	07/19/2019	CAPITAL BELT & SUPPLY INC	776		**225.73**
114212	45585			154.35	
114311	45659			71.38	
75795	07/19/2019	CAPITAL CITY OIL CO INC	778		**23,680.05**
1105086	45334			21,698.15	
L 21192	45479			1,104.40	
L 21193	45479			877.50	
75796	07/19/2019	CHAMPION BRANDS LLC	883		**454.43**
564771	45481			471.58	
91211	45481			-17.15	
75797	07/19/2019	ELECTROLIFE BATTERY INC	5014		**224.33**
NT248556	47718			49.37	
NT248584	45443			59.98	
NT248611	45443			114.98	
75798	07/19/2019	FLU-CON INC	1729		**185.19**
P 42061 0	45417			5.35	
P 42131 0	45417			179.84	
75799	07/19/2019	GRAINGER	1964		**271.27**
9218580620	45361			100.00	
9219522852	45393			171.27	
75800	07/19/2019	HD SUPPLY FACILITIES	5175		**1,719.96**
924709	45595			144.35	
937086	45595			1,071.13	
937160	45595			504.48	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75801	07/19/2019	IBT INC	2377		**1,679.69**
7482975	45797			1,232.07	
7489429	45797			447.62	
75802	07/19/2019	LOGIC INC	3090		**27,651.80**
INV135133	47100			27,651.80	
75803	07/19/2019	MCELROY'S INC	3289		**1,525.05**
SVC70650	45739			569.67	
SVC70759	45739			578.38	
SVC70940	45739			377.00	
75804	07/19/2019	OLDCASTLE PRECAST INC	3739		**2,190.00**
120042809	45609			1,291.00	
120042832	45609			899.00	
75805	07/19/2019	SAFETY CONSULTING INC	4335		**3,845.00**
190658	45981			260.00	
190659	45981			520.00	
190660	45584			400.00	
190661	45875			2,405.00	
SSI 190664	45584			260.00	
75806	07/19/2019	SAFETY SUPPLIES	4336		**60.00**
SSI 190691	47591			60.00	
75807	07/19/2019	SALISBURY SUPPLY COMPANY INC	4352		**1,107.21**
194119	45763			32.95	
194247	45763			346.74	
194401	45763			227.00	
193940	45396			9.68	
193942	45441			5.56	
194082	45587			72.63	
194089	45587			126.65	
194104	45763			58.48	
194114	45587			14.97	
191408	45587			47.96	
193921	45763			36.60	
193933	45763			127.99	
75808	07/19/2019	SAMCO INC	4355		**2,501.00**
SVC12434	45862			762.00	
SVC12413	45862			1,552.00	
SVC12432	45742			187.00	
75809	07/19/2019	TAZCO INC	4885		**5,452.00**
47602 23RD&WI	47602			5,452.00	
75810	07/19/2019	TFM COMM INC	4914		**525.00**
202187	45515			190.00	
202206	45515			225.00	
202281	44692			110.00	
75811	07/19/2019	TOPEKA ELECTRIC MOTOR REPAIR	5025		**3,580.25**
48348	45766			3,580.25	
75812	07/26/2019	COMPLETE LEGAL SERVICES LLC	11779		**2,130.00**
13112	47722			2,130.00	
75813	07/26/2019	HENSON HUTTON MUDRICK GRAGSON	2199		**5,187.50**
36852	46199			4,387.50	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
36891	46198			800.00	
75814	07/26/2019	AAA CLUB ALLIANCE INC	10251		**1,482.00**
298877	45353			38.00	
299650	45469			38.00	
299647	45353			38.00	
299649	45353			38.00	
299349	45353			38.00	
299350	45353			38.00	
299352	45353			76.00	
299502	45353			38.00	
299503	45353			38.00	
299505	45353			38.00	
299253	45353			38.00	
299299	45353			38.00	
299300	45353			38.00	
299301	45353			38.00	
299302	45353			38.00	
299304	45353			38.00	
299195	45353			38.00	
299196	45353			38.00	
299248	45353			38.00	
299249	45353			38.00	
299250	45353			38.00	
299252	45353			38.00	
299192	45469			38.00	
283186	45353			38.00	
298045	45353			38.00	
297729	45353			38.00	
297768	45353			38.00	
298044	45353			38.00	
299133	45353			38.00	
299134	45353			38.00	
298592	45353			38.00	
298594	45353			38.00	
298879	45353			38.00	
298958	45353			38.00	
298959	45353			38.00	
298960	45353			38.00	
298362	45353			38.00	
298591	45353			38.00	
75815	07/26/2019	ABRAXIS LLC	9922		**2,885.00**
227768	46405			2,885.00	
75816	07/26/2019	ALL INCLUSIVE CONSTRUCTION &	7135		**2,500.00**
44652 5	44652			2,500.00	
75817	07/26/2019	ALTERNATIVES EAP LLC	8445		**1,791.37**
8113	45611			1,791.37	
75818	07/26/2019	AMERIPRIDE SERVICES INC	197		**578.29**
2301051346	45656			49.82	
2301051495	45656			99.37	
2301051295	45677			178.01	
2301051297	45401			34.61	
2301051319	45401			15.86	
2301051333	45656			12.65	
2301051335	45656			20.27	
2301051342	45656			135.99	
2301050788	45401			31.71	
75819	07/26/2019	ANDRITZ SEPARATION INC	222		**15,699.20**

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Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
8480089114	46233			15,699.20	
75820	07/26/2019	ARCHITECT ONE PA	249		**500.00**
190705	38077			500.00	
75821	07/26/2019	BARTLETT & WEST ENGINEERS	391		**66,621.17**
730071525	37227			9,063.52	
730071734	43403			1,518.00	
730071834	46827			26,558.35	
730071837	47130			29,481.30	
75822	07/26/2019	BLUE CROSS BLUE SHIELD INC	528		**103,790.85**
AUGUST 2019 AI	45603			103,790.85	
75823	07/26/2019	BLUE CROSS BLUE SHIELD INC	528		**150,769.26**
W/E 7/23/19	45603			150,769.26	
75824	07/26/2019	BOBS JANITORIAL SERVICE & SUPP	539		**669.00**
5101	45934			390.00	
5102	45934			279.00	
75825	07/26/2019	BORDER STATES INDUSTRIES INC	10997		**63.35**
917841155	45590			63.35	
75826	07/26/2019	BOYS & GIRLS CLUB OF TOPEKA	576		**7,219.64**
2019 46483 02	46483			7,219.64	
75827	07/26/2019	BVH INC	11518		**15,430.00**
6704618	45128			15,430.00	
75828	07/26/2019	C & C PRODUCE	7788		**1,754.50**
001483394	45366			1,754.50	
75829	07/26/2019	CATHOLIC CHARITIES	848		**14,010.24**
0420192	46497			5,516.97	
05152019	46497			8,487.35	
5	44476			5.92	
75830	07/26/2019	CE WATER MANAGEMENT INC	858		**2,145.00**
C53453	45933			1,145.00	
C53454	45933			625.00	
C53455	45933			375.00	
75831	07/26/2019	CENTRAL MECHANICAL CONST CO IN	863		**1,285.47**
0000506203	45871			935.47	
0000506045	45871			350.00	
75832	07/26/2019	CENTURY BUSINESS TECHNOLOGIES	870		**213.20**
529275	45397			213.20	
75833	07/26/2019	COLLECTION BUREAU	1023		**2,746.70**
6341	45682			1,728.80	
6342	45682			46.69	
6339	45723			971.21	
75834	07/26/2019	COLUMBIA CAPITAL MANAGEMENT LL	1038		**5,500.00**
19116009	45681			5,500.00	
75835	07/26/2019	CONCRETE SUPPLY OF TOPEKA	1066		**3,812.50**
256249	45752			485.00	
256250	45532			460.00	
256251	45532			862.50	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
255590	45752			485.00	
255591	45532			575.00	
255592	45532			460.00	
255680	45752			485.00	
75836	07/26/2019	CONTINUANT INC	11415		**3,407.79**
INV 2019 26568	45519			2,865.11	
INV 2019 26569	45519			542.68	
75837	07/26/2019	CREATIVE LANDSCAPE INC	1166		**165.00**
170969	47045			165.00	
75838	07/26/2019	CUT N EDGE INC	5919		**394.00**
154271	47181			394.00	
75839	07/26/2019	DELL COMPUTER	1319		**999.80**
10320872786	47472			999.80	
75840	07/26/2019	DELL FINANCIAL SERVICES LP	1320		**14,221.55**
80054342	25842			4,534.82	
80054343	28753			732.91	
80054344	30650			910.46	
80054345	30891			7,423.36	
80054346	31492			620.00	
75841	07/26/2019	DELTA DENTAL OF KANSAS INC	1323		**10,124.28**
W/E 07/18/19	45604			10,124.28	
75842	07/26/2019	DESIGNED BUSINESS INTERIORS	1336		**965.28**
16714	47289			965.28	
75843	07/26/2019	DOWNTOWN TOPEKA FOUNDATION	10376		**75,610.17**
2ND QUARTER 2	TRANS GUEST			75,610.17	
75844	07/26/2019	DSB ENTERPRISES INC	10462		**9,900.00**
PO #47197 WO#(	47197			2,475.00	
PO #47197 WO#(	47197			2,475.00	
PO #47197 WO#(	47197			2,475.00	
PO #47197 WO#(	47197			2,475.00	
75845	07/26/2019	DURKIN EQUIPMENT CO	1451		**3,048.90**
120010558	45530			3,048.90	
75846	07/26/2019	EUROFINS EATON ANALYTICAL INC	8594		**400.00**
L0460032	45633			400.00	
75847	07/26/2019	EXPRESS SERVICES INC	9622		**8,999.44**
22556783	47185			536.00	
22556784	45529			635.16	
22556785	45685			522.60	
22556786	46764			455.60	
22556787	45529			3,859.20	
22497771	45884			1,232.80	
22556789	45884			1,758.08	
75848	07/26/2019	FLEETPRIDE INC	7822		**418.46**
30674179	45458			418.46	
75849	07/26/2019	FRIENDS OF THE FREE STATE	1793		**7,814.15**
2ND QTR 2019	TRANS GUEST			7,814.15	
75850	07/26/2019	GARDA CL SOUTHWEST INC	1839		**968.00**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
10495805	45909			968.00	
75851	07/26/2019	GLMV ARCHITECTURE INC	8325		**7,500.00**
0117642	45330			7,500.00	
75852	07/26/2019	GO BLUE LLC	7071		**1,265.40**
2019 0250	47752			145.00	
2019 0423	45908			1,120.40	
75853	07/26/2019	HAMM INC	6576		**5,588.74**
254028	45668			1,856.34	
254773	45668			1,188.07	
256704	45668			864.21	
256706	45668			1,046.48	
256711	45668			633.64	
75854	07/26/2019	HARCROS CHEMICALS INC	2090		**2,367.82**
010225282	46059			2,367.82	
75855	07/26/2019	HARRIS & SONS ENTERPRISES INC	7996		**6,528.00**
47398 1911 SW F	47398			6,528.00	
75856	07/26/2019	HELPING HANDS HUMANE SOCIETY	2183		**27,122.98**
46460 2019	CONTRACT			27,122.98	
75857	07/26/2019	HENRY OUTDOOR POWER LLC	8004		**5,985.00**
1715	46745			390.00	
1714	46747			40.00	
1713	46748			155.00	
1712	46805			660.00	
1711	46806			225.00	
1710	46807			145.00	
1697	46770			1,047.50	
1702	46748			155.00	
1701	46805			660.00	
1700	46806			225.00	
1699	46807			145.00	
1698	46803			125.00	
1716	46746			180.00	
1709	46803			125.00	
1708	46770			1,047.50	
1706	46686			50.00	
1705	46746			180.00	
1704	46745			390.00	
1703	46747			40.00	
75858	07/26/2019	HR PARTNERS LLC	1165		**214.50**
8409	47734			214.50	
75859	07/26/2019	JAYHAWK FIRE SPRINKLER CO	2503		**1,180.00**
35082	45737			1,180.00	
75860	07/26/2019	JOBBERS AUTOMOTIVE WAREHOUSE	2639		**27.88**
3125740	45430			27.88	
75861	07/26/2019	KAGE MANUFACTURING LLC	11348		**1,774.96**
2019 085	45477			110.00	
2019 086	45477			270.00	
2019 090	45477			1,394.96	
75862	07/26/2019	KANSAS BIG BROTHERS	9434		**10,205.97**
CTYTP19 1	46490			4,715.32	

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Check No.	Check Date/PO #	Vendor Name and Number		Check Amount
CTYTP19 2	46490		5,490.65	
75863	07/26/2019	KANSAS DEPT OF HEALTH &	9774	**608,080.73**
2371 AUGUST 2(	SRF LOAN		263,371.32	
2372 AUGUST 2(	SRF LOAN		70,405.87	
2417 AUGUST 2(	SRF LOAN		104,418.44	
2419 AUGUST 2(	SRF LOAN		60,804.64	
2420 AUGUST 2(	SRF LOAN		59,778.33	
2418 AUGUST 2(	SRF LOAN		49,302.13	
75864	07/26/2019	KANSAS FENCING INC	2703	**196.47**
20133	47681		196.47	
75865	07/26/2019	KANSAS PERSONNEL SERVICES INC	2849	**4,579.03**
3051922	45687		506.25	
3051924	45870		794.08	
3051923	45541		397.44	
3051860	45687		432.00	
3051917	46180		48.60	
3051918	45541		1,166.40	
3051920	45735		648.00	
3051921	45901		586.26	
75866	07/26/2019	KBS CONSTRUCTORS INC	2645	**47,245.00**
19 0642	45790		47,245.00	
75867	07/26/2019	KCR INTERNATIONAL TRUCKS INC	1347	**5,115.37**
130137421	45414		251.21	
130137421X1	45414		88.83	
130137428	45414		403.52	
130137357	45414		422.56	
130137377	45414		3,288.62	
130137414	45414		462.07	
130137420	45414		198.56	
75868	07/26/2019	KEY WORKFORCE SOLUTIONS INC	9879	**797.40**
5001283	47711		432.00	
5001365	45524		365.40	
75869	07/26/2019	KRISTEN O'SHEA	11784	**750.00**
01	47834		750.00	
75870	07/26/2019	LANGUAGE LINE SERVICES INC	2967	**156.75**
4595102	45925		156.75	
75871	07/26/2019	LIGHTHOUSE CONTRACTING INC	3061	**15,730.00**
801OAKL 2	47115		15,730.00	
75872	07/26/2019	LOCATE HOLDINGS INC	10901	**33,405.00**
336177	45557		33,405.00	
75873	07/26/2019	LOVES ENTERPRISES	3112	**10,283.25**
47505 SW28TH&	47505		1,215.00	
47509 SE WASHI	47509		6,761.25	
47622 3549 CAM	47622		1,327.00	
47708 3400 SE H	47708		980.00	
75874	07/26/2019	MATHER FLARE RENTAL INC	5791	**93,656.68**
549	46341		1,028.00	
550	46341		1,881.60	
551	46341		1,067.00	
552	46341		705.84	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
553	46341			968.20	
554	46341			318.00	
536	46341			719.40	
537	46341			1,153.20	
538	46341			129.80	
540	46341			7,774.90	
541	46341			798.46	
530	46341			5,054.72	
531	46341			5,998.08	
532	46341			643.28	
533	46341			199.92	
534	46341			362.40	
535	46341			1,507.32	
524	46341			367.20	
525	46341			3,196.16	
526	46341			54.04	
527	46341			3,097.60	
528	46341			1,423.80	
529	46341			8,795.60	
539	46341			534.24	
519	46341			252.00	
520	46341			91.80	
521	46341			4,352.40	
522	46341			360.00	
523	46341			377.40	
544	46341			447.66	
545	46341			159.12	
546	46341			1,215.50	
547	46341			1,301.90	
548	46341			2,577.40	
517	46341			56.32	
518	46341			138.72	
472	46103			144.98	
515	46341			27,486.16	
516	46341			1,492.00	
542	46341			400.68	
543	46341			254.76	
555	46341			955.80	
556	46341			193.00	
557	46341			772.00	
558	46341			1,454.88	
559	46341			216.24	
560	46341			1,177.20	
75875	07/26/2019	MATHESON TRI-GAS INC	7179		**1,495.88**
51471256	45632			383.52	
51471257	45632			97.20	
51471258	47609			388.96	
51471254	47609			182.20	
51471253	45359			66.00	
51471252	45347			56.70	
51471251	45347			94.50	
51471250	45347			226.80	
75876	07/26/2019	MINNESOTA ELEVATOR INC	7834		**2,639.10**
809940	46167			2,639.10	
75877	07/26/2019	PACE ANALYTICAL SERVICES	3794		**198.00**
1935302157	45643			198.00	
75878	07/26/2019	PREMIER WORKSITE SOLUTIONS LLC	10540		**2,368.00**
1233	45607			2,368.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75879	07/26/2019	QUIKRETE HOLDINGS INC	11128		**625.85**
18698343	45801			625.85	
75880	07/26/2019	R & R VENTURES OF TOPEKA INC	4065		**2,160.00**
2019 15	45877			2,160.00	
75881	07/26/2019	R E PEDROTTI COMPANY	4067		**10,640.00**
00062790 TOKSS	47511			10,640.00	
75882	07/26/2019	ROBERT ARMSTRONG	255		**4,180.00**
3151	47612			1,450.00	
3152	47696			1,880.00	
3153	47456			850.00	
75883	07/26/2019	SBB ENGINEERING LLC	8999		**4,434.75**
3625	44256			4,434.75	
75884	07/26/2019	SHI INTERNATIONAL CORPORATION	4540		**224,897.56**
B10205384	47433			224,897.56	
75885	07/26/2019	SOUND PRODUCTS INC	4663		**47.96**
3229143 IN	45549			47.96	
75886	07/26/2019	STAPLES CONTRACT N COMMERCIAL	4725		**1,060.09**
3418170322	47616			2.84	
3418417547	47634			43.68	
3418417548	47645			68.61	
3417825575	47512			29.99	
3417825578	47562			179.94	
3417825579	47577			179.94	
3417825580	47585			239.92	
3417960322	47615			69.25	
3417960323	47616			245.92	
75887	07/26/2019	SUNFLOWER DESIGN LLC	11469		**7,812.12**
SD 18 10 2	45080			6,642.12	
SD 18 11 5	45183			1,170.00	
75888	07/26/2019	SUPERION LLC	11603		**1,325.36**
231938	45651			1,325.36	
75889	07/26/2019	TERMINIX INTERNATIONAL	10096		**210.10**
21327318	45364			210.10	
75890	07/26/2019	TERRY'S PLUMBING	4908		**1,320.00**
423139	47695			1,320.00	
75891	07/26/2019	THE EVEL KNIEVEL MUSEUM INC	10476		**6,603.51**
2ND QUARTER 2	TRANS GUEST			6,603.51	
75892	07/26/2019	THE GOODYEAR TIRE & RUBBER CO	9375		**2,022.58**
123 1058444	45502			1,488.10	
123 1058449	45502			534.48	
75893	07/26/2019	TIMBERLINE FISHERIES CORP	10900		**55.87**
104522974	45350			55.87	
75894	07/26/2019	TORGESON TRENCHING SERVICE	5062		**1,375.73**
2004576	46427			390.00	
2004581	46427			985.73	
75895	07/26/2019	U S LIME COMPANY - ST CLAIR	5117		**24,669.37**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
173583	45540			4,622.66	
173612	47485			14,845.78	
173639	47485			5,200.93	
75896	07/26/2019	UMB BANK NA	5127		**34,562.49**
PCARD07192019				34,562.49	
75897	07/26/2019	US WATER SERVICES INC	11620		**1,000.00**
INV457447	46505			1,000.00	
75898	07/26/2019	UTILITY MAINTENANCE CONTRACTOR	5827		**162,499.28**
46908 2	46908			162,499.28	
75899	07/26/2019	VAC-CON SERVICES INC	8824		**34.46**
12706	45782			34.46	
75900	07/26/2019	VANDERBILT'S NO 6	5199		**94.99**
378790	45383			94.99	
75901	07/26/2019	VETERINARY MEDICAL & SURGICAL	5222		**1,485.83**
123009	45362			338.49	
123143	45362			1,038.43	
123159	45362			108.91	
75902	07/26/2019	VISIT TOPEKA INC	5237		**472,480.99**
2ND QUARTER 2	TRANS GUEST			472,480.99	
75903	07/26/2019	WALKER TOWEL & UNIFORM	5266		**163.90**
2637697	45380			12.45	
2637722	45373			33.25	
2638722	45516			86.65	
2639554	45380			23.90	
2639555	45380			7.65	
75904	07/26/2019	WESTSIDE STAMP & AWARDS INC	5865		**225.00**
179501	47684			225.00	
75905	07/26/2019	WHITNEY B DAMRON PA	5418		**1,035.71**
45923 JUN 2019	45923			1,035.71	
75906	07/26/2019	ZOHO CORPORATION	7167		**6,415.00**
2229599	47579			6,415.00	
75907	07/26/2019	MEDTRAK SERVICES LLC	3330		**91,914.78**
326882	45605			88,459.03	
327065	45605			3,442.11	
327066	45605			13.64	
75908	07/26/2019	RADIOLOGY & NUCLEAR MEDICINE	4073		**30.00**
1840386808	47766			30.00	
75909	07/26/2019	STORMONT VAIL WORK CARE	4783		**3,401.00**
512633	47567			92.00	
512634	47567			1,980.00	
512636	47567			164.00	
512637	47567			94.00	
512641	47567			736.00	
430627	47567			335.00	
75910	07/26/2019	ANCOR INFORMATION MANAGEMENT	7058		**9,634.69**
INV002609	45333			9,634.69	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
75911	07/26/2019	APPLIED INDUSTRIAL	245		**183.20**
7016626730	45527			183.20	
75912	07/26/2019	BERRY COMPANIES INC	5408		**9,069.85**
06196685	45450			69.85	
06194916	47171			9,000.00	
75913	07/26/2019	C-HAWKK CONSTRUCTION INC	911		**322.00**
00018156	45657			312.00	
00018157	45657			10.00	
75914	07/26/2019	CAPITAL CITY OIL CO INC	778		**24,511.57**
1105388	45334			22,828.94	
1105537	45479			184.70	
1105601	45411			599.05	
GN 980	45334			898.88	
75915	07/26/2019	ELECTROLIFE BATTERY INC	5014		**104.98**
NT248361	45443			104.98	
75916	07/26/2019	FERGUSON ENTERPRISES INC	1639		**308.86**
7423959	45619			308.86	
75917	07/26/2019	FLU-CON INC	1729		**153.25**
P 42248 0	45417			24.97	
P 42322 0	45417			88.73	
P 42340 0	45417			39.55	
75918	07/26/2019	GRAINGER	1964		**115.08**
9224749888	45419			115.08	
75919	07/26/2019	JOHN G LEVIN	3071		**392.10**
15718	45579			72.16	
249151	47595			59.70	
27185	47595			210.00	
27323	46457			8.00	
17276	45579			26.24	
28855	45915			16.00	
75920	07/26/2019	OLDCASTLE PRECAST INC	3739		**905.60**
120042855	45609			905.60	
75921	07/26/2019	SAFETY CONSULTING INC	4335		**1,188.50**
190567	45584			1,188.50	
75922	07/26/2019	SAFETY SUPPLIES	4336		**1,048.23**
SSI 190618	47591			59.20	
SSI 190613	47591			353.70	
SSI 190457	47591			168.33	
SSI 190621	47591			135.00	
SSI 190651	45639			332.00	
75923	07/26/2019	SALISBURY SUPPLY COMPANY INC	4352		**1,981.05**
194867	45587			59.75	
194871	45763			322.84	
195004	45587			249.00	
194678	45763			20.99	
194682	45556			89.75	
194692	45587			114.90	
194697	45763			67.70	
194842	45587			172.84	
194854	45587			698.95	

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194517	45556			144.00	
194532	45587			33.84	
194677	45763			6.49	
75924	07/26/2019	TAZCO INC	4885		**10,096.00**
44774 300 SW 29	44774			10,096.00	
75925	07/26/2019	TFM COMM INC	4914		**441.65**
202347	45879			441.65	
75926	07/26/2019	TOPEKA BLUE PRINT INC	5015		**100.00**
183375	47751			100.00	
75927	08/01/2019	ABBIE E KERN RVOC TR	11306		**557.00**
BAU102-0819		S+C AUGUST 2019 Payment		557.00	
75928	08/01/2019	AREA, ROBERT E	250		**785.00**
JEN103-0819		S+C AUGUST 2019 Payment		785.00	
75929	08/01/2019	AREA, WILLIAM C	9445		**1,655.00**
MOO101-0819		S+C AUGUST 2019 Payment		245.00	
ALB101-0819		S+C AUGUST 2019 Payment		543.00	
HAY101-0819		S+C AUGUST 2019 Payment		593.00	
MCF101-0819		S+C AUGUST 2019 Payment		274.00	
75930	08/01/2019	BALANCED PROPERTY MANAGEMENT	10373		**1,345.00**
COL104-0819		S+C AUGUST 2019 Payment		594.00	
FOR104-0819		S+C AUGUST 2019 Payment		251.00	
MCC107-0819		S+C AUGUST 2019 Payment		500.00	
75931	08/01/2019	BENNETT PROPERTY LLC	440		**569.00**
MUN113-0819		S+C AUGUST 2019 Payment		290.00	
THO104-0819		S+C AUGUST 2019 Payment		279.00	
75932	08/01/2019	BEST BUY SALES INC	8560		**3,046.00**
BUS102-0819		S+C AUGUST 2019 Payment		825.00	
MEN112-0819		S+C AUGUST 2019 Payment		775.00	
PRI108-0819		S+C AUGUST 2019 Payment		1,446.00	
75933	08/01/2019	BIG LLC	11628		**1,979.00**
AMA103-0819		S+C AUGUST 2019 Payment		579.00	
CUN104-0819		S+C AUGUST 2019 Payment		700.00	
SUH103-0819		S+C AUGUST 2019 Payment		700.00	
75934	08/01/2019	BPM LLC	579		**884.00**
BRO103-0819		S+C AUGUST 2019 Payment		480.00	
LAT102-0819		S+C AUGUST 2019 Payment		404.00	
75935	08/01/2019	BREAKTHROUGH HOUSE INC	599		**912.00**
COFF104-0819		S+C AUGUST 2019 Payment		172.00	
MOR104-0819		S+C AUGUST 2019 Payment		314.00	
SIM104-0819		S+C AUGUST 2019 Payment		426.00	
75936	08/01/2019	BRICKHOUSE REAL ESTATE	11270		**1,125.00**
ORC101-0819		S+C AUGUST 2019 Payment		450.00	
REE102-0819		S+C AUGUST 2019 Payment		675.00	
75937	08/01/2019	BROOKWOOD TERRACE HOUSING LP	644		**6,737.00**
WET101-0819		S+C AUGUST 2019 Payment		267.00	
KIR101-0819		S+C AUGUST 2019 Payment		369.00	
MIL101-0819		S+C AUGUST 2019 Payment		495.00	
MON104-0819		S+C AUGUST 2019 Payment		450.00	

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RAN101-0819		S+C AUGUST 2019 Payment		473.00	
ROB107-0819		S+C AUGUST 2019 Payment		333.00	
STO101-0819		S+C AUGUST 2019 Payment		338.00	
CHA104-0819		S+C AUGUST 2019 Payment		366.00	
DOR101-0819		S+C AUGUST 2019 Payment		354.00	
ELD101-0819		S+C AUGUST 2019 Payment		473.00	
ENL101-0819		S+C AUGUST 2019 Payment		465.00	
GES101-0819		S+C AUGUST 2019 Payment		200.00	
JAM102-0819		S+C AUGUST 2019 Payment		181.00	
ALL105-0819		S+C AUGUST 2019 Payment		485.00	
BAK101-0819		S+C AUGUST 2019 Payment		78.00	
BRI107-0819		S+C AUGUST 2019 Payment		485.00	
BUR102-0819		S+C AUGUST 2019 Payment		480.00	
BUR103-0819		S+C AUGUST 2019 Payment		445.00	
75938	08/01/2019	BUESCHER, MELISSA	11525		**1,250.00**
GON101-0819		S+C AUGUST 2019 Payment		1,250.00	
75939	08/01/2019	CANDLESTICK MANAGEMENT LLC	10720		**2,155.00**
AND106-0819		S+C AUGUST 2019 Payment		725.00	
ATK103-0819		S+C AUGUST 2019 Payment		380.00	
FLO102-0819		S+C AUGUST 2019 Payment		525.00	
TUC101-0819		S+C AUGUST 2019 Payment		525.00	
75940	08/01/2019	CAPITOL MANAGEMENT LLC	792		**786.00**
DIT101-0819		S+C AUGUST 2019 Payment		786.00	
75941	08/01/2019	CARLSON, DEBORAH A	9352		**594.00**
MAR123-0819		S+C AUGUST 2019 Payment		594.00	
75942	08/01/2019	CASTLE HOME MANAGEMENT LLC	9474		**1,028.00**
SHA106-0819		S+C AUGUST 2019 Payment		1,028.00	
75943	08/01/2019	CJS REAL ESTATE	10107		**5,453.00**
WAR101-0819		S+C AUGUST 2019 Payment		845.00	
WHI103-0819		S+C AUGUST 2019 Payment		266.00	
HAL102-0819		S+C AUGUST 2019 Payment		594.00	
KEN102-0819		S+C AUGUST 2019 Payment		322.00	
ONE101-0819		S+C AUGUST 2019 Payment		593.00	
SAN103-0819		S+C AUGUST 2019 Payment		123.00	
SES101-0819		S+C AUGUST 2019 Payment		785.00	
STA105-0819		S+C AUGUST 2019 Payment		299.00	
AND107-0819		S+C AUGUST 2019 Payment		1,033.00	
BRA105-0819		S+C AUGUST 2019 Payment		593.00	
75944	08/01/2019	CLARK, JAMES M	10909		**475.00**
MAR103-0819		S+C AUGUST 2019 Payment		475.00	
75945	08/01/2019	COMMUNITY ACTION INC	11697		**4,237.00**
BAK102-0819		S+C AUGUST 2019 Payment		347.00	
BAR111-0819		S+C AUGUST 2019 Payment		389.00	
HAR107-0819		S+C AUGUST 2019 Payment		372.00	
JEF101-0819		S+C AUGUST 2019 Payment		366.00	
VEL101-0819		S+C AUGUST 2019 Payment		388.00	
YOU101-0819		S+C AUGUST 2019 Payment		26.00	
JON104-0819		S+C AUGUST 2019 Payment		593.00	
LAC102-0819		S+C AUGUST 2019 Payment		366.00	
LEE102-0819		S+C AUGUST 2019 Payment		372.00	
RAM103-0819		S+C AUGUST 2019 Payment		372.00	
STR101-0819		S+C AUGUST 2019 Payment		368.00	
THO101-0819		S+C AUGUST 2019 Payment		278.00	
75946	08/01/2019	CORNERSTONE APARTMENTS LP	7173		**489.00**

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LAD1024-0819		S+C AUGUST 2019 Payment		188.00	
THO102-0819		S+C AUGUST 2019 Payment		301.00	
75947	08/01/2019	CORNERSTONE OF TOPEKA INC	1117		**3,821.00**
EDM101-0819		S+C AUGUST 2019 Payment		504.00	
FER102-0819		S+C AUGUST 2019 Payment		372.00	
GAR102-0819		S+C AUGUST 2019 Payment		425.00	
HOM101-0819		S+C AUGUST 2019 Payment		460.00	
LEA101-0819		S+C AUGUST 2019 Payment		425.00	
LED102-0819		S+C AUGUST 2019 Payment		450.00	
PET101-0819		S+C AUGUST 2019 Payment		395.00	
PRI1029-0819		S+C AUGUST 2019 Payment		470.00	
SAN101-0819		S+C AUGUST 2019 Payment		320.00	
75948	08/01/2019	COX, WILLIAM R	1151		**900.00**
KIM1032-0819		S+C AUGUST 2019 Payment		900.00	
75949	08/01/2019	CUEVAS, EMILIO	1197		**315.00**
LIN101-0819		S+C AUGUST 2019 Payment		315.00	
75950	08/01/2019	DELAPP, PATRICK	1315		**388.00**
KIV102-0819		S+C AUGUST 2019 Payment		388.00	
75951	08/01/2019	DERYL D WILSON	6401		**282.00**
HUG101-0819		S+C AUGUST 2019 Payment		282.00	
75952	08/01/2019	DONALD, JORDAN M	11484		**737.00**
BAR107-0819		S+C AUGUST 2019 Payment		452.00	
DUP102-0819		S+C AUGUST 2019 Payment		285.00	
75953	08/01/2019	DONALD, JOSEPH	12		**1,005.00**
LOY101-0819		S+C AUGUST 2019 Payment		530.00	
WUN101-0819		S+C AUGUST 2019 Payment		475.00	
75954	08/01/2019	DUNCAN, CLAUDE	1442		**1,715.00**
BOX1089-0819		S+C AUGUST 2019 Payment		373.00	
MAR120-0819		S+C AUGUST 2019 Payment		525.00	
MIM102-0819		S+C AUGUST 2019 Payment		495.00	
SPA1055-0819		S+C AUGUST 2019 Payment		322.00	
75955	08/01/2019	EUGENE & PARAMORE LLC	11174		**3,409.00**
STA104-0819		S+C AUGUST 2019 Payment		700.00	
ALV101-0819		S+C AUGUST 2019 Payment		423.00	
GAR105-0819		S+C AUGUST 2019 Payment		369.00	
LAN102-0819		S+C AUGUST 2019 Payment		347.00	
MCF102-0819		S+C AUGUST 2019 Payment		785.00	
RAN101-0819		S+C AUGUST 2019 Payment		785.00	
75956	08/01/2019	FIRM FOUNDATION MINISTRIES	11637		**550.00**
CON101-0819		S+C AUGUST 2019 Payment		550.00	
75957	08/01/2019	GARNER PROPERTIES LLC	9070		**293.00**
MAR121-0819		S+C AUGUST 2019 Payment		293.00	
75958	08/01/2019	GLENN OAKS CITY CENTRE GP LLC	9348		**1,690.00**
DAV103-0819		S+C AUGUST 2019 Payment		398.00	
FOR103-0819		S+C AUGUST 2019 Payment		456.00	
HLU101-0819		S+C AUGUST 2019 Payment		93.00	
JON107-0819		S+C AUGUST 2019 Payment		460.00	
TUR102-0819		S+C AUGUST 2019 Payment		283.00	
75959	08/01/2019	GOODALL, ROBERT G	9401		**895.00**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
SMI121-0819		S+C AUGUST 2019 Payment		895.00	
75960	08/01/2019	HALL, DEBORAH	11218		**755.00**
FOS102-0819		S+C AUGUST 2019 Payment		370.00	
PET102-0819		S+C AUGUST 2019 Payment		385.00	
75961	08/01/2019	HERCULES, VICTOR	11175		**323.00**
BAR102-0819		S+C AUGUST 2019 Payment		323.00	
75962	08/01/2019	HIGGINBOTHOM, CORY	11411		**2,786.00**
BOU101-0819		S+C AUGUST 2019 Payment		1,033.00	
GAL102-0819		S+C AUGUST 2019 Payment		840.00	
RIT106-0819		S+C AUGUST 2019 Payment		320.00	
SAD101-0819		S+C AUGUST 2019 Payment		593.00	
75963	08/01/2019	INTERNATIONAL CENTERS	11660		**593.00**
GIL101-0819		S+C AUGUST 2019 Payment		593.00	
75965	08/01/2019	RAGSDALE, JEFF	7375		**98.00**
SEX108-0819		S+C AUGUST 2019 Payment		98.00	
75966	08/01/2019	KANSAS CAPITAL CORNERS LLC	11119		**1,912.00**
WRI101-0819		S+C AUGUST 2019 Payment		400.00	
BLA105-0819		S+C AUGUST 2019 Payment		400.00	
CON103-0819		S+C AUGUST 2019 Payment		312.00	
FUN101-0819		S+C AUGUST 2019 Payment		400.00	
STO102-0819		S+C AUGUST 2019 Payment		400.00	
75967	08/01/2019	KANSAS CARRIAGE HOUSE LLC	10256		**1,347.00**
BUR101-0819		S+C AUGUST 2019 Payment		538.00	
COL105-0819		S+C AUGUST 2019 Payment		334.00	
KOL103-0819		S+C AUGUST 2019 Payment		475.00	
75968	08/01/2019	KANSAS CORONADO LLC	11412		**398.00**
SIM106-0819		S+C AUGUST 2019 Payment		398.00	
75969	08/01/2019	KANSAS MT VERNON LLC	11151		**2,314.00**
COT101-0819		S+C AUGUST 2019 Payment		540.00	
HEA101-0819		S+C AUGUST 2019 Payment		515.00	
HUR103-0819		S+C AUGUST 2019 Payment		570.00	
JUD103-0819		S+C AUGUST 2019 Payment		361.00	
TUR104-0819		S+C AUGUST 2019 Payment		328.00	
75970	08/01/2019	KANSAS VILLAGE AT OLD TOWN LLC	11152		**7,160.00**
TAY101-0819		S+C AUGUST 2019 Payment		279.00	
VEN101-0819		S+C AUGUST 2019 Payment		304.00	
WIL111-0819		S+C AUGUST 2019 Payment		297.00	
PER110-0819		S+C AUGUST 2019 Payment		404.00	
POW103-0819		S+C AUGUST 2019 Payment		487.00	
PRI105-0819		S+C AUGUST 2019 Payment		215.00	
ROB103-0819		S+C AUGUST 2019 Payment		359.00	
ROB107-0819		S+C AUGUST 2019 Payment		386.00	
SIM107-0819		S+C AUGUST 2019 Payment		316.00	
GAY101-0819		S+C AUGUST 2019 Payment		450.00	
HAR112-0819		S+C AUGUST 2019 Payment		288.00	
HAS101-0819		S+C AUGUST 2019 Payment		450.00	
JAR103-0819		S+C AUGUST 2019 Payment		396.00	
KIN101-0819		S+C AUGUST 2019 Payment		297.00	
KUH101-0819		S+C AUGUST 2019 Payment		313.00	
ANS102-0819		S+C AUGUST 2019 Payment		249.00	
BAR109-0819		S+C AUGUST 2019 Payment		309.00	
BEC101-0819		S+C AUGUST 2019 Payment		128.00	
DEC101-0819		S+C AUGUST 2019 Payment		283.00	

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Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
ERI101-0819		S+C AUGUST 2019 Payment		525.00	
FIL101-0819		S+C AUGUST 2019 Payment		425.00	
75971	08/01/2019	BRUBAKER, KENNETH L	7383		**475.00**
BEN101-0819		S+C AUGUST 2019 Payment		475.00	
75972	08/01/2019	LOCUST 1805 LLC	11534		**998.00**
OST101-0819		S+C AUGUST 2019 Payment		625.00	
PER108-0819		S+C AUGUST 2019 Payment		373.00	
75973	08/01/2019	LUELLEN, MICHAEL DEAN	3135		**1,048.00**
FIN103-0819		S+C AUGUST 2019 Payment		685.00	
JEN102-0819		S+C AUGUST 2019 Payment		363.00	
75974	08/01/2019	MADISON STREET APARTMENTS LLC	10691		**4,226.00**
ROS102-0819		S+C AUGUST 2019 Payment		510.00	
SCO101-0819		S+C AUGUST 2019 Payment		314.00	
SEI102-0819		S+C AUGUST 2019 Payment		309.00	
SHU101-0819		S+C AUGUST 2019 Payment		510.00	
SPA102-0819		S+C AUGUST 2019 Payment		535.00	
WIL113-0819		S+C AUGUST 2019 Payment		510.00	
BAL102-0819		S+C AUGUST 2019 Payment		125.00	
BRO118-0819		S+C AUGUST 2019 Payment		184.00	
CHA103-0819		S+C AUGUST 2019 Payment		540.00	
HAR104-0819		S+C AUGUST 2019 Payment		229.00	
MEH102-0819		S+C AUGUST 2019 Payment		223.00	
ROL101-0819		S+C AUGUST 2019 Payment		237.00	
75975	08/01/2019	MAHNOPOLY LLC	11407		**1,289.00**
HAM101-0819		S+C AUGUST 2019 Payment		349.00	
MAR115-0819		S+C AUGUST 2019 Payment		400.00	
PAU104-0819		S+C AUGUST 2019 Payment		540.00	
75976	08/01/2019	MAHONEY, DAVE	11219		**1,178.00**
MUR103-0819		S+C AUGUST 2019 Payment		650.00	
WIL112-0819		S+C AUGUST 2019 Payment		528.00	
75977	08/01/2019	MARK DB LLC	11396		**653.00**
ORT101-0819		S+C AUGUST 2019 Payment		653.00	
75978	08/01/2019	MEDFORD PROPERTY MANAGEMENT IN	6791		**3,631.00**
WIC101-0819		S+C AUGUST 2019 Payment		450.00	
DAM101-0819		S+C AUGUST 2019 Payment		465.00	
GLO102-0819		S+C AUGUST 2019 Payment		365.00	
GRI101-0819		S+C AUGUST 2019 Payment		377.00	
HES101-0819		S+C AUGUST 2019 Payment		500.00	
REC101-0819		S+C AUGUST 2019 Payment		341.00	
SMI122-0819		S+C AUGUST 2019 Payment		365.00	
BET103-0819		S+C AUGUST 2019 Payment		357.00	
CRU101-0819		S+C AUGUST 2019 Payment		411.00	
75979	08/01/2019	MONARCH ASSETS LLC	10185		**307.00**
BRA101-0819		S+C AUGUST 2019 Payment		307.00	
75980	08/01/2019	MURPHREE ENTERPRISES INC	11173		**673.00**
LUT102-0819		S+C AUGUST 2019 Payment		673.00	
75981	08/01/2019	NUTTER, STEPHEN	6384		**466.00**
MAR101-0819		S+C AUGUST 2019 Payment		466.00	
75982	08/01/2019	OAKBROOK HOLDINGS LLC	11512		**2,314.00**
BEV101-0819		S+C AUGUST 2019 Payment		680.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
BRA104-0819		S+C AUGUST 2019 Payment		810.00	
MCG1031-0819		S+C AUGUST 2019 Payment		824.00	
75983	08/01/2019	SAGGART, PAMELA	7218		**210.00**
THE101-0819		S+C AUGUST 2019 Payment		210.00	
75984	08/01/2019	PARADISE PLAZA I LLC	3813		**597.00**
LYN104-0819		S+C AUGUST 2019 Payment		597.00	
75985	08/01/2019	PARADISE PLAZA II LLC	3814		**1,169.00**
DIV101-0819		S+C AUGUST 2019 Payment		623.00	
ZAV101-0819		S+C AUGUST 2019 Payment		546.00	
75986	08/01/2019	PARK SOUTH PARTNERS LLC	7387		**3,797.00**
WIL101-0819		S+C AUGUST 2019 Payment		290.00	
CRA100-0819		S+C AUGUST 2019 Payment		615.00	
JAC104-0819		S+C AUGUST 2019 Payment		545.00	
LAM101-0819		S+C AUGUST 2019 Payment		485.00	
PRI106-0819		S+C AUGUST 2019 Payment		356.00	
TIN102-0819		S+C AUGUST 2019 Payment		372.00	
WAD102-0819		S+C AUGUST 2019 Payment		485.00	
ALL117-0819		S+C AUGUST 2019 Payment		363.00	
BRO111-0819		S+C AUGUST 2019 Payment		286.00	
75987	08/01/2019	PARKLANE PROPERTIES LLC	3822		**851.00**
DAR101-0819		S+C AUGUST 2019 Payment		500.00	
HAR111-0819		S+C AUGUST 2019 Payment		351.00	
75988	08/01/2019	PETERSEN, LONNIE	3909		**311.00**
SHA1042-0819		S+C AUGUST 2019 Payment		311.00	
75989	08/01/2019	PIONEER ADAMS II LP	7285		**646.00**
GAR104-0819		S+C AUGUST 2019 Payment		363.00	
POR101-0819		S+C AUGUST 2019 Payment		283.00	
75990	08/01/2019	PIONEER CURTIS HOMES	3941		**1,007.00**
DEP101-0819		S+C AUGUST 2019 Payment		349.00	
GUE101-0819		S+C AUGUST 2019 Payment		323.00	
HUN102-0819		S+C AUGUST 2019 Payment		335.00	
75991	08/01/2019	PIONEER MOTIVE POWER PLACE LP	9278		**1,520.00**
DOU105-0819		S+C AUGUST 2019 Payment		97.00	
MCC103-0819		S+C AUGUST 2019 Payment		480.00	
AND102-0819		S+C AUGUST 2019 Payment		243.00	
BAR105-0819		S+C AUGUST 2019 Payment		490.00	
COO102-0819		S+C AUGUST 2019 Payment		210.00	
75992	08/01/2019	REDEN U JALOSJOS	11616		**326.00**
SUT101-0819		S+C AUGUST 2019 Payment		326.00	
75993	08/01/2019	RENT TOPEKA HOMES	4175		**2,505.00**
BLE101-0819		S+C AUGUST 2019 Payment		760.00	
MOE102-0819		S+C AUGUST 2019 Payment		594.00	
SPI101-0819		S+C AUGUST 2019 Payment		551.00	
TIS101-0819		S+C AUGUST 2019 Payment		600.00	
75994	08/01/2019	RENTAL MANAGEMENT SOLUTIONS LL	4176		**4,743.00**
NOR101-0819		S+C AUGUST 2019 Payment		483.00	
RHO103-0819		S+C AUGUST 2019 Payment		410.00	
SMI104-0819		S+C AUGUST 2019 Payment		515.00	
TOR102-0819		S+C AUGUST 2019 Payment		379.00	
WIS103-0819		S+C AUGUST 2019 Payment		410.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
HED101-0819		S+C AUGUST 2019 Payment		474.00	
HUD103-0819		S+C AUGUST 2019 Payment		463.00	
HUT101-0819		S+C AUGUST 2019 Payment		143.00	
KOZ1041-0819		S+C AUGUST 2019 Payment		376.00	
MAR102-0819		S+C AUGUST 2019 Payment		645.00	
MOR103-0819		S+C AUGUST 2019 Payment		445.00	
75995	08/01/2019	RIVERA, LENA MARIE	9498		**450.00**
PAR101-0819		S+C AUGUST 2019 Payment		450.00	
75996	08/01/2019	CUEVAS, RODOLFO	7291		**362.00**
FAR101-0819		S+C AUGUST 2019 Payment		362.00	
75997	08/01/2019	RUNNING R PROPERTY MANAGEMENT	10417		**1,894.00**
COO104-0819		S+C AUGUST 2019 Payment		744.00	
MES102-0819		S+C AUGUST 2019 Payment		575.00	
ZAR102-0819		S+C AUGUST 2019 Payment		575.00	
75998	08/01/2019	SCHMIDT, DONALD J	4401		**130.00**
HAD103-0819		S+C AUGUST 2019 Payment		130.00	
75999	08/01/2019	SHAWNEE MANAGEMENT LLC	7828		**2,853.00**
BAR110-0819		S+C AUGUST 2019 Payment		373.00	
BLA106-0819		S+C AUGUST 2019 Payment		343.00	
CLE102-0819		S+C AUGUST 2019 Payment		931.00	
LEE101-0819		S+C AUGUST 2019 Payment		593.00	
MIL102-0819		S+C AUGUST 2019 Payment		346.00	
NAS102-0819		S+C AUGUST 2019 Payment		267.00	
76000	08/01/2019	SMALL FISH PARTNERS LLC	11065		**475.00**
BYR102-0819		S+C AUGUST 2019 Payment		475.00	
76001	08/01/2019	STONER, JAMES KYLE	10712		**1,028.00**
LAC101-0819		S+C AUGUST 2019 Payment		1,028.00	
76002	08/01/2019	SUAREZ 7 LLC	11066		**1,701.00**
CHI101-0819		S+C AUGUST 2019 Payment		785.00	
RAI102-0819		S+C AUGUST 2019 Payment		323.00	
ROL102-0819		S+C AUGUST 2019 Payment		593.00	
76003	08/01/2019	SY HIGHLAND INVESTORS LP	11059		**396.00**
PER110-0819		S+C AUGUST 2019 Payment		396.00	
76004	08/01/2019	THE LIBRARY APARTMENTS INC	11304		**1,137.00**
BYR103-0819		S+C AUGUST 2019 Payment		425.00	
HET101-0819		S+C AUGUST 2019 Payment		287.00	
SIS101-0819		S+C AUGUST 2019 Payment		425.00	
76005	08/01/2019	TOPEKA RENTALS LLC	5046		**3,588.00**
GRA101-0819		S+C AUGUST 2019 Payment		526.00	
NEL103-0819		S+C AUGUST 2019 Payment		317.00	
VIC101-0819		S+C AUGUST 2019 Payment		593.00	
WIL115-0819		S+C AUGUST 2019 Payment		109.00	
ALL114-0819		S+C AUGUST 2019 Payment		750.00	
BAR106-0819		S+C AUGUST 2019 Payment		590.00	
BIL101-0819		S+C AUGUST 2019 Payment		590.00	
CAS113-0819		S+C AUGUST 2019 Payment		113.00	
76006	08/01/2019	TRINITY PROPERTIES LLC	5098		**3,596.00**
FRE108-0819		S+C AUGUST 2019 Payment		136.00	
HAR102-0819		S+C AUGUST 2019 Payment		594.00	
HOP101-0819		S+C AUGUST 2019 Payment		152.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
KRI101-0819		S+C AUGUST 2019 Payment		373.00	
KUT108-0819		S+C AUGUST 2019 Payment		282.00	
LUC104-0819		S+C AUGUST 2019 Payment		713.00	
BOO101-0819		S+C AUGUST 2019 Payment		373.00	
CAR101-0819		S+C AUGUST 2019 Payment		379.00	
CHA102-0819		S+C AUGUST 2019 Payment		594.00	
76007	08/01/2019	TUCKING JR, CHARLES DELMAR	10910		**271.00**
LIT103-0819		S+C AUGUST 2019 Payment		271.00	
76008	08/01/2019	UH APARTMENT PROPERTIES LLC	11420		**2,126.00**
BAI101-0819		S+C AUGUST 2019 Payment		274.00	
BEL102-0819		S+C AUGUST 2019 Payment		485.00	
PEO101-0819		S+C AUGUST 2019 Payment		556.00	
SCO102-0819		S+C AUGUST 2019 Payment		331.00	
SPA106-0819		S+C AUGUST 2019 Payment		480.00	
76009	08/01/2019	VANHOUSE, DANIEL W	5201		**1,216.00**
MCC106-0819		S+C AUGUST 2019 Payment		466.00	
PAI102-0819		S+C AUGUST 2019 Payment		750.00	
76010	08/01/2019	WASHBURN NORTH APARTMENTS LLC	10954		**547.00**
MYE109-0819		S+C AUGUST 2019 Payment		253.00	
PRY104-0819		S+C AUGUST 2019 Payment		294.00	
76011	08/01/2019	WASHBURN SOUTH APARTMENTS LLC	11009		**2,455.00**
WIL114-0819		S+C AUGUST 2019 Payment		446.00	
FAI101-0819		S+C AUGUST 2019 Payment		475.00	
HIL107-0819		S+C AUGUST 2019 Payment		550.00	
MAR122-0819		S+C AUGUST 2019 Payment		143.00	
RHO104-0819		S+C AUGUST 2019 Payment		480.00	
WEA102-0819		S+C AUGUST 2019 Payment		361.00	
76012	08/01/2019	WATSON REAL ESTATE DEVELOPMENT	11198		**1,656.00**
NIE101-0819		S+C AUGUST 2019 Payment		1,045.00	
LAY102-0819		S+C AUGUST 2019 Payment		611.00	
76013	08/01/2019	WCW ENTERPRISES INC	5339		**864.00**
KEM101-0819		S+C AUGUST 2019 Payment		434.00	
WEL104-0819		S+C AUGUST 2019 Payment		430.00	
76014	08/01/2019	WIEGERT, JASON	11438		**1,268.00**
HEN101-0819		S+C AUGUST 2019 Payment		675.00	
MON113-0819		S+C AUGUST 2019 Payment		593.00	
76015	08/01/2019	WILCOX, CHRISTOHER J	11404		**508.00**
GOO101-0819		S+C AUGUST 2019 Payment		260.00	
LOT101-0819		S+C AUGUST 2019 Payment		248.00	
76016	08/01/2019	WOLFE, JO ANN	5517		**284.00**
ALL104-0819		S+C AUGUST 2019 Payment		284.00	
76017	08/01/2019	WONDERFUL WORKS RENTAL	11105		**550.00**
DAL102-0819		S+C AUGUST 2019 Payment		550.00	
76018	08/02/2019	COOK & ASSOCIATES LLC	10126		**9,660.00**
47362 2019	CONTRACT			9,660.00	
76019	08/02/2019	STATE OF KANSAS	2732		**152.35**
00000007419080		Child Support - Amt		152.35	
76020	08/02/2019	STATE OF KANSAS	2732		**81.71**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
00000008619080		Child Support - Amt		81.71	
76021	08/02/2019	STATE OF KANSAS	2732		**277.00**
00000009419080		Child Support - Amt		277.00	
76022	08/02/2019	STATE OF KANSAS	2732		**923.08**
00000017119080		Child Support - Amt		923.08	
76023	08/02/2019	STATE OF KANSAS	2732		**1,167.09**
00000022219080		Child Support - Amt		1,167.09	
76024	08/02/2019	STATE OF KANSAS	2732		**53.08**
00000024219080		Child Support - Amt		53.08	
76025	08/02/2019	STATE OF KANSAS	2732		**112.15**
00000031619080		Child Support - Amt		112.15	
76026	08/02/2019	STATE OF KANSAS	2732		**738.68**
00000032819080		Child Support - Amt		738.68	
76027	08/02/2019	STATE OF KANSAS	2732		**277.38**
00000034019080		Child Support - Amt		277.38	
76028	08/02/2019	STATE OF KANSAS	2732		**498.46**
00000034319080		Child Support - Amt		498.46	
76029	08/02/2019	STATE OF KANSAS	2732		**92.10**
00000034519080		Child Support - Amt		92.10	
76030	08/02/2019	STATE OF KANSAS	2732		**183.29**
00000034819080		Child Support - Amt		183.29	
76031	08/02/2019	STATE OF KANSAS	2732		**207.52**
00000038519080		Child Support - Amt		207.52	
76032	08/02/2019	STATE OF KANSAS	2732		**1,311.23**
00000063319080		Child Support - Amt		1,311.23	
76033	08/02/2019	STATE OF KANSAS	2732		**323.08**
00000064119080		Child Support - Amt		323.08	
76034	08/02/2019	STATE OF KANSAS	2732		**207.75**
00000066719080		Child Support - Amt		207.75	
76035	08/02/2019	STATE OF KANSAS	2732		**692.52**
00000068219080		Child Support - Amt		692.52	
76036	08/02/2019	STATE OF KANSAS	2732		**209.08**
00000075419080		Child Support - Amt		209.08	
76037	08/02/2019	STATE OF KANSAS	2732		**286.15**
00000077919080		Child Support - Amt		286.15	
76038	08/02/2019	STATE OF KANSAS	2732		**185.08**
00000078519080		Child Support - Amt		185.08	
76039	08/02/2019	STATE OF KANSAS	2732		**122.77**
00000079119080		Child Support - Amt		122.77	
76040	08/02/2019	STATE OF KANSAS	2732		**369.34**
00000081019080		Child Support - Amt		369.34	

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Check No.	Check Date/PO #	Vendor Name and Number		Check Amount
76041	08/02/2019	STATE OF KANSAS	2732	**256.15**
00000082719080		Child Support - Amt	256.15	
76042	08/02/2019	STATE OF KANSAS	2732	**715.38**
00000085319080		Child Support - Amt	715.38	
76043	08/02/2019	STATE OF KANSAS	2732	**147.23**
00000092419080		Child Support - Amt	147.23	
76044	08/02/2019	STATE OF KANSAS	2732	**88.64**
00000093619080		Child Support - Amt	88.64	
76045	08/02/2019	STATE OF KANSAS	2732	**304.15**
00000095919080		Child Support - Amt	304.15	
76046	08/02/2019	STATE OF KANSAS	2732	**487.38**
00000098219080		Child Support - Amt	487.38	
76047	08/02/2019	STATE OF KANSAS	2732	**368.88**
00000104319080		Child Support - Amt	368.88	
76048	08/02/2019	STATE OF KANSAS	2732	**276.92**
00000109319080		Child Support - Amt	276.92	
76049	08/02/2019	STATE OF KANSAS	2732	**71.08**
00000109719080		Child Support - Amt	71.08	
76050	08/02/2019	STATE OF KANSAS	2732	**109.64**
00000112419080		Child Support - Amt	109.64	
76051	08/02/2019	STATE OF KANSAS	2732	**196.21**
00000112919080		Child Support - Amt	196.21	
76052	08/02/2019	STATE OF KANSAS	2732	**715.60**
00000113119080		Child Support - Amt	715.60	
76053	08/02/2019	STATE OF KANSAS	2732	**335.64**
00000118119080		Child Support - Amt	335.64	
76054	08/02/2019	STATE OF KANSAS	2732	**183.23**
00000147419080		Child Support - Amt	183.23	
76055	08/02/2019	STATE OF KANSAS	2732	**246.53**
00000197319080		Child Support - Amt	246.53	
76056	08/02/2019	STATE OF KANSAS	2732	**115.38**
00000215419080		Child Support - Amt	115.38	
76057	08/02/2019	STATE OF KANSAS	2732	**412.74**
00000225919080		Child Support - Amt	412.74	
76058	08/02/2019	STATE OF KANSAS	2732	**283.01**
00000226219080		Child Support - Amt	283.01	
76059	08/02/2019	STATE OF KANSAS	2732	**180.46**
00000233519080		Child Support - Amt	180.46	
76060	08/02/2019	STATE OF KANSAS	2732	**66.92**
00000237919080		Child Support - Amt	66.92	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
76061	08/02/2019	STATE OF KANSAS	2732		**207.75**
00000241319080		Child Support - Amt		207.75	
76062	08/02/2019	STATE OF KANSAS	2732		**946.56**
00000247619080		Child Support - Amt		946.56	
76063	08/02/2019	STATE OF KANSAS	2732		**355.95**
00000247819080		Child Support - Amt		355.95	
76064	08/02/2019	STATE OF KANSAS	2732		**258.54**
00000247819080		Child Support - Amt		258.54	
76065	08/02/2019	STATE OF KANSAS	2732		**102.46**
00000251519080		Child Support - Amt		102.46	
76066	08/02/2019	STATE OF KANSAS	2732		**357.34**
00000254819080		Child Support - Amt		357.34	
76067	08/02/2019	STATE OF KANSAS	2732		**50.00**
00000257819080		Child Support - Amt		50.00	
76068	08/02/2019	STATE OF KANSAS	2732		**264.00**
00000261619080		Child Support - Amt		264.00	
76069	08/02/2019	STATE OF KANSAS	2732		**66.00**
00000264219080		Child Support - Amt		66.00	
76070	08/02/2019	STATE OF KANSAS	2732		**260.77**
00000272019080		Child Support - Amt		260.77	
76071	08/02/2019	STATE OF KANSAS	2732		**292.62**
00000275819080		Child Support - Amt		292.62	
76072	08/02/2019	STATE OF KANSAS	2732		**193.38**
00000285519080		Child Support - Amt		193.38	
76073	08/02/2019	STATE OF KANSAS	2732		**113.08**
00000287019080		Child Support - Amt		113.08	
76074	08/02/2019	STATE OF KANSAS	2732		**183.74**
00000287419080		Child Support - Amt		183.74	
76075	08/02/2019	STATE OF KANSAS	2732		**268.15**
00000289319080		Child Support - Amt		268.15	
76076	08/02/2019	STATE OF KANSAS	2732		**62.31**
00000299619080		Child Support - Amt		62.31	
76077	08/02/2019	STATE OF KANSAS	2732		**16.15**
00000299619080		Child Support - Amt		16.15	
76078	08/02/2019	STATE OF KANSAS	2732		**120.46**
00000299619080		Child Support - Amt		120.46	
76079	08/02/2019	STATE OF KANSAS	2732		**16.15**
00000299619080		Child Support - Amt		16.15	
76080	08/02/2019	STATE OF KANSAS	2732		**93.23**
00000303919080		Child Support - Amt		93.23	
76081	08/02/2019	LATHROP & GAGE LLP	9731		**3,283.00**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
1936262	28817			3,283.00	
76082	08/02/2019	AAA CLUB ALLIANCE INC	10251		**1,064.00**
299749	45469			38.00	
299355	45353			38.00	
299357	45353			38.00	
299515	45353			38.00	
299652	45353			38.00	
299653	45353			38.00	
299654	45353			38.00	
299698	45353			38.00	
299748	45353			38.00	
299312	45353			38.00	
299353	45353			38.00	
299354	45353			38.00	
298443	45353			38.00	
298444	45353			38.00	
299307	45353			38.00	
299309	45353			38.00	
299310	45353			38.00	
299213	45353			38.00	
299216	45353			38.00	
299217	45353			38.00	
298367	45353			38.00	
299072	45353			38.00	
299142	45353			38.00	
299212	45353			38.00	
297730	45353			38.00	
298363	45353			38.00	
298365	45353			38.00	
298366	45353			38.00	
76083	08/02/2019	ADVANCED ENVIRONMENTAL TESTING	8000		**856.00**
2801	47635			856.00	
76084	08/02/2019	AIR FILTER PLUS	94		**388.26**
374362	45731			388.26	
76085	08/02/2019	ALTERNATIVES EAP LLC	8445		**561.19**
8151	47829			561.19	
76086	08/02/2019	AMEC FOSTER WHEELER	7704		**33,647.71**
S56560914	45637			10,745.00	
S56560915	44248			19,550.21	
S56560919	40252			3,352.50	
76087	08/02/2019	AMERIPRIDE SERVICES INC	197		**567.99**
2301053209	45656			49.82	
2301053388	45656			99.37	
2301053176	45401			15.86	
2301053200	45656			12.65	
2301053203	45656			20.27	
2301053207	45656			130.79	
2301052705	45401			31.71	
2301053149	45677			172.91	
2301053153	45401			34.61	
76088	08/02/2019	ANIMAL CLINIC OF NORTH TOPEKA	235		**2,874.33**
222881	45956			2,874.33	
76089	08/02/2019	AQUALAW PLC	11734		**6,256.00**
11732	47516			6,256.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
76090	08/02/2019	BARTLETT & WEST ENGINEERS	391		**16,711.00**
730071531	40559			7,600.00	
730071529	40559			6,511.00	
730071530	40559			2,600.00	
76091	08/02/2019	BENHAM, HEIDI	439		**96.00**
47744 CASE#19	47744			96.00	
76092	08/02/2019	BERMUDEZ, OSCAR	10602		**19,910.95**
47555 3300 SW A	47555			3,125.25	
47619 SW 6TH&H	47619			2,080.00	
47620 421 SW VA	47620			7,775.70	
47621 433 SW HA	47621			6,930.00	
76093	08/02/2019	BINSWANGER ENTERPRISES LLC	7825		**283.36**
I593030115	45459			283.36	
76094	08/02/2019	BLACK & VEATCH CORPORATION	505		**49,075.94**
1299417	24920			465.00	
1299421	37647			42,954.19	
1299428	46216			5,656.75	
76095	08/02/2019	BLUE CROSS BLUE SHIELD INC	528		**175,604.82**
W/E 7/30/19	45603			175,604.82	
76096	08/02/2019	BLUEALLY TECHNOLOGY SOLUTIONS	11604		**12,552.70**
SI3008782	47565			12,552.70	
76097	08/02/2019	BOETTCHER SUPPLY INC	543		**85.48**
1110342 1	45405			23.85	
1111644 1	45405			61.63	
76098	08/02/2019	BORDER STATES INDUSTRIES INC	10997		**583.31**
917995714	45658			36.53	
918046218	45658			443.60	
918178639	45590			89.81	
918187367	45658			9.98	
918187753	45590			3.39	
76099	08/02/2019	BOYS & GIRLS CLUB OF TOPEKA	576		**4,817.85**
2019 46834 02	46834			3,123.40	
2019 46835 02	46835			1,694.45	
76100	08/02/2019	BURNS & MCDONNELL ENGINNERING	717		**1,003.80**
110339 9	43376			1,003.80	
76101	08/02/2019	BUTLER ANIMAL HEALTH HOLDING	9758		**1,964.22**
RK82338	45352			23.61	
RK83144	45352			331.93	
RK89217	45352			69.67	
RK98342	45352			103.44	
RM30657	45352			96.70	
RM33108	45352			1,098.84	
RM83971	45352			240.03	
76102	08/02/2019	C & C PRODUCE	7788		**1,189.35**
001486015	45366			1,189.35	
76103	08/02/2019	CBS DOOR & HARDWARE LLC	11696		**27,577.41**
707002	45684			3,328.00	
708497	45965			10,207.96	
708579	47556			14,041.45	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
76104	08/02/2019	CENTRAL SALT LLC	8550		**25,708.02**
307448	45881			1,972.54	
307482	45881			2,087.20	
307517	45881			6,120.65	
307544	45881			1,963.78	
307583	45881			3,906.37	
307596	45881			3,876.43	
307627	45881			5,781.05	
76105	08/02/2019	CENTURY BUSINESS TECHNOLOGIES	870		**5,166.12**
529976	45397			5,166.12	
76106	08/02/2019	CIBER GLOBAL LLC	11014		**3,611.22**
04 1028161	47870			3,611.22	
76107	08/02/2019	COLLECTION BUREAU	1023		**5,743.80**
6336	45531			5,743.80	
76108	08/02/2019	CONCRETE SUPPLY OF TOPEKA	1066		**671.25**
256939	45752			485.00	
257313	45532			186.25	
76109	08/02/2019	CONRAD FIRE EQUIPMENT INC	1073		**766.36**
536151	45413			134.88	
536217	45413			593.40	
536246	45482			38.08	
76110	08/02/2019	CREATIVE LANDSCAPE INC	1166		**3,873.00**
169773	47047			3,873.00	
76111	08/02/2019	DELTA DENTAL OF KANSAS INC	1323		**10,144.56**
W/E 07/25/19	45604			10,144.56	
76112	08/02/2019	DH LAWN & GARDEN EQUIPMENT	8839		**69.10**
61656	45623			69.10	
76113	08/02/2019	DH PACE COMPANY INC	1346		**5,303.72**
SVC 232569	45878			5,303.72	
76114	08/02/2019	DOWNTOWN TOPEKA INC	1408		**8,110.52**
BID ADMIN 2019	CONTRACT			8,110.52	
76115	08/02/2019	DURKIN EQUIPMENT CO	1451		**811.50**
120010595	45530			811.50	
76116	08/02/2019	ETHANOL PRODUCTS LLC	9576		**3,341.28**
CO2237376	47614			1,716.98	
CO2237742	47614			1,624.30	
76117	08/02/2019	EXPRESS SERVICES INC	9622		**7,214.56**
22589088	45884			1,715.20	
22589083	47185			428.80	
22589084	45529			514.56	
22589085	45685			428.80	
22589086	46764			268.00	
22589087	45529			3,859.20	
76118	08/02/2019	FINNEY & TURNIPSEED	1669		**81,400.95**
43388 1	43388			38,602.50	
46349 1	46349			42,798.45	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
76119	08/02/2019	FLEETPRIDE INC	7822		**500.46**
31028708	45458			265.72	
31112265	45458			234.74	
76120	08/02/2019	FOLEY EQUIPMENT COMPANY	9605		**1,203.50**
PS200122137	45465			20.12	
SS340011589	45867			1,183.38	
76121	08/02/2019	GREAT PLAINS CONTRACTING INC	11777		**1,266.00**
136496	47837			1,266.00	
76122	08/02/2019	GREAT SOUTHERN BANK	9969		**20,198.48**
JULY 2019	CID CROSSWINDS			20,198.48	
76123	08/02/2019	HAMM INC	6576		**3,739.99**
256719	45668			629.85	
257833	45668			829.48	
257835	45668			1,344.31	
257839	45668			936.35	
76124	08/02/2019	HELLER, GERALD D	11156		**4,500.00**
0104272019L	45704			4,500.00	
76125	08/02/2019	HENRY OUTDOOR POWER LLC	8004		**1,862.50**
1725	46745			390.00	
1726	46746			180.00	
1717	46686			50.00	
1718	46770			1,047.50	
1723	46748			155.00	
1724	46747			40.00	
76126	08/02/2019	HOLIDAY SQUARE PARTNERS LLC	11018		**7,632.13**
JULY 2019	CID HOLLIDAY			7,632.13	
76127	08/02/2019	JOBBERS AUTOMOTIVE WAREHOUSE	2639		**2,542.57**
3129752	45388			72.00	
3129757	45388			18.50	
3129800	45388			52.00	
3129879	45430			7.45	
3129887	45430			33.28	
3129949	45430			1.94	
3129542	45430			11.06	
3129585	45430			12.11	
3129646	45394			75.01	
3129647	45430			9.91	
3129663	45430			-49.16	
3129669	45430			40.02	
3129257	45430			1.39	
3129264	45394			16.75	
3129272	45430			1.76	
3129312	45394			29.49	
3129393	45430			6.90	
3129444	45430			0.96	
3129151	45488			66.80	
3129160	45488			30.68	
3129220	45430			246.72	
3129224	45430			60.12	
3129231	45388			7.16	
3129252	45488			11.17	
3128896	45388			15.58	
3128948	45430			12.50	
3128984	45388			9.65	
3129009	45430			62.34	

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Check No.	Check Date/PO #	Vendor Name and Number		Check Amount
3129111	45430		87.25	
3129118	45430		7.00	
3128455	45488		15.34	
3128593	45394		48.09	
3128814	45394		6.68	
3128845	45430		12.44	
3128859	45430		33.15	
3128872	45430		16.48	
3128097	45430		11.17	
3128123	45430		21.21	
3128145	45388		48.12	
3128242	45430		21.21	
3128427	45430		32.07	
3128453	45430		31.15	
3127928	45488		119.00	
3127956	45488		3.60	
3128022	45488		40.98	
3128025	45430		87.09	
3128056	45488		-3.44	
3128062	45488		6.80	
3127741	45430		2.29	
3127750	45430		23.14	
3127764	45430		14.14	
3127864	45430		4.07	
3127875	45430		45.41	
3127904	45394		7.02	
3127518	45430		111.33	
3127523	45430		5.65	
3127525	45430		7.54	
3127555	45430		-32.57	
3127668	45430		-46.37	
3127722	45430		40.90	
3127213	45388		5.24	
3127246	45388		3.24	
3127348	45430		62.87	
3127360	45430		9.22	
3127407	45430		1.43	
3127437	45430		78.66	
3126926	45488		-30.32	
3126957	45430		21.10	
3126985	45488		7.70	
3126993	45488		46.02	
3127049	45388		12.00	
3127064	45430		7.14	
3126784	45388		44.93	
3126805	45394		8.96	
3126813	45430		215.00	
3126827	45394		5.34	
3126849	45394		15.74	
3126880	45488		32.34	
3126395	45430		4.29	
3126465	45430		17.04	
3126624	45394		5.58	
3126636	45394		29.69	
3126750	45388		82.62	
3126769	45488		101.04	
3126387	45430		63.67	
76128	08/02/2019	JOINT ECONOMIC DEVELOPMENT	6898	**777,714.69**
PAYMENT 7/31/1	JEDO		777,714.69	
76129	08/02/2019	KANSAS CHILDRENS SERVICE	2651	**9,885.11**
22077 063019	46836		2,978.67	
47348 2	46689		6,906.44	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
76130	08/02/2019	KANSAS FENCING INC	2703		**180.10**
20250	47681			180.10	
76131	08/02/2019	KANSAS PERSONNEL SERVICES INC	2849		**3,836.62**
3051984	45687			540.00	
3051985	45541			132.48	
3051986	45870			723.18	
3051980	45541			1,296.00	
3051982	45735			648.00	
3051983	45901			496.96	
76132	08/02/2019	KANSAS TURF LLC	7216		**19,000.00**
3	SSA RENOVATION			19,000.00	
76133	08/02/2019	KCR INTERNATIONAL TRUCKS INC	1347		**1,240.68**
130135122	45414			66.49	
130137611	45414			905.70	
130137628	45414			268.49	
76134	08/02/2019	KEY WORKFORCE SOLUTIONS INC	9879		**261.00**
5001389	45524			261.00	
76135	08/02/2019	KUKUK, LORI J	11764		**2,250.00**
7077	47642			2,250.00	
76136	08/02/2019	LAYNE CHRISTENSEN COMPANY	3005		**2,405.00**
1614877	47309			2,405.00	
76137	08/02/2019	LEAGUE OF KANSAS	3010		**355.00**
19 1751	47869			355.00	
76138	08/02/2019	LEWIS, GAIL A	9952		**2,083.00**
47900 2019	CONTRACT			2,083.00	
76139	08/02/2019	LINEAGE MAILING SERVICES LLC	9223		**1,768.93**
436930	45935			1,768.93	
76140	08/02/2019	MARTY GRIST	8792		**2,800.00**
7	47506			2,800.00	
76141	08/02/2019	MATHER FLARE RENTAL INC	5791		**9,722.02**
574	46341			1,223.10	
575	46341			426.12	
576	46341			437.40	
568	46341			621.00	
569	46341			171.36	
570	46341			563.20	
571	46341			549.12	
572	46341			1,033.76	
573	46341			453.00	
562	46341			173.40	
563	46341			323.20	
564	46341			496.40	
565	46341			84.32	
566	46341			2,323.20	
567	46341			253.44	
561	46341			590.00	
76142	08/02/2019	MCPHERSON WRECKING INC	3318		**3,950.00**
19 048	47446			3,950.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
76143	08/02/2019	NEENAN COMPANY	3649		**3,520.61**
S2659470 001	45662			225.68	
S2660279 001	45662			287.34	
S2660305 001	45662			228.32	
S2660955 001	45662			208.92	
S2660960 001	45662			52.46	
S2657227 001	45662			131.27	
S2656524 001	45662			856.43	
S2652402 001	45662			327.47	
S2660964 001	45662			49.40	
S2660966 001	45662			286.22	
S2661907 001	45662			171.16	
S2661925 001	45662			40.55	
S2659094 001	45662			279.17	
S2657748 001	45662			376.22	
76144	08/02/2019	O REILLY AUTOMOTIVE STORES INC	3714		**4,682.43**
0152 487729	45439			13.83	
0152 488156	45439			93.37	
2439 251788	45439			298.56	
0152 486752	45439			46.79	
0152 486811	45439			9.52	
0152 487311	45439			34.60	
0152 487385	45439			32.82	
0152 487468	45439			44.79	
0152 487519	45439			260.94	
0152 485043	45493			19.97	
0152 484996	45390			33.92	
0152 484995	45439			8.42	
0152 484925	45439			55.59	
0152 484924	45493			293.97	
0152 486594	45439			4.20	
0191 416138	45439			59.59	
0152 486456	45390			89.98	
0152 486511	45439			294.85	
0152 486517	45390			37.24	
0152 486518	45395			37.24	
0152 486539	45439			12.59	
0191 414116	45439			145.90	
0191 414700	45439			104.54	
0191 414727	45439			223.33	
0191 414856	45439			24.21	
0191 414914	45439			-30.00	
0191 415528	45439			4.40	
0191 410510	45395			18.61	
0191 410913	45439			3.49	
0191 411295	45439			16.65	
0191 413671	45439			22.29	
0191 413702	45439			6.85	
0191 413889	45439			204.29	
0152 489608	45439			19.36	
0152 489847	45439			178.88	
0152 489851	45390			13.71	
0152 489854	45390			35.24	
0152 489873	45390			19.76	
0152 490357	45390			7.49	
0152 488928	45390			5.87	
0152 489133	45439			5.61	
0152 489145	45439			-5.72	
0152 489343	45493			291.77	
0152 489417	45395			12.73	
0152 489529	45439			7.26	
0152 484392	45439			25.78	
0152 486421	45439			16.72	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
0152 488236	45439			102.62	
0152 488243	45390			81.72	
0152 488911	45439			7.84	
0152 488926	45439			4.50	
0152 486006	45439			41.91	
0152 485995	45439			211.78	
0152 485926	45439			12.30	
0152 484707	45439			185.99	
0152 484706	45439			13.15	
0152 484698	45439			55.59	
0152 485772	45439			140.81	
0152 485844	45439			72.06	
0152 486082	45439			-12.85	
0152 486308	45390			84.10	
0152 486067	45439			44.78	
0152 486044	45439			199.15	
0152 485047	45439			242.25	
0152 485278	45439			27.06	
0152 485381	45395			5.87	
76145	08/02/2019	ONTARIO SYSTEMS LLC	11389		**1,000.00**
INV86692	47215			1,000.00	
76146	08/02/2019	OZARK KENWORTH INC	3375		**18.80**
T0029560014124	45436			18.80	
76147	08/02/2019	PATTERSON VETERINARY SUPPLY	11338		**1,098.46**
0038743460	45376			1,098.46	
76148	08/02/2019	POMPS TIRE SERVICE INC	10675		**4,493.97**
1160025749	45470			722.50	
1160025766	45470			46.00	
1160026317	45470			140.00	
1160026158	45470			170.00	
1160026178	45470			30.00	
1160026181	45470			966.72	
1160026232	45470			30.00	
1160026261	45470			712.50	
1160026264	45470			170.00	
1160025862	45470			413.00	
1160025950	45470			135.00	
1160025957	45470			30.00	
1160026105	45470			742.50	
1160026109	45470			30.00	
1160026151	45470			155.75	
76149	08/02/2019	PROFESSIONAL ENGINEERING	4018		**34,390.08**
520548	36943			565.00	
520550	40619			19,592.38	
520551	40127			4,287.50	
520553	44844			202.50	
520554	46272			5,832.50	
520555	47222			1,460.20	
520546	44677			727.50	
520547	44250			1,722.50	
76150	08/02/2019	RASMUSSEN AIR & GAS ENERGY	11735		**6,046.16**
18337	47495			6,046.16	
76151	08/02/2019	RDR EXCAVATING	4125		**59,858.32**
45918 3	45918			59,858.32	
76152	08/02/2019	RECREATION ENGINEERING AND	8873		**8,960.00**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
33143 29	33143			8,960.00	
76153	08/02/2019	ROBERT ARMSTRONG	255		**2,570.00**
3154	47696			2,570.00	
76154	08/02/2019	ROGER ENGEMANN DRAINAGE CO INC	11757		**16,058.02**
47624 2 FINAL	47624			16,058.02	
76155	08/02/2019	SHAWNEE COUNTY	4503		**75,599.38**
JUNE 2019	46474			75,599.38	
76156	08/02/2019	STAPLES CONTRACT N COMMERCIAL	4725		**1,571.66**
3419091572	47697			234.03	
3419164024	47710			74.44	
3420307582	47585			-29.99	
3418964177	47662			120.75	
3418964178	47674			24.14	
3419032967	47679			29.60	
3419032968	47679			3.88	
3419091569	47698			95.85	
3419091570	47705			91.05	
3418882964	47652			124.15	
3418882965	47653			48.90	
3418882966	47660			55.94	
3418915112	47654			91.72	
3418964175	47634			86.72	
3418964176	47634			21.84	
3418506028	47517			299.90	
3418506035	47641			179.94	
3418882963	47561			18.80	
76157	08/02/2019	SUEZ WTS ANALYTICAL	11335		**772.00**
99902927	45806			772.00	
76158	08/02/2019	SUPER OIL CO INC	3893		**441.80**
1035771	45440			441.80	
76159	08/02/2019	SUPERION LLC	11603		**1,257.39**
244536	45651			1,257.39	
76160	08/02/2019	SUPERIOR OUTDOOR LLC	11756		**3,018.11**
Q103	47586			596.32	
Q104	47586			426.05	
Q105	47586			996.70	
Q106	47586			999.04	
76161	08/02/2019	TERMINIX INTERNATIONAL	10096		**210.10**
21327319	45364			210.10	
76162	08/02/2019	THE VICTOR L PHILLIPS CO	5225		**2,718.35**
SWO001997 1	45449			2,718.35	
76163	08/02/2019	YOUNG WOMENS CHRISTIAN	5583		**1,472.24**
5583201902	46688			1,472.24	
76164	08/02/2019	TIMBERLINE FISHERIES CORP	10900		**61.08**
104529482	45350			61.08	
76165	08/02/2019	TOPEKA METROPOLITAN TRANSIT	5037		**24,443.29**
19 01392	CONTRACT			10,000.00	
19 01642	45598			14,443.29	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
76166	08/02/2019	TORGESON TRENCHING SERVICE	5062		**3,316.21**
2004665	46427			468.75	
2004687	46427			1,931.16	
2004688	46427			916.30	
76167	08/02/2019	U S LIME COMPANY - ST CLAIR	5117		**20,063.07**
173680	47485			4,863.34	
173718	47485			5,053.62	
173747	47485			4,797.87	
173767	47485			5,348.24	
76168	08/02/2019	UMB BANK NA	5127		**41,611.99**
PCARD07262019				41,611.99	
76169	08/02/2019	UNIVERSAL SYSTEMS INC	5161		**4,430.40**
549104	45521			4,430.40	
76170	08/02/2019	VANDERBILT'S NO 6	5199		**249.98**
379348	46179			249.98	
76171	08/02/2019	WALKER TOWEL & UNIFORM	5266		**126.70**
2642672	45380			23.90	
2642673	45380			7.65	
2642677	45517			8.00	
2641922	45517			16.90	
2641923	45517			2.40	
2641924	45517			23.70	
2641925	45517			4.80	
2641926	45517			15.00	
2641927	45517			11.60	
2640978	45380			12.75	
76172	08/02/2019	VALEO BEHAVIORAL HEALTH CARE	5187		**109,657.43**
2019QTR02	46840			109,657.43	
76173	08/02/2019	AFSCME MISSOURI STATE COUNCIL	83		**2,271.50**
UNA11908021803		Union Dues - AFSCME		346.50	
UNA11908021803		Union Dues - AFSCME		346.50	
UNA11908021803		Union Dues - AFSCME		693.00	
UNA11908021803		Union Dues - AFSCME		885.50	
76174	08/02/2019	APPLICATION SOFTWARE INC	8140		**747.00**
JULY 2019 FEES	PAYROLL			747.00	
76175	08/02/2019	CITY OF TOPEKA FRIENDSHIP FUND	948		**496.17**
FR10190802180		Friendship Fund		34.00	
FR10190802180		Friendship Fund		114.92	
FR10190802180		Friendship Fund		58.00	
FR10190802180		Friendship Fund		12.00	
FR10190802180		Friendship Fund		30.00	
FR10190802180		Friendship Fund		46.00	
FR10190802180		Friendship Fund		8.00	
FR10190802180		Friendship Fund		40.75	
FR10190802180		Friendship Fund		5.50	
FR10190802180		Friendship Fund		16.00	
FR10190802180		Friendship Fund		98.50	
FR10190802180		Friendship Fund		32.50	
76176	08/02/2019	FIREMENS OFF DUTY RELIEF FUND	1676		**3,601.92**
FO10190802180		Firefighter's Off Duty Relief		3,601.92	
76177	08/02/2019	FRIENDS OF THE TOPEKA ZOO	1794		**794.84**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
FOTZ190802180		Friends of the Topeka Zoo Pass		5.14	
FOTZ190802180		Friends of the Topeka Zoo Pass		32.92	
FOTZ190802180		Friends of the Topeka Zoo Pass		6.60	
FOTZ190802180		Friends of the Topeka Zoo Pass		38.98	
FOTZ190802180		Friends of the Topeka Zoo Pass		41.32	
FOTZ190802180		Friends of the Topeka Zoo Pass		251.68	
FOTZ190802180		Friends of the Topeka Zoo Pass		50.06	
FOTZ190802180		Friends of the Topeka Zoo Pass		137.02	
FOTZ190802180		Friends of the Topeka Zoo Pass		148.90	
FOTZ190802180		Friends of the Topeka Zoo Pass		22.56	
FOTZ190802180		Friends of the Topeka Zoo Pass		40.90	
FOTZ190802180		Friends of the Topeka Zoo Pass		18.76	
76178	08/02/2019	INTERNATIONAL ASSOCIATION OF	2424		**7,799.09**
8/2/19 ADMIN FE	PAYROLL			-13.26	
UNI11908021803		Union Dues - IAFF		7,812.35	
76179	08/02/2019	INTERNATIONAL CITY MANAGEMENT	11301		**208.34**
DC95190802180		DEF COMP(ICMA RC) ER CONTRIB		208.34	
76180	08/02/2019	KANSAS ASSOCIATION OF PUBLIC	2630		**583.18**
UNK1190802180		Union Dues - KAPE		19.67	
UNK1190802180		Union Dues - KAPE		90.80	
UNK1190802180		Union Dues - KAPE		33.41	
UNK1190802180		Union Dues - KAPE		20.76	
UNK1190802180		Union Dues - KAPE		40.43	
UNK1190802180		Union Dues - KAPE		72.69	
UNK1190802180		Union Dues - KAPE		243.14	
UNK1190802180		Union Dues - KAPE		62.28	
76181	08/02/2019	TEAMSTERS LOCAL UNION 696	4892		**1,124.00**
UNT1190802180		Union Dues - Teamsters		1,124.00	
76182	08/02/2019	UNITED WAY OF GREATER TOPEKA	5157		**360.80**
UW10190802180		United Way		10.00	
UW10190802180		United Way		24.00	
UW10190802180		United Way		32.00	
UW10190802180		United Way		8.00	
UW10190802180		United Way		105.80	
UW10190802180		United Way		45.00	
UW10190802180		United Way		27.50	
UW10190802180		United Way		15.00	
UW10190802180		United Way		29.50	
UW10190802180		United Way		64.00	
76183	08/02/2019	UNITED WORKERS OF	10010		**683.40**
8/2/19 ADMIN FE	PAYROLL			-6.60	
UNW219080218C		Union Dues - UWETT		690.00	
76184	08/02/2019	ACE ELECTRIC JONES COMPANY INC	35		**9,215.85**
5633	45617			8,662.40	
5636	45730			403.45	
5641	45998			150.00	
76185	08/02/2019	BETTIS ASPHALT & CONSTRUCTION	470		**457.52**
1907081	45667			457.52	
76186	08/02/2019	C-HAWKK CONSTRUCTION INC	911		**15,253.50**
00018170	45514			300.00	
00018171	45657			93.00	
00018172	45657			21.00	
00018164	45514			1,247.00	
00018165	45514			1,189.50	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
00018166	45514			225.00	
00018167	45514			897.00	
00018168	45514			897.00	
00018169	45514			801.00	
00018155	45514			1,705.00	
00018161	46219			6,045.00	
00018163	45514			1,833.00	
76187	08/02/2019	CAPITAL BELT & SUPPLY INC	776		**853.30**
114475	45585			853.30	
76188	08/02/2019	CAPITAL CITY OIL CO INC	778		**22,290.68**
1105647	45334			22,290.68	
76189	08/02/2019	CONSOLIDATED ELECTRICAL	4174		**2,099.59**
8792 622313	45526			114.73	
8792 622363	45526			228.84	
8792 616219	45526			41.10	
8792 620932	45526			422.66	
8792 621406	45526			171.01	
8792 621439	45526			435.60	
8792 621829	45526			521.04	
8792 622109	45526			164.61	
76190	08/02/2019	CUES INC	1196		**1,070.50**
537935	46410			1,070.50	
76191	08/02/2019	FERGUSON ENTERPRISES INC	1639		**68,924.94**
0611486	46761			68,263.03	
7434379	45776			661.91	
76192	08/02/2019	FLU-CON INC	1729		**1,262.56**
P 42374 0	45417			26.84	
P 42398 0	45417			1,160.27	
P 42495 0	45417			75.45	
76193	08/02/2019	GADES SALES COMPANY INC	1820		**46,928.00**
0076532 IN	45260			46,928.00	
76194	08/02/2019	GRAINGER	1964		**704.29**
9227931251	47699			704.29	
76195	08/02/2019	HD SUPPLY FACILITIES	5175		**761.66**
948676	45595			761.66	
76196	08/02/2019	JOHN G LEVIN	3071		**255.56**
22461	46426			13.00	
27902	46426			8.00	
27956	46426			10.00	
28784	46426			10.00	
15713	46426			26.24	
17274	45907			26.24	
20608	46426			33.36	
22065	46426			52.48	
22066	45554			26.24	
249537	45337			50.00	
76197	08/02/2019	MCELROY'S INC	3289		**406.61**
SVC71164	45739			406.61	
76198	08/02/2019	NEPTUNE TECHNOLOGY GROUP INC	3658		**4,680.00**
N572754	47360			4,680.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
76199	08/02/2019	OLATHE WINWATER WORKS CO	3737		**4,590.00**
140729 00	47528			4,590.00	
76200	08/02/2019	OLDCASTLE PRECAST INC	3739		**140.00**
120042972	45609			140.00	
76201	08/02/2019	RAY LINDSEY COMPANY INC	4117		**6,048.61**
2019389	45778			6,048.61	
76202	08/02/2019	SAFETY SUPPLIES	4336		**145.20**
SSI 190314	47591			30.00	
SSI 190722	47591			115.20	
76203	08/02/2019	SALISBURY SUPPLY COMPANY INC	4352		**1,208.73**
195379	45763			57.89	
195389	45587			388.20	
195539	45587			63.21	
195541	45587			24.04	
195556	45587			107.76	
195209	45441			505.65	
195216	45587			53.83	
195364	45587			8.15	
76204	08/02/2019	SAMCO INC	4355		**639.50**
SVC12478	45742			639.50	
76205	08/02/2019	TFM COMM INC	4914		**2,161.20**
202441	45879			441.65	
202552	45879			450.85	
202601	45879			468.85	
202602	45879			450.85	
200838	45515			134.00	
201081	45515			120.00	
202386	45764			95.00	
76206	08/02/2019	TRAFFIC SIGNAL CONTROLS	5079		**8,640.00**
551	46833			8,640.00	
		Total for Electronic Payments			**13,882,168.45**
Need to Define MNL					
855	07/05/2019	CORVEL HEALTHCARE CORPORATION	8818		**16,742.69**
W/E 6/28/19	ACH DEBT			16,742.69	
109	07/09/2019	POLICE IMPREST FUNDS	3971		**3,320.00**
46039 4	46039			3,320.00	
856	07/12/2019	ASI DAILY EMPLOYEE PAYMENTS	9872		**5,852.20**
W/E 6/28/19	ACH DEBT			5,852.20	
857	07/12/2019	GREAT WEST LIFE & ANNUITY	9755		**63,476.15**
774022497	PAYROLL			63,476.15	
858	07/12/2019	DEPT OF TREASURY	9805		**475,418.21**
PAYROLL 7/5/19	PAYROLL			475,418.21	
859	07/12/2019	KANSAS DEPT OF REVENUE	9806		**110,369.41**
PAYROLL 7/5/19	PAYROLL			110,369.41	
860	07/12/2019	KPERS	9818		**638,165.79**
PAYROLL-KPERS	PAYROLL			192,868.41	
PAYROLL-KPF 7/	PAYROLL			444,876.83	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
PAYROLL-WAR 7	PAYROLL			420.55	
861	07/09/2019	ASI DAILY EMPLOYEE PAYMENTS	9872		**4,465.85**
W/E 7/5/19	ACH DEBT			4,465.85	
862	07/09/2019	TRANSFIRST HOLDINGS INC	9923		**44,286.07**
CC FEE JUNE 20	ACH DEBT			44,286.07	
863	07/09/2019	VERIFONE INC	5217		**200.00**
74417243 7/2019	ACH DEBT			200.00	
864	07/09/2019	CORVEL HEALTHCARE CORPORATION	8818		**42,047.01**
W/E 7/12/19	ACH DEBT			42,047.01	
865	07/26/2019	ASI DAILY EMPLOYEE PAYMENTS	9872		**12,503.35**
W/E 7/12/19	ACH DEBT			4,610.72	
W/E 7/19/19	ACH DEBT			7,892.63	
866	07/26/2019	AUTOMATED MERCHANT SYSTEMS INC	9931		**2,825.70**
190721909 6/201	ACH DEBT			2,825.70	
867	07/26/2019	CORVEL HEALTHCARE CORPORATION	8818		**8,985.70**
W/E 7/19/19	ACH DEBT			8,985.70	
868	08/02/2019	ASI DAILY EMPLOYEE PAYMENTS	9872		**4,485.29**
W/E 7/26/19	ACH DEBT			4,485.29	
		Total for Need to Define MNL			**1,433,143.42**
Need to Define PPD					
7786	07/05/2019	BURR, MICHAEL	10906		**27.27**
43642.6546		EE-SUPPLIES		27.27	
7787	07/05/2019	CAMPOS JR, VIDAL A	769		**110.00**
43641.5714		HATTIESBURG MS 6/22-23/19		110.00	
7788	07/05/2019	DUKE, CRAIG G	11231		**1,568.04**
43634.4417		RENO NV 3/23-26/19		1,568.04	
7789	07/05/2019	EVANS, AMANDA RAEANN	10223		**110.00**
43642.6297		HATTIESBURG MS 6/22-23/19		110.00	
7790	07/05/2019	HARVEL, SHELBY	10434		**89.78**
43620.7144		KANSAS CITY MO 5/23/19 CLINICS		89.78	
7791	07/05/2019	HEASLET, JOSHAWA	9454		**449.00**
EE 43635 4172	46725			449.00	
7792	07/05/2019	MAGEE, TYLER F	7953		**449.25**
EE 43637 8654	46447			449.25	
7793	07/12/2019	BURGER, CODY P	8130		**147.46**
43637.5924		EE-BOOTS (FOP)		147.46	
7794	07/12/2019	DAVIS, SYLVIA N	3380		**497.35**
43644.4631		KANSAS CITY KS 6/13-14/19		157.53	
43644.4871		WICHITA KS 6/19-20/19		339.82	
7795	07/12/2019	GLAUDE, MONIQUE Y	9933		**773.75**
43642.3877		CAMBRIDGE/BOSTON MA 6/2-21/19		773.75	
7796	07/12/2019	GUFFEY, WRYLIE	9415		**353.79**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
43650.5716		POWELL/DUBLIN OH 5/19-24/19		353.79	
7797	07/12/2019	HOFFER, RODNEY R	6267		**165.00**
43655.4458		EE-ASE RECERTS A1, A3, A6,A8		165.00	
7798	07/12/2019	LOWE, JESSE J	3118		**163.60**
43621.4576		ADV-COLUMBUS OH 7/16-27/19		163.60	
7799	07/12/2019	OSBORN, JOSHUA L	10793		**63.10**
43650.7556		EE-MILEAGE 4/1-7/1/19		63.10	
7800	07/12/2019	SCHUMACHER, JASON B	4423		**163.60**
43621.4813		ADV-COLUMBUS OH 7/16-27/19		163.60	
7801	07/19/2019	ACKERLY, WILLIAM	6620		**1,100.00**
47745	47745			1,100.00	
7802	07/19/2019	BERG, JEREMY R	452		**190.20**
46921 2	46921			190.20	
7803	07/19/2019	BIGGS, GERALD K	6257		**181.41**
47031 2	47031			181.41	
7804	07/19/2019	CROSSLEY, LARRY S	11699		**271.45**
43636.5654		ADV-WICHITA KS 7/21-26/19		271.45	
7805	07/19/2019	DANIELSON, MATT A	1247		**14.64**
46922 2	46922			14.64	
7806	07/19/2019	DE LA ISLA, MICHELLE	11751		**15.04**
43634.4055		ADV-HONOLULU HI 6/27-7/1/19		-1,021.00	
43661.4833		WASHINGTON DC 6/6-8/19 FLIGHT		-78.96	
43661.4837		HONOLULU HI 6/28-7/1/19		1,115.00	
7807	07/19/2019	BLEDSOE II, GARY D	8131		**110.00**
47032 2	47032			110.00	
7808	07/19/2019	GERBER, DOUGLAS EUGENE	9621		**208.01**
43626.4563		WICHITA KS 5/9-10/19 KMUC		208.01	
7809	07/19/2019	GRADY, TONI J	11136		**117.54**
46946 2	46946			117.54	
7810	07/19/2019	HENLEY, GEORGE D	2192		**294.20**
46924 2	46924			294.20	
7811	07/19/2019	HILL, ZACHARY AUSTIN	9767		**136.64**
46942 2	46942			136.64	
7812	07/19/2019	IAMS, KERRIE	2374		**559.53**
46925 2	46925			559.53	
7813	07/19/2019	JOHN A TRIMBLE	6230		**51.89**
46935 2	46935			51.89	
7814	07/19/2019	JOHNSON JR, OLLIE J	11700		**271.45**
43636.5651		ADV-WICHITA KS 7/21-26/19		271.45	
7815	07/19/2019	JUDD, JASON M	2600		**466.50**
46926 2	46926			466.50	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
7816	07/19/2019	KARR, NICOLE M	2783		**314.00**
46955 2	46955			314.00	
7817	07/19/2019	RADMACHER, MICHELLE	11332		**381.00**
EE 43613 3215	47426			381.00	
7818	07/19/2019	MALDONADO, SALVADOR G	6904		**39.98**
43663.3211		EE-LICENSE FEES 6/25/19		39.98	
7819	07/19/2019	SCHLINGENSIEPEN, TOBIAS J H	11761		**271.45**
43636.5659		ADV-WICHITA KS 7/21-26/19		271.45	
7820	07/19/2019	WILSON, DANIEL B	6199		**20.00**
46958 2	46958			20.00	
7821	07/26/2019	BLASSINGAME, MATT	518		**1,100.00**
47756	47756			1,100.00	
7822	07/26/2019	COBB, MATTHEW P	991		**45.61**
47770	47770			45.61	
7823	07/26/2019	CROSS, JENNIFER A	1184		**45.00**
47767	47767			45.00	
7824	07/26/2019	CROSS, MICHAEL P	1185		**1,100.00**
47768	47768			1,100.00	
7825	07/26/2019	EKIS JR, RONALD E	1498		**627.36**
47757	47757			627.36	
7826	07/26/2019	EWERT, TRACY MARIA	10145		**1,100.00**
47771	47771			1,100.00	
7827	07/26/2019	FIELDS, DANIEL D	11766		**46.00**
43663.3298		EE-DL REIMBURSEMENT		46.00	
7828	07/26/2019	HAMMOND, CHARLES J	10531		**317.80**
43656.7005		COLUMBIA MO 5/29-31/19		317.80	
7829	07/26/2019	HOLLEY, DAVIDA A	10496		**1,100.00**
47809	47809			1,100.00	
7830	07/26/2019	HOLTHAUS, CHADWICK J	2293		**128.75**
43658.5671		EMMITSBURG MD 6/9-15/19		128.75	
7831	07/26/2019	LAUVER, PATRICK	9459		**586.46**
47764	47764			586.46	
7832	07/26/2019	MALLOY, RICHARD	3181		**45.00**
43663.3250		EE-DL REIMBURSEMENT		45.00	
7833	07/26/2019	MAYER, LAURA M	3259		**445.50**
47758	47758			445.50	
7834	07/26/2019	MCCLANE, BROOKS	11568		**24.94**
43658.5309		EE-MILEAGE 6/6-27/19		24.94	
7835	07/26/2019	NELSON, BARRY E	3656		**189.86**
47759	47759			189.86	
7836	07/26/2019	ROWLEY, JARED M	9451		**1,100.00**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
47763	47763			1,100.00	
7837	07/26/2019	RUTHERFORD, RONALD F	4313		**613.91**
43665.5661		PHOENIX AZ 6/12 -14/19		613.91	
7838	07/26/2019	SALAMANCA, RUBEN	4344		**310.09**
47760	47760			310.09	
7839	07/26/2019	SCHUMACHER, JASON B	4423		**164.80**
47769	47769			164.80	
7840	07/26/2019	SIMMONS, ROBERT W	4570		**178.00**
47761	47761			178.00	
7841	07/26/2019	SODEN, MITCHELL C	4650		**191.50**
47762	47762			191.50	
7842	08/02/2019	HAEHN, SASHA D M	11230		**116.69**
43663.6169		EE-2 LUNCHEONS		116.69	
7843	08/02/2019	LUDOLPH, GARY	3133		**150.00**
43664.6578		EE-BOOTS (FOP)		150.00	
		Total for Need to Define PPD			**19,873.19**
Check Payments					
736695	07/01/2019	BRENTWOOD APARTMENTS LLC	8837		**709.00**
HEN105-0719		S+C JULY 2019 Payment		412.00	
ROB106-0719		S+C JULY 2019 Payment		297.00	
736696	07/01/2019	HANRAHAN, DONALD P	6407		**763.00**
HEN104-0719		S+C JULY 2019 Payment		465.00	
SAN102-0719		S+C JULY 2019 Payment		298.00	
736697	07/01/2019	KANSAS GAS SERVICE INC	2708		**2,385.00**
WAR101-0719		510799987		189.00	
WUN101-0719		512669433		50.00	
MON104-0719		512665111		40.00	
NOR101-0719		510465073		56.00	
PAI102-0719		512343955		80.00	
RAN101-0719		510645877		40.00	
SMI109-0719		510026004		77.00	
SMI122-0719		510135004		70.00	
KIM1032-0719		510137930		25.00	
LEA101-0719		510830666		40.00	
LED102-0719		512581775		50.00	
MAR120-0719		512431051		107.00	
MIL101-0719		510798989		35.00	
MIM102-0719		512576354		40.00	
GLO102-0719		510021106		128.00	
HAD103-0719		510685670		76.00	
HEN104-0719		512598779		45.00	
HEN106-0719		512664498		65.00	
HES101-0719		512277684		87.00	
HIL107-0719		510936078		174.00	
ELD101-0719		512665111		40.00	
ENL101-0719		512665127		50.00	
FAI101-0719		512661575		190.00	
FIN103-0719		510802536		120.00	
GAL102-0719		510300989		130.00	
GAR102-0719		510223561		10.00	
BRI107-0719		510752268		35.00	
BUR102-0719		512665109		52.00	

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Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
BUR103-0719		512673066		103.00	
BYR102-0719		512593481		50.00	
DAM101-0719		512663066		81.00	
DIV101-0719		512181970		50.00	
736698	07/01/2019	LANE, GARY L	11657		**248.00**
PHI101-0719		S+C JULY 2019 Payment		248.00	
736699	07/01/2019	POMEROY, CHARLES	11557		**786.00**
FLO103-0719		S+C JULY 2019 Payment		786.00	
736700	07/01/2019	WESTAR ENERGY	5377		**9,387.00**
ALL105-0719		988117844		73.00	
ATK103-0719		3109607662		196.00	
STA104-0719		4593889808		35.00	
SUH103-0719		1601691606		170.00	
WAD102-0719		5581462521		198.00	
WAR101-0719		5224306008		360.00	
WIS103-0719		4656918226		138.00	
WUN101-0719		3998207465		59.00	
RAN101-0719		510645877		244.00	
REE102-0719		458908828		367.00	
RHO103-0719		7564301629		98.00	
SIS101-0719		5331263341		75.00	
SMI109-0719		1565708528		78.00	
SMI122-0719		9147434007		108.00	
PER110-0719		5651114827		91.00	
PET101-0719		8252675002		64.00	
PET102-0719		618136904		78.00	
POR101-0719		8874362604		42.00	
PRI1029-0719		3200745547		22.00	
RAI102-0719		1610537026		42.00	
NOR101-0719		9715194165		55.00	
ORC101-0719		4498403780		143.00	
OST101-0719		6874027822		100.00	
PAI102-0719		3643984386		215.00	
PAR101-0719		4126262284		79.00	
PAU104-0719		982051589		53.00	
MEN112-0719		2632736284		38.00	
MIL101-0719		4958094065		50.00	
MIM102-0719		8732014209		132.00	
MON104-0719		2071518362		90.00	
MOR103-0719		8945998709		65.00	
MUR103-0719		2706788125		130.00	
LED102-0719		407602582		50.00	
LYN104-0719		2183580101		27.00	
MAR102-0719		8525687789		333.00	
MAR120-0719		9155907386		215.00	
MCC103-0719		1320802347		292.00	
MCG1031-0719		1449386986		195.00	
JAC104-0719		556043166		30.00	
JON107-0719		8049247045		79.00	
KOL103-0719		8389867723		75.00	
KUT108-0719		4537926162		6.00	
LAM101-0719		5622638167		85.00	
LEA101-0719		9579592107		85.00	
HEN106-0719		8347222000		50.00	
HES101-0719		7934944347		131.00	
HIL107-0719		2753492805		147.00	
HOM101-0719		9484706308		125.00	
HUD103-0719		1468733567		65.00	
HUR103-0719		6508435289		30.00	
GAR102-0719		7088289620		159.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
GAY101-0719		6361120501		65.00	
GIN102-0719		4694527881		108.00	
GLO102-0719		2512266529		100.00	
HED101-0719		4818554366		120.00	
HEN104-0719		1969408545		50.00	
FAI101-0719		9322107085		321.00	
FIL101-0719		1161059786		75.00	
FIN103-0719		1643173961		120.00	
FOR103-0719		9219623461		95.00	
FOS102-0719		8656233446		44.00	
GAL102-0719		9379707300		287.00	
CUN104-0719		1263701767		65.00	
DAM101-0719		8283719566		47.00	
DAR101-0719		0464139268		43.00	
DIV101-0719		3563085328		115.00	
ENL101-0719		4525016624		50.00	
ERI101-0719		3372475229		106.00	
BUR102-0719		6776165921		55.00	
BUR103-0719		2073468589		200.00	
BYR102-0719		6949962		53.00	
BYR103-0719		5807321101		58.00	
COT101-0719		393373165		45.00	
CRA100-0719		2467285287		100.00	
BEN101-0719		7836115020		113.00	
BEV101-0719		9914946927		48.00	
BLA105-0719		2648597364		51.00	
BRA104-0719		5600928000		223.00	
BRI107-0719		1544479540		38.00	
BRO103-0719		8701536323		64.00	
BAI101-0719		1188719923		70.00	
BAR102-0719		9701050383		173.00	
BAR105-0719		2805252940		68.00	
BAR107-0719		3781838027		142.00	
BAR108-0719		0661110621		155.00	
BEL102-0719		6331073428		53.00	
736701	07/05/2019	BUTLER & ASSOCIATES PA	730		**9.06**
00000272019070		Garnishment - Pct of Net		9.06	
736702	07/05/2019	BUTLER & ASSOCIATES PA	731		**9.06**
00000272019070		Garnishment - Pct of Net		9.06	
736703	07/05/2019	BUTLER & ASSOCIATES PA	731		**114.96**
00000064119070		Garnishment - Pct of Net		114.96	
736704	07/05/2019	BUTLER & ASSOCIATES PA	731		**300.40**
00000257819070		Garnishment - Pct of Net		300.40	
736705	07/05/2019	BUTLER & ASSOCIATES PA	731		**9.06**
00000272019070		Garnishment - Pct of Net		9.06	
736707	07/05/2019	BUTLER & ASSOCIATES PA	731		**386.18**
00000065819070		Garnishment - Pct of Net		386.18	
736708	07/05/2019	BUTLER & ASSOCIATES PA	731		**114.96**
00000064119070		Garnishment - Pct of Net		114.96	
736709	07/05/2019	CALIFORNIA DEPARTMENT OF CHILD	753		**220.61**
00000297019070		Child Support - Amt		220.61	
736710	07/05/2019	CHAPTER 13 TRUSTEE	2494		**138.46**
00000100919070		Bankruptcy - Amt 26 PP		138.46	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
736711	07/05/2019	CHAPTER 13 TRUSTEE	2494		**46.15**
00000254719070		Bankruptcy - Amt 26 PP		46.15	
736712	07/05/2019	CHAPTER 13 TRUSTEE	2494		**130.00**
00000237919070		Bankruptcy - Amt 26 PP		130.00	
736713	07/05/2019	CHAPTER 13 TRUSTEE	2494		**207.69**
00000029719070		Bankruptcy - Amt 26 PP		207.69	
736714	07/05/2019	CHAPTER 13 TRUSTEE	2494		**120.00**
00000229619070		Bankruptcy - Amt 26 PP		120.00	
736715	07/05/2019	CHAPTER 13 TRUSTEE	2494		**291.23**
00000074119070		Bankruptcy - Amt 26 PP		291.23	
736716	07/05/2019	CHAPTER 13 TRUSTEE	2494		**94.15**
00000241019070		Bankruptcy - Amt 26 PP		94.15	
736717	07/05/2019	CHAPTER 13 TRUSTEE	2494		**41.54**
00000251519070		Bankruptcy - Amt 26 PP		41.54	
736718	07/05/2019	CHAPTER 13 TRUSTEE	2494		**46.15**
00000246819070		Bankruptcy - Amt 26 PP		46.15	
736719	07/05/2019	CHAPTER 13 TRUSTEE	2494		**36.92**
00000296719070		Bankruptcy - Amt 26 PP		36.92	
736720	07/05/2019	CHAPTER 13 TRUSTEE	2494		**129.23**
00000238519070		Bankruptcy - Amt 26 PP		129.23	
736721	07/05/2019	CHAPTER 13 TRUSTEE	2494		**198.46**
00000119519070		Bankruptcy - Amt 26 PP		198.46	
736722	07/05/2019	FAMILY SUPPORT PAYMENT CENTER	6780		**307.85**
00000241019070		Child Support - Amt		307.85	
736723	07/05/2019	FAMILY SUPPORT PAYMENT CENTER	6780		**253.85**
00000305919070		Child Support - Amt		253.85	
736724	07/05/2019	H KENT HOLLINS ATTORNEY AT LAW	6502		**9.06**
00000272019070		Garnishment - Pct of Net		9.06	
736725	07/05/2019	H KENT HOLLINS ATTORNEY AT LAW	6502		**354.73**
00000217319070		Garnishment - Pct of Net		354.73	
736726	07/05/2019	H KENT HOLLINS ATTORNEY AT LAW	6502		**399.11**
00000066719070		Garnishment - Pct of Net		399.11	
736727	07/05/2019	KAHRS LAW OFFICES PA	2618		**9.06**
00000272019070		Garnishment - Pct of Net		9.06	
736728	07/05/2019	KANSAS DEPARTMENT OF REVENUE	6574		**865.10**
00000055819070		Tax Levy State - Pct		865.10	
736729	07/05/2019	KATHLEEN A LAUGHLIN	11480		**289.00**
00000299319070		Bankruptcy - Amt 26 PP		289.00	
736730	07/05/2019	MCKENZIE, SCOTT D	9261		**9.06**
00000272019070		Garnishment - Pct of Net		9.06	
736731	07/05/2019	PITTENGER LAW GROUP LLC	10882		**502.29**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
00000258519070		Garnishment - Pct of Net		502.29	
736732	07/05/2019	OFFICE OF THE ATTORNEY GENERAL	10437		**92.31**
00000265319070		Child Support - Amt		92.31	
736733	07/05/2019	THE THOMAS AND MEANS LAW FIRM	4951		**4,000.00**
17548	47632			4,000.00	
736734	07/05/2019	UNITED STATES GOVERNMENT	9489		**308.00**
00000215519070		Student Loan Federal - Pct		308.00	
736735	07/05/2019	UNITED STATES GOVERNMENT	9489		**353.20**
00000109319070		Student Loan Federal - Pct		353.20	
736736	07/05/2019	UNITED STATES TREASURY	5156		**219.24**
00000111619070		Tax Levy Federal - Amount		219.24	
736737	07/05/2019	WILLIAM GRIFFIN CHAPTER	5446		**276.92**
00000020919070		Bankruptcy - Amt 26 PP		276.92	
736738	07/05/2019	WILLIAM GRIFFIN CHAPTER	5446		**736.54**
00000025419070		Bankruptcy - Amt 26 PP		736.54	
736739	07/05/2019	WILLIAM GRIFFIN CHAPTER	5446		**96.92**
00000255219070		Bankruptcy - Amt 26 PP		96.92	
736740	07/05/2019	WILLIAM GRIFFIN CHAPTER	5446		**648.46**
00000041319070		Bankruptcy - Amt 26 PP		648.46	
736741	07/05/2019	WILLIAM GRIFFIN CHAPTER	5446		**745.16**
00000080119070		Bankruptcy - Amt 26 PP		745.16	
736742	07/05/2019	ZIMMERMAN & ZIMMERMAN PA	5186		**9.09**
00000272019070		Garnishment - Pct of Net		9.09	
736743	07/05/2019	AMERICAN PUBLIC WORKS	181		**4,590.00**
ID 7453 8/1/19-7/	47598			4,590.00	
736744	07/05/2019	ANTECH DIAGNOSTIC INC	11478		**944.49**
3 201905 0	45375			944.49	
736745	07/05/2019	ARMELY LLC	11405		**978.75**
1263	46624			978.75	
736746	07/05/2019	AT&T	281		**4,866.18**
5036618405	45518			4,866.18	
736747	07/05/2019	AT&T	281		**53.76**
148547694 6/25/1	WELLNESS UVERS			53.76	
736748	07/05/2019	AT&T	281		**722.49**
3110103463	45518			722.49	
736749	07/05/2019	AUTOZONE STORES LLC	11262		**217.86**
1634677123	45475			217.86	
736750	07/05/2019	BROWNS SUPER SERVICE INC	670		**275.00**
103010	47633			100.00	
103054	45409			175.00	
736751	07/05/2019	CDW LLC	10026		**5,354.52**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
SPT2876	47283			5,128.52	
SQF4494	47431			226.00	
736752	07/05/2019	COLLINS, ALLEN F	1025		**3,000.00**
45708 N PUMP S	45708			3,000.00	
736753	07/05/2019	ED BOZARTH CHEVROLET INC	578		**613.99**
743158	45406			613.99	
736754	07/05/2019	ELLIOTT AUTO SUPPLY COMPANY	5676		**4,091.73**
8 737561	45451			35.27	
8 Z10225	45496			101.59	
8 Z10325	45496			594.93	
8 736992	45451			28.20	
8 737056	45451			145.84	
8 737318	45451			12.03	
8 737321	45451			16.65	
8 737340	45496			707.72	
8 737435	45451			27.44	
8 736081	45451			65.18	
8 736158	45451			45.67	
8 736429	45496			256.96	
8 736443	45451			247.16	
8 736573	45451			29.71	
8 736575	45496			441.60	
8 735736	45451			68.71	
8 735758	45451			247.16	
8 735778	45496			582.90	
8 735907	45451			247.16	
8 735919	45451			16.34	
8 736079	45451			45.47	
2 4998693	45496			128.04	
736755	07/05/2019	ENVIRONMENTAL RESOURCE	1546		**1,211.78**
905659	45591			1,211.78	
736756	07/05/2019	FINLAY AUTOMOTIVE SUPPLY INC	10237		**225.80**
152635	45506			193.97	
152746	45468			23.51	
150101	45468			3.98	
152260	45468			4.34	
736757	07/05/2019	FISHER PARKING & SECURITY INC	5802		**99,063.45**
17507	45236			99,063.45	
736758	07/05/2019	FISHER SCIENTIFIC COMPANY LLC	4949		**1,371.79**
7439884	45594			1,371.79	
736759	07/05/2019	GARDNER ROOFING INC	7969		**12,070.00**
9156	46736			12,070.00	
736760	07/05/2019	GH STORE FIFTEEN LLC	11479		**55.92**
145560	45586			55.92	
736761	07/05/2019	HEARTLAND ALARMS INC	5718		**3,390.00**
53035	45743			1,260.00	
53038	45743			670.00	
53043	45743			1,460.00	
736762	07/05/2019	HERITAGE-CRYSTAL CLEAN INC	9426		**918.04**
15739935	45503			287.04	
15739936	45503			631.00	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
736763	07/05/2019	HIGH TORQUE RACING AUTO BODY	11129		**475.00**
9598 19	45473			475.00	
736764	07/05/2019	HYGIENIC DRY CLEANERS INC	11630		**94.90**
A 438866	46500			10.00	
A 438877	46500			40.00	
A 438889	46500			15.00	
A 439139	46500			19.90	
A 439147	46500			10.00	
736765	07/05/2019	JAMES L DUNLAP	2533		**68.55**
515319	45426			35.00	
515333	45426			4.80	
515334	45426			4.80	
515347	45426			15.95	
614309	45426			8.00	
736766	07/05/2019	JOHN DEERE FINANCIAL FSB	5769		**16.53**
1175561	45452			16.53	
736767	07/05/2019	JOHN HOFFER CHRYSLER JEEP INC	2541		**448.75**
157972	45427			448.75	
736768	07/05/2019	KA-COMM INC	2615		**694.63**
167490	45428			414.85	
167491	45428			279.78	
736769	07/05/2019	KANSAS SECURED TITLE	2747		**125.00**
SN050685	45703			125.00	
736770	07/05/2019	L & H MOBILE ELECTRONICS LLC	2930		**473.99**
113159	45434			473.99	
736771	07/05/2019	LAIRD NOLLER FORD INC	2939		**2,056.20**
1227985	45435			57.95	
1227986	45435			33.23	
1228115	45435			216.79	
2239605	45435			21.94	
7022914	45435			9.80	
1228540	45435			275.11	
1228653	45435			36.80	
1228702	45435			81.60	
1228753	45435			-42.68	
1228880	45435			49.32	
1228896	45435			596.71	
1228132	45435			35.87	
1228179	45435			433.58	
1228437	45435			15.43	
1228470	45435			176.15	
1228506	45435			9.19	
1228538	45435			49.41	
736772	07/05/2019	LE UPFITTER LLC	10758		**318.90**
5694	47372			318.90	
736773	07/05/2019	NAILL ENTERPRISES LTD	4931		**96.15**
9796 13	45652			96.15	
736774	07/05/2019	QUANTICO TACTICAL	11718		**50,664.45**
5922	47385			50,664.45	

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736775	07/05/2019	REEVES WIEDEMAN COMPANY INC	4154		**1,661.38**
5414342	45758			293.40	
5409725	45758			270.35	
5411744	45758			188.10	
5411955	45615			26.25	
5411955 1	45615			133.13	
5412536	45721			139.93	
5412547	45721			189.00	
5412716	45721			158.49	
5413773	45758			21.34	
5413991	45721			26.25	
5413992	45721			85.40	
5414214	45721			129.74	
736776	07/05/2019	SAMS CLUB	4357		**34.98**
ORD 281633370[illegible]	47339			34.98	
736777	07/05/2019	SCHULTE SUPPLY INC	9563		**10,309.20**
S1149856 001	47345			10,309.20	
736778	07/05/2019	SECURITAS SECURITY SERVICES US	4451		**349.30**
W6494429	45368			349.30	
736779	07/05/2019	SHARPS COMPLIANCE INC	11144		**759.00**
0002043935	47216			759.00	
736780	07/05/2019	SOUTHWESTERN BELL TELEPHONE CO	282		**862.49**
0738033665 062[illegible]	CIRCUITS			862.49	
736781	07/05/2019	SOUTHWESTERN BELL TELEPHONE CO	282		**1,143.43**
0780773571 062[illegible]	CIRCUITS			1,143.43	
736782	07/05/2019	STATE OF KANSAS	2697		**60.00**
47503 CFF EVEN	47503			-60.00	
47503 CFF EVEN	47503			120.00	
736783	07/05/2019	UNITED PARCEL SERVICE INC	5140		**228.88**
0000693358259	45358			228.88	
736784	07/05/2019	UNITED STATES POSTAL SERVICE	5147		**3,268.28**
45914 P#PI309 6[illegible]	45914			1,185.71	
45914 P#PI309 7[illegible]	45914			2,082.57	
736785	07/05/2019	VERMEER GREAT PLAINS INC	5218		**1,453.69**
P46312	45448			1,453.69	
736786	07/05/2019	CORVEL CORPORATION INC	8931		**7,520.00**
INDEMNITY 6/1-[illegible]	46014			7,520.00	
736801	07/05/2019	NEELD, LOGAN	11774		**3.19**
PK00001463		REFUND NINTH ST GARGE		3.19	
736802	07/05/2019	SOAMES, MICA	11775		**42.89**
PK00001457		REFUND PARK-N-SHOP GARAGE		42.89	
736803	07/05/2019	FRATERNAL ORDER OF POLICEMEN	1773		**10,577.00**
UNF1190705180[illegible]		Union Dues - FOP		10,577.00	
736804	07/05/2019	CENTRAL STATES MACHINING & WEL	869		**100.00**
88885	45412			100.00	
736805	07/05/2019	FASTENAL COMPANY	1619		**1,590.60**

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KSTOP267345	45618			1,266.36	
KSTOP267359	45618			192.67	
KSTOP267360	45416			0.94	
KSTOP267420	45661			77.03	
KSTOP267442	45416			33.27	
KSTOP267516	45661			19.16	
KSTOP267541	45416			1.17	
736806	07/05/2019	KANSAS SAND & CONCRETE INC	2744		**230.00**
90270485	45533			230.00	
736807	07/05/2019	MID-STATES MATERIALS LLC	3401		**2,255.85**
81469	45647			1,994.47	
81429	45868			261.38	
736808	07/05/2019	TARWATER FARM & HOME SUPPLY	4872		**74.60**
144895	45442			29.65	
1906 281512	45620			44.95	
736809	07/05/2019	HOOD, CONNIE S	11773		**35.00**
CR 2018 000348	FRANK G RECTOR			35.00	
736810	07/05/2019	HOWLAND, BRIAN R	10281		**50.00**
CR 2015 000160	AARON M COWDIN			50.00	
736811	07/05/2019	KANSAS BUREAU OF INVESTIGATION	2646		**40.00**
CR 2017 001455	JC TSCHANTZ			40.00	
736812	07/05/2019	WELL, JASON	11575		**15.94**
CR 2018 000783	NEDRA K SNOW			15.94	
736813	07/12/2019	CONSTANGY BROOKS SMITH	10761		**4,145.10**
527723	42173			4,145.10	
736814	07/12/2019	THE THOMAS AND MEANS LAW FIRM	4951		**2,500.00**
17558	47632			2,500.00	
736815	07/12/2019	DIVERSIFIED CONSULTING	11769		**2,910.00**
OTHER PERM E/	47649			360.00	
OTHER/FENCE F	47649			1,250.00	
PERMANENT EA	47649			1,300.00	
736816	07/12/2019	GALEN C HAWK PM REVOCABLE	11770		**24,485.00**
DAMAGES PERM	47648			4,000.00	
DAMAGES PERM	47647			4,000.00	
OTHER PERM E/	47648			530.00	
OTHER PERM E/	47647			150.00	
PERM EASE#39[	47648			1,200.00	
PERM EASE#41[	47647			1,429.00	
TEMPORARY EA	47648			65.00	
TEMPORARY EA	47647			45.00	
PERMANENT EA	47648			980.00	
PERMANENT EA	47648			3,100.00	
PERMANENT EA	47648			2,805.00	
PERMANENT EA	47647			930.00	
PERMANENT EA	47647			3,078.00	
PERMANENT EA	47647			2,173.00	
736817	07/12/2019	HILLS PET NUTRITION INC	11138		**7,975.00**
PERMANENT EA	47650			7,845.00	
TEMPORARY EA	47650			130.00	

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736818	07/12/2019	SCHENK, SCOTT A	11771		**1,655.00**
OTHER PERM E/	47643			215.00	
PERMANENT EA	47643			1,440.00	
736819	07/12/2019	WEIR, LORRAINE C	11772		**1,205.00**
OTHER TEMP E/	47644			1,020.00	
TEMPORARY EA	47644			185.00	
736820	07/12/2019	AFFINITY AUTOMOTIVE PRODUCTS	10521		**358.08**
250869	45507			358.08	
736821	07/12/2019	AFFINITY CHEMICAL LLC	11339		**3,498.35**
2553587	45570			3,498.35	
736822	07/12/2019	AT&T	281		**22,448.29**
JUNE 2019	MONTHLY PHONE			22,448.29	
736823	07/12/2019	AT&T	281		**123.66**
147404396 7/1/19	POLICE UVERSE			123.66	
736824	07/12/2019	AXON ENTERPRISE INC	10916		**16,799.00**
SI 1597175	47526			16,799.00	
736825	07/12/2019	BROWNS SUPER SERVICE INC	670		**425.00**
103221	45409			250.00	
103368	45409			175.00	
736826	07/12/2019	CHAVEZ RESTORATION & CLEANING	7037		**250.00**
20190521	47013			250.00	
736827	07/12/2019	CRAFCO INC	9801		**15,400.00**
25008112	47198			15,400.00	
736828	07/12/2019	D & D LAWN CARE LLC	10861		**1,960.00**
837	47520			980.00	
850	47520			980.00	
736829	07/12/2019	DESMAN INC	10815		**900.00**
C19209	43008			900.00	
736830	07/12/2019	ECCOVIA INC	11051		**10,460.64**
18080	45726			10,460.64	
736831	07/12/2019	ELECTRICAL RELIABILITY	1504		**1,001.80**
51034415	47346			1,001.80	
736832	07/12/2019	ELLIOTT AUTO SUPPLY COMPANY	5676		**1,551.40**
2 5011803	45496			563.92	
8 735543	45451			279.52	
8 737447	45451			-29.71	
8 Z10396	45496			366.29	
8 737458	45451			-11.20	
8 737609	45451			-318.72	
8 737919	45496			307.80	
8 737940	45451			247.16	
8 738028	45451			52.89	
8 Z10374	45496			93.45	
736833	07/12/2019	FEDEX	1632		**447.05**
6 603 02530	45588			447.05	
736834	07/12/2019	FINLAY AUTOMOTIVE SUPPLY INC	10237		**34.70**

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153271	45468			34.70	
736835	07/12/2019	GILMORE CRANE CORPORATION	11190		**480.00**
15240	45900			480.00	
736836	07/12/2019	SPENCER & COMPANY	2321		**1,303.38**
S 29530	45487			663.60	
S 29576	45422			85.94	
S 29657	45422			55.98	
W 1 3594	45422			497.86	
736837	07/12/2019	HYGIENIC DRY CLEANERS INC	11630		**107.00**
A 439355	46500			19.90	
A 439417	46500			30.50	
A 439528	46500			17.75	
A 439624	46500			38.85	
736838	07/12/2019	ICE-MASTERS INC	9074		**130.00**
3118158	47613			130.00	
736839	07/12/2019	INDEPENDENT ELECTRIC MACHINERY	5767		**44,672.00**
TO RSRI1709	46804			44,672.00	
736840	07/12/2019	JAMES L DUNLAP	2533		**38.80**
414327	45426			38.80	
736841	07/12/2019	JOHN DEERE FINANCIAL FSB	5769		**1,869.31**
1179141	45452			1,869.31	
736842	07/12/2019	KANSAS DEPT OF HEALTH & ENVIR	2676		**40.00**
47593 #11776 MA	47593			20.00	
47663 #19430 YC	47663			20.00	
736843	07/12/2019	KANSAS POWERTRAIN &	6935		**799.45**
55424	45455			799.45	
736844	07/12/2019	LAIRD NOLLER FORD INC	2939		**267.84**
1229135	45435			220.62	
1229291	45435			47.22	
736845	07/12/2019	MM EXCAVATING LLC	9938		**4,394.25**
44850 4125 SE M	44850			4,394.25	
736846	07/12/2019	NAILL ENTERPRISES LTD	4931		**96.15**
9796 14	45652			96.15	
736847	07/12/2019	POLICE DEPT PETTY CASH	3969		**328.54**
JAN - JUNE 2019	47666			328.54	
736848	07/12/2019	RAD INC	5042		**46.56**
70376	45446			46.56	
736849	07/12/2019	REEVES WIEDEMAN COMPANY INC	4154		**124.33**
5414721	45721			34.50	
5415637	45721			13.00	
5415641	45721			50.16	
5418239	45615			26.67	
736850	07/12/2019	SCOTTY D WILSON	4442		**45,400.00**
882711	45287			28,600.00	
882712	45289			16,800.00	

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736851	07/12/2019	SECURITAS SECURITY SERVICES US	4451		**349.30**
W6502769	45368			349.30	
736852	07/12/2019	SHAWNEE REGIONAL PREVENTION &	4525		**32.00**
47627	47627			32.00	
736853	07/12/2019	SPRINT SPECTRUM LP	4704		**804.80**
986018815 139	DE			804.80	
736854	07/12/2019	T-MOBILE USA INC	8549		**4,273.23**
JUNE 2019 CELL	DE			4,273.23	
736855	07/12/2019	T-MOBILE USA INC	8549		**9,426.04**
JUNE 2019 DATA	DE			9,426.04	
736856	07/12/2019	TERRACON CONSULTANTS INC	4906		**1,626.75**
TC23687	46717			1,626.75	
736857	07/12/2019	TORGESON ELECTRIC INC	5061		**107.00**
PK87763		OVERPAYMENT ON METER HOODS		54.00	
PK87811		OVERPAYMENT ON METER HOODS		53.00	
736858	07/12/2019	TRAINING AT YOUR PLACE LLC	11067		**100.00**
11380	47670			100.00	
736859	07/12/2019	TRAVELERS INSURANCE COMPANY	5089		**5,437.50**
000560174 #2C4	47671			5,437.50	
736860	07/12/2019	WESTAR ENERGY INC	5376		**514,198.51**
0115356084-06.1		METERED TRAFFIC SIGNALS		7,685.58	
0262780905-06.1		1127 INNOVATION PKWY PUMP		83.11	
0552066743-06.1		4103 SW POSTOAK DRIVE		422.71	
0586274562-06.1		434 SE NORWOOD		2,397.25	
0681383808-06.1		101 SW US HIGHWAY 75 SIGN		45.69	
0749842804-06.1		2200 WATERWORKS DR		99.12	
9785702480-06.1		2306 SE SAGIS CT		120.63	
9804384888-06.1		1901 SW 17TH ST ST LT		97.10	
9905880069-06.1		1200 NE DIVISION (PAL)		32.69	
994842527-06.19		2010 SW 37TH ST		635.65	
9673824013O-06		320 S KANSAS AVE CANINE UNIT 2		423.89	
9673824013P-06.		320 S KANSAS AVE - FLEET 8.44%		1,788.82	
9673824013Q-06		320 S KANSAS AVE - CORONER 4.0		847.78	
9673824013R-06		320 S KANSAS AVE - SHERIFF 27.		5,919.64	
969270611-06.19		3700 FAIRLAWN PUMP		8,148.12	
9772420004-06.1		6900 SW CRESTWOOD		47.79	
9673824013I-06.1		320 S KANSAS AVE MOTORCYCLE UN		211.95	
9673824013J-06.		320 S KANSAS AVE ANIMAL CONTRO		635.84	
9673824013K-06.		320 S KANSAS AVE REC/PROP 6.0%		1,271.67	
9673824013L-06.		320 S KANSAS AVE PD IT .32%		67.82	
9673824013M-06		320 S KANSAS AVE NARC 3.0%		635.84	
9673824013N-06		320 S KANSAS AVE BIKE UNIT 1.0		211.95	
9673824013C-06		320 S KANSAS AVE TRAIN 1.0%		211.95	
9673824013D-06		320 S KANSAS AVE ADULT CRIME 7		1,483.62	
9673824013E-06.		320 S KANSAS AVE CRIME SCENE 1		211.95	
9673824013F-06.		320 S KANSAS AVE FIELD OPS 26.		5,576.29	
9673824013G-06		320 S KANSAS AVE COMM POLICE 2		423.89	
9673824013H-06		320 S KANSAS AVE SCHOOL RES 2.		423.89	
9561558646-06.1		2447 SE 29TH STREET #9 99.98%		846.51	
9610319286-06.1		1900 SW 17TH ST LT		97.97	
9619954781-06.1		6548 SW 21ST ST ST LT		70.64	
9662481100-06.1		5605 SW FOXCROFT CIR S		41.27	
9673824013-06.1		320 S KANSAS AVE CHIEF OFF 3.0		635.82	
9673824013B-06.		320 S KANSAS AVE EXEC SRV 1.0		211.95	

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9381575612-06.1		1115 NE POPLAR ST	29,633.42
9388419420-06.1		1908 SE 29TH ST A	81.44
9406297791-06.1		720 SW 21st STREET	1,331.73
9415932749-06.1		1615 NW 8TH ST	170.88
9464440167-06.1		1801 SW 44TH	82.15
9511026279-06.1		SCHOOL SPEED FLASHER	371.00
8927971666-06.1		1200 DIVISION ST.	6,024.76
8990425420-06.1		PEDESTRIAN ST LIGHTS	1,946.82
9163909456-06.1		5610 SW FOXCROFT CIR.	74.95
9172705484-06.1		6255 CALIFORNIA (Gun Range)	142.51
9244495706-06.1		2001 NW WINTER ST	33.91
9281634463-06.1		635 SW GAGE BLVD - EXHIBIT	107.46
8595931907-06.1		201 NW TOPEKA-STREET	24.09
8718757529-06.1		1703 INDIAN HILLS	150.00
8797295426-06.1		3107 SE SILVERLEAF CT	62.97
8828977802-06.1		6305 SW 9TH ST	2,232.13
889044562-06.19		1419 NE SEWARD AVE	13.85
8917561729-06.1		120 NW CRANE - EMER WATER PUMP	569.62
8158331169-06.1		5326 SW 29TH	185.44
8290044485-06.1		3414 SE 35TH ST.	276.81
8336454201-06.1		1600 NW BUTTON RD.	39,410.86
8513066501-06.1		2300 SE 45TH ST	109.21
857144328-06.19		2000 NW 17TH ST	30.34
8573461924-06.1		1103 QUINCY/TANK	67.17
7781238941-06.1		STREET LIGHTS	140,368.14
7858393411-06.1		3712 SW STONEBRIDGE CT.	56.79
7891221852-06.1		300 SE JEFERSON - FIRE 54%	305.32
7891221852A-06.		300 SE JEFERSON - FLEET 46%	260.09
8045856673-06.1		932 NE Quincy - FIRE	324.37
8101041023-06.1		3158 1/2 SE 6TH AVE	27.44
7479004144-06.1		112 SW 8TH CROSBY PLACE	2,005.93
7548807911-06.1		4035 SW 6TH AVE - ZOO LIGHTING	211.36
7561894529-06.1		8TH & MONROE (PAL)	99.35
7634627729-06.1		3030 SE CROCO RD.	92.24
7672355786-06.1		3450 SW BELLE AVE POND	298.69
7678466617-06.1		200 NE CRANE	107.36
7129070441-06.1		324 SE JEFFERSON	1,589.70
7165756657-06.1		400 US HWY 24	78.19
7222261768-06.1		138 N KS AVE	31.03
7291675894-06.1		300 SE 40TH	98.40
731539692-06.19		BURNETTES MOUND (PAL) (tower)	63.73
7391817447-06.1		123 SE 29TH ST LT	10.60
6878412783-06.1		3245 NW WATER WORKS DR	48.51
6954355345-06.1		6400 UNIVERSITY	541.53
7052702107-06.1		2101 SW URISH RD	583.16
7054526981-06.1		DECORATIVE STREET LIGHTS	1,744.74
7093577888-06.1		2000 NW 17TH ST	723.98
7108482567-06.1		223 SW TUFFY KELLOGG DR LT	78.95
6473225120-06.1		4300 SE 23RD TERR	2,026.41
6515388660-06.1		5802 SW 6TH AVE	74.52
6548990643-06.1		PARKNSHOP/611 QUINCY	883.96
6600935533-06.1		BURNETT'S MOUND	101.41
6684018868-06.1		5002 NW KENDALL DR	136.12
6806672566-06.1		1610 BUTTON RD.	178.41
6145729420-06.1		318 NW CRANE ST FAC 72.48%	200.61
6145729420A-06.		318 NW CRANE ST ENG 27.52%	76.17
6149102541-06.1		600 SW 42ND ST TANK	27.02
6358801391-06.1		2700 NE MERIDEN RD	719.98
6385101124-06.1		4540 NW SIOUX	720.07
6418900406-06.1		230 SE ALKIRE	73.22
5365632154-06.1		322 NW CRANE ST (PAL)	249.20
5380218945-06.1		831 NE US HWY 24	34.35
5652128807-06.1		1641 SW ANCASTER	149.32
5755425065-06.1		635 SW GAGE BLVD - A-QUARANTEE	262.90

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Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
575745505-06.19		4545 NW 43RD ST PUMP	99.83
6029216846-06.1		635 SW GAGE BLVD #24 - APES	777.74
5237660226-06.1		1439 NE ATCHISON AVE	164.61
5256371057-06.1		N TYLER & KS RV	24.20
5278673283-06.1		3306 SE CROCO RD	681.23
528113064-06.19		2222 NW 35TH ST	556.93
52866323-06.19		6009 SW 29TH ST ST LT	71.55
5288815051-06.1		5961 SW 10TH	666.35
5033670348M-06		700 JEFFERSON- TPD EMER COMM 2	11.77
5033670348N-06		700 JEFFERSON- FIRE INS 2.52%	10.16
5033670348O-06		700 JEFFERSON- PW ADMIN 4.07%	16.41
5033670348P-06.		700 JEFFERSON- PLANNING 11.3%	45.56
5162823140-06.1		ITS CAMERAS	83.10
5209177869-06.1		322 NW CRANE ST (Impound)	856.15
5033670348G-06		700 JEFFERSON- TSG 5.6%	22.58
5033670348H-06		700 JEFFERSON- PARKING 3.12%	12.58
5033670348I-06.1		700 JEFFERSON- ENG 18.8%	75.80
5033670348J-06.		700 JEFFERSON- CODE 4.9%	19.76
5033670348K-06.		700 JEFFERSON- DSD PERMIT 6.45	26.01
5033670348L-06.		700 JEFFERSON- DSD INSPECTION	26.01
5033670348A-06.		700 JEFFERSON- HOLLIDAY ROOM 5	22.17
5033670348B-06.		700 JEFFERSON - WELLNESS CLINI	13.18
5033670348C-06		700 JEFFERSON - TPD INTERNAL A	5.89
5033670348D-06		700 JEFFERSON- WATER 3.6%	14.51
5033670348E-06.		700 JEFFERSON- HND 14.6%	58.86
5033670348F-06.		700 JEFFERSON- IT 5.3%	21.37
4727296348-06.1		324 SE JEFFERSON - FIRE	25.93
4732150028-06.1		3033 SW WANAMAKER ST LT	49.93
4789320685-06.1		415 SE 43RD PUMP	90.50
4901109460-06.1		TOWNSITE/120 SE 6TH	4,350.52
5026432749-06.1		2816 SW 29TH ST.- WW	3,872.51
5033670348-06.1		700 JEFFERSON- COMMONS .14%	0.56
4542484126-06.1		JACKSON/512 SW JACKSON	2,133.71
4565831865-06.1		6305 SW 9TH B B	2,644.90
4634088434-06.1		1019 SW 22ND	11,944.88
4658395203-06.1		669 NW WILLIAMS	180.63
4672756422-06.1		3205 NW HICKORY RIDGE LN	61.55
4688166907-06.1		3300 SE DOWNING DR	126.85
4495154762-06.1		315 SE 21ST	54.28
4495259422-06.1		6402 SW 21ST ST ST LT	74.08
4500418622-06.1		201 NW TOPEKA-STREET 55.2.%	953.07
4500418622A-06.		201 NW TOPEKA-FLEET 28.2%	486.90
4500418622B-06.		201 NW TOPEKA-FORESTRY 13.7%	236.54
4500418622C-06		201 NW TOPEKA-FACILITIES 2.9%	50.07
4243670442-06.1		2905 SW BURLINGAME RD	62.90
4264149424-06.1		4748 NW GREEN HILLS RD	220.64
4269643687-06.1		2901 SE CROCO	45.04
4284165684-06.1		815 SW GAGE BLVD-ZOO COMMISSAR	499.31
4398184091-06.1		1901 WESTERN AVE A	146.66
4451931225-06.1		2906 SW KANZA DR LT	140.08
4010895542-06.1		400 NE SPRUCE LN PUMP	151.53
4058088318-06.1		5000 1/2 SW REDBUD LN.	220.32
4141273470-06.1		934 NE QUINCY	36.40
416151990-06.19		BURNETTS MOUND (tower)	81.23
4181861543-06.1		500 NE STRAIT AVE.	8,831.57
4208864031-06.1		WINTER & I70	80.25
3703989372-06.1		810 NW US HIGHWAY 24 PUMP	75.28
3704094176-06.1		2744 SE 33RD TERR.	69.77
3769422865-06.1		639 SW GAGE BLVD- ZOO RAIN FO	3,309.67
3791139844-06.1		3441 SHORELINE DR.	261.30
3890967088-06.1		635 SW GAGE BLVD #1 - OFFICE	1,180.20
3962419033-06.1		545 NE LAKE	15,607.57
342334703-06.19		6315 SW 29TH ST ST LT	101.34
3429732386-06.1		QUINCY ST PUMP FPM	29.37

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Check No.	Check Date/PO #	Vendor Name and Number	Check Amount
3468280796-06.1		201 NE CURTIS ST	124.77
3481742208-06.1		1419 NE SEWARD AVE	429.36
3675168021-06.1		3105 NW GREEN HILLS RD HALF DA	61.96
3675521733-06.1		1200 JEFFERSON	1,560.02
3235310123-06.1		550 NW 46TH	135.41
3358892424-06.1		635 SW GAGE BLVD #14 - QUARAN	238.50
3359889707-06.1		318 NW CRANE ST FAC 72.48%	17.07
3359889707A-06.		318 NW CRANE ST ENG 27.52%	6.48
3377855825-06.1		3332 SW WANAMAKER ST LT	45.97
3379200926-06.1		3140 SW WANAMAKER ST LT CENTER	53.38
3068995963-06.1		2739 SE LAKE TERR	27.88
309522996-06.19		201 NW TOPEKA-STREET PAL	177.06
3145100253-06.1		1901 WESTERN	2,296.25
3170930287-06.1		1240 SW ARVONIA PL	159.53
3182415820-06.1		3919 SE 29TH STREET	269.70
3216962429-06.1		5950 SW 41ST	22.73
2527930189P-06.		620 MADISON - PLANNING 11.3%	1,065.55
2556481079-06.1		8TH & MADISON (PAL)	210.99
2772553529-06.1		4130 SE EAST EDGE RD PUMP	302.52
2868104065-06.1		201 NW TOPEKA-STREET	81.54
2952910200-06.1		3305 SW 46TH	90.30
2978671422-06.1		635 SW GAGE BLVD 2 - CONCESSIO	672.24
2527930189J-06.		620 MADISON - CODE 4.9%	462.05
2527930189K-06.		620 MADISON - DSD PERMIT 6.45%	608.21
2527930189L-06.		620 MADISON - DSD INSPECTION 6	608.21
2527930189M-06		620 MADISON - TPD EMER COMM 2.	275.34
2527930189N-06		620 MADISON - FIRE INS 2.52%	237.63
2527930189O-06		620 MADISON - PW ADMIN 4.07%	383.79
2527930189D-06		620 MADISON - WATER 3.6%	339.47
2527930189E-06.		620 MADISON - HND 14.6%	1,376.72
2527930189F-06.		620 MADISON - IT 5.3%	499.77
2527930189G-06		620 MADISON - TSG 5.6%	528.06
2527930189H-06		620 MADISON - PARKING 3.12%	294.20
2527930189I-06.1		620 MADISON - ENG 18.8%	1,772.77
249842055Q-06.1		215 SE 7TH - FINANCE 3.80%	466.66
2518492210-06.1		CORONADO/917 QUINCY	2,097.07
2527930189-06.1		620 MADISON - COMMONS .14%	13.19
2527930189A-06.		620 MADISON - HOLLIDAY ROOM 5.	518.63
2527930189B-06.		620 MADISON - WELLNESS CLINIC	308.35
2527930189C-06		620 MADISON - TPD INTERNAL AFF	137.67
249842055K-06.1		215 SE 7TH - COUNCIL OFFICE 1.	135.09
249842055L-06.1		215 SE 7TH - CITY4 .86%	105.61
249842055M-06.1		215 SE 7TH - LEGAL 1.3%	159.65
249842055N-06.1		215 SE 7TH - LEGAL SPEC LIABIL	159.65
249842055O-06.1		215 SE 7TH - MAYOR .82%	100.70
249842055P-06.1		215 SE 7TH - CITY MGR 1.3%	159.65
249842055E-06.1		215 SE 7TH - COURT 5.6%	687.71
249842055F-06.1		215 SE 7TH - CREDIT UNION 1.2%	147.37
249842055G-06.1		215 SE 7TH - CITY CLERK 1.6%	196.49
249842055H-06.1		215 SE 7TH - HR/WELLNESS 4.7%	577.19
249842055I-06.19		215 SE 7TH - PROSECUTION 1.86%	228.42
249842055J-06.1		215 SE 7TH - PROBATION 2.4%	294.73
2437202074-06.1		200 NE QUINCY ST	24.09
249842055-06.19		215 SE 7TH - COMMONS 2.69%	330.33
249842055A-06.1		215 SE 7TH - CONTRACTS 1.95%	239.47
249842055B-06.1		215 SE 7TH - IT/ERP 7.32%	898.94
249842055C-06.1		215 SE 7TH - FACILITIES .20%	24.56
249842055D-06.1		215 SE 7TH - TPAC 60%	7,368.33
2266273903-06.1		825 S KANSAS AVE G CENTRE CITY	1,215.43
2272608403-06.1		800 SE MONROE ST (PAL)	100.84
2273632565-06.1		1800 NE GRANTVILLE RD	1,316.93
2336545121-06.1		635 SW GAGE BLVD C - CARNIVORE	97.98
2336829480-06.1		NINTH STREET/215 SE 9TH	1,906.62
2362208215-06.1		1915 WESTERN	743.51

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
1894285067-06.1		1115 NE POPLAR ST B		56.60	
1911987884-06.1		4827 NW 17TH ST PUMP (SUNFLOWE		29.66	
1947734359-06.1		201 NW TOPEKA-STREET PAL		466.58	
1977020420-06.1		2521 SE 2ND ST		93.05	
2069150421-06.1		7325 SW 40TH		56.75	
2189423730-06.1		2700 SW FAIRLAWN RD		763.54	
1720154406-06.1		6834 SW 17TH STREET PUMP		210.89	
1737172307-06.1		6531 SW 29TH ST S LT		102.19	
1747452090-06.1		2400 NW WATERWORKS		15,839.44	
1793486451-06.1		120 NW CRANE -SW		31.26	
1830815552-06.1		420 NW WAITE ST		24.20	
1883517398-06.1		619 SE RICE RD		824.51	
1597278899-06.1		419 SE 13TH ST		38.02	
1601805968-06.1		3500 SW WANAMAKER ST LT		46.96	
1644917029-06.1		3245 NW WATER WORKS DR		100,653.17	
1671696488-06.1		7215 SW TOPEKA BLVD		36.38	
1677223701-06.1		635 SW GAGE BLVD A - VET CLINI		322.92	
1709729387-06.1		201 NW TOPEKA-STREET		24.09	
1421891304N-06		215 SE 7TH - LEGAL SPEC LIABIL		132.85	
1421891304NO-0		215 SE 7TH - MAYOR .82%		83.80	
1421891304OP-0		215 SE 7TH - CITY MGR 1.3%		132.85	
1421891304Q-06		215 SE 7TH - FINANCE 3.80%		388.33	
1519476504-06.1		813 SW CLAY STREET		679.51	
1563891404-06.1		635 SW GAGE BLVD COWAB		730.84	
1421891304H-06		215 SE 7TH - HR/WELLNESS 4.7%		480.30	
1421891304I-06.1		215 SE 7TH - PROSECUTION 1.86%		190.08	
1421891304J-06.		215 SE 7TH - PROBATION 2.4%		245.26	
1421891304K-06.		215 SE 7TH - COUNCIL OFFICE 1.		112.41	
1421891304L-06.		215 SE 7TH - CITY4 .86%		87.89	
1421891304M-06		215 SE 7TH - LEGAL 1.3%		132.85	
1421891304B-06.		215 SE 7TH - IT/ERP 7.32%		748.05	
1421891304C-06		215 SE 7TH - FACILITIES .20%		20.44	
1421891304D-06		215 SE 7TH - TPAC 60%		6,131.55	
1421891304E-06.		215 SE 7TH - COURT 5.6%		572.28	
1421891304F-06.		215 SE 7TH - CREDIT UNION 1.2%		122.63	
1421891304G-06		215 SE 7TH - CITY CLERK 1.6%		163.51	
1213827529-06.1		635 SW Gage #19 - ARC BUILDING		350.04	
1315447745-06.1		5928 SW 53RD ST PUMP		59.59	
1348331074-06.1		3305 SE WESTEDGE		75.93	
1408512766-06.1		1215 SW 38TH		242.32	
1421891304-06.1		215 SE 7TH - COMMONS 2.69%		274.89	
1421891304A-06.		215 SE 7TH - CONTRACTS 1.95%		199.28	
0793252472-06.1		927 HARRISON OFFICE		1,024.44	
0843913860-06.1		5261 NW BRICKYARD RD		35.06	
0846578667-06.1		801 NE KINCAID RD		707.54	
1047755001-06.1		635 SW GAGE BLVD B ZOO BEARS		73.13	
1079563957-06.1		1215 SW OAKLEY AVE		404.67	
1119938145-06.1		402 SE BRANNER ST LT		44.36	
736861	07/12/2019	YORK RISK SERVICES GROUP INC	11307		**2,074.00**
SERVICE FEES 5	46220			930.00	
SERVICE FEES 6	46220			1,144.00	
736878	07/12/2019	CENTRAL STATES MACHINING & WEL	869		**100.00**
88903	45412			100.00	
736879	07/12/2019	ENVIRONMENTAL & PROCESS SYSTEM	1543		**3,833.06**
IK1906 11	47477			3,833.06	
736880	07/12/2019	FASTENAL COMPANY	1619		**260.09**
KSTOP267629	45416			3.02	
KSTOP265904	45357			257.07	

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736881	07/12/2019	KANSAS SAND & CONCRETE INC	2744		**1,020.00**
90272138	45533			600.00	
90272136	45533			420.00	
736882	07/12/2019	MID-STATES MATERIALS LLC	3401		**1,648.51**
81713	45647			1,648.51	
736883	07/12/2019	SHAWNEE COUNTY	4504		**156,704.66**
JUNE 2019	DE			156,704.66	
736884	07/12/2019	SHAWNEE COUNTY	7574		**15,242.60**
JUNE 2019	DE			15,242.60	
736885	07/12/2019	SUNFLOWER RENTS LLC	4817		**315.50**
499519	45815			315.50	
736886	07/12/2019	TARWATER FARM & HOME SUPPLY	4872		**15.95**
145644	45442			15.95	
736887	07/12/2019	VANCE BROTHERS INC	5197		**279,184.15**
IA 4836	46914			279,184.15	
736888	07/19/2019	BUTLER & ASSOCIATES PA	730		**7.19**
00000272019071		Garnishment - Pct of Net		7.19	
736889	07/19/2019	BUTLER & ASSOCIATES PA	731		**7.19**
00000272019071		Garnishment - Pct of Net		7.19	
736890	07/19/2019	BUTLER & ASSOCIATES PA	731		**156.31**
00000064119071		Garnishment - Pct of Net		156.31	
736891	07/19/2019	BUTLER & ASSOCIATES PA	731		**179.46**
00000257819071		Garnishment - Pct of Net		179.46	
736892	07/19/2019	BUTLER & ASSOCIATES PA	731		**7.19**
00000272019071		Garnishment - Pct of Net		7.19	
736893	07/19/2019	BUTLER & ASSOCIATES PA	731		**360.12**
00000065819071		Garnishment - Pct of Net		360.12	
736894	07/19/2019	BUTLER & ASSOCIATES PA	731		**156.30**
00000064119071		Garnishment - Pct of Net		156.30	
736895	07/19/2019	BUTLER & ASSOCIATES PA	731		**179.46**
00000257819071		Garnishment - Pct of Net		179.46	
736896	07/19/2019	BUTLER & ASSOCIATES PA	731		**232.43**
00000216319071		Garnishment - Pct of Net		232.43	
736897	07/19/2019	CALIFORNIA DEPARTMENT OF CHILD	753		**220.61**
00000297019071		Child Support - Amt		220.61	
736898	07/19/2019	CHAPTER 13 TRUSTEE	2494		**138.46**
00000100919071		Bankruptcy - Amt 26 PP		138.46	
736899	07/19/2019	CHAPTER 13 TRUSTEE	2494		**130.00**
00000237919071		Bankruptcy - Amt 26 PP		130.00	
736900	07/19/2019	CHAPTER 13 TRUSTEE	2494		**207.69**
00000029719071		Bankruptcy - Amt 26 PP		207.69	

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736901	07/19/2019	CHAPTER 13 TRUSTEE	2494		**120.00**
00000229619071		Bankruptcy - Amt 26 PP		120.00	
736902	07/19/2019	CHAPTER 13 TRUSTEE	2494		**291.23**
00000074119071		Bankruptcy - Amt 26 PP		291.23	
736903	07/19/2019	CHAPTER 13 TRUSTEE	2494		**94.15**
00000241019071		Bankruptcy - Amt 26 PP		94.15	
736904	07/19/2019	CHAPTER 13 TRUSTEE	2494		**41.54**
00000251519071		Bankruptcy - Amt 26 PP		41.54	
736905	07/19/2019	CHAPTER 13 TRUSTEE	2494		**46.15**
00000246819071		Bankruptcy - Amt 26 PP		46.15	
736906	07/19/2019	CHAPTER 13 TRUSTEE	2494		**36.92**
00000296719071		Bankruptcy - Amt 26 PP		36.92	
736907	07/19/2019	CHAPTER 13 TRUSTEE	2494		**129.23**
00000238519071		Bankruptcy - Amt 26 PP		129.23	
736908	07/19/2019	CHAPTER 13 TRUSTEE	2494		**198.46**
00000119519071		Bankruptcy - Amt 26 PP		198.46	
736909	07/19/2019	FAMILY SUPPORT PAYMENT CENTER	6780		**307.85**
00000241019071		Child Support - Amt		307.85	
736910	07/19/2019	FAMILY SUPPORT PAYMENT CENTER	6780		**253.85**
00000305919071		Child Support - Amt		253.85	
736911	07/19/2019	H KENT HOLLINS ATTORNEY AT LAW	6502		**7.19**
00000272019071		Garnishment - Pct of Net		7.19	
736912	07/19/2019	H KENT HOLLINS ATTORNEY AT LAW	6502		**354.73**
00000217319071		Garnishment - Pct of Net		354.73	
736913	07/19/2019	H KENT HOLLINS ATTORNEY AT LAW	6502		**479.31**
00000066719071		Garnishment - Pct of Net		479.31	
736914	07/19/2019	KAHRS LAW OFFICES PA	2618		**7.19**
00000272019071		Garnishment - Pct of Net		7.19	
736915	07/19/2019	KANSAS DEPARTMENT OF REVENUE	6574		**947.28**
00000055819071		Tax Levy State - Pct		947.28	
736916	07/19/2019	KATHLEEN A LAUGHLIN	11480		**289.00**
00000299319071		Bankruptcy - Amt 26 PP		289.00	
736917	07/19/2019	MCKENZIE, SCOTT D	9261		**7.19**
00000272019071		Garnishment - Pct of Net		7.19	
736918	07/19/2019	PITTENGER LAW GROUP LLC	10882		**502.29**
00000258519071		Garnishment - Pct of Net		502.29	
736919	07/19/2019	OFFICE OF THE ATTORNEY GENERAL	10437		**92.31**
00000265319071		Child Support - Amt		92.31	
736920	07/19/2019	UNITED STATES GOVERNMENT	9489		**316.26**
00000215519071		Student Loan Federal - Pct		316.26	
736921	07/19/2019	UNITED STATES GOVERNMENT	9489		**357.08**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
00000109319071		Student Loan Federal - Pct		357.08	
736922	07/19/2019	UNITED STATES TREASURY	5156		**219.24**
00000111619071		Tax Levy Federal - Amount		219.24	
736923	07/19/2019	WILLIAM GRIFFIN CHAPTER	5446		**276.92**
00000020919071		Bankruptcy - Amt 26 PP		276.92	
736924	07/19/2019	WILLIAM GRIFFIN CHAPTER	5446		**736.54**
00000025419071		Bankruptcy - Amt 26 PP		736.54	
736925	07/19/2019	WILLIAM GRIFFIN CHAPTER	5446		**96.92**
00000255219071		Bankruptcy - Amt 26 PP		96.92	
736926	07/19/2019	WILLIAM GRIFFIN CHAPTER	5446		**161.54**
00000295419071		Bankruptcy - Amt 26 PP		161.54	
736927	07/19/2019	WILLIAM GRIFFIN CHAPTER	5446		**648.46**
00000041319071		Bankruptcy - Amt 26 PP		648.46	
736928	07/19/2019	WILLIAM GRIFFIN CHAPTER	5446		**745.16**
00000080119071		Bankruptcy - Amt 26 PP		745.16	
736929	07/19/2019	ZIMMERMAN & ZIMMERMAN PA	5186		**7.19**
00000272019071		Garnishment - Pct of Net		7.19	
736930	07/19/2019	AFFINITY AUTOMOTIVE PRODUCTS	10521		**358.08**
250878	45507			358.08	
736931	07/19/2019	AFFINITY CHEMICAL LLC	11339		**3,458.70**
2553703	45570			3,458.70	
736932	07/19/2019	ANTECH DIAGNOSTIC INC	11478		**875.43**
3 201906 0	45375			875.43	
736933	07/19/2019	AT&T	281		**14,374.25**
8272518405	46170			3,728.44	
8373848404	46170			10,645.81	
736934	07/19/2019	AT&T	281		**722.00**
GG03266	45518			722.00	
736935	07/19/2019	AT&T CORP	289		**52.52**
907 018011	46015			52.52	
736936	07/19/2019	BEN J SCHREINER CONSTRUCTION	11191		**1,575.00**
124526	47558			1,575.00	
736937	07/19/2019	BROWNS SUPER SERVICE INC	670		**750.00**
103293	47633			100.00	
103294	47633			100.00	
103295	47633			100.00	
103296	47633			100.00	
103428	45409			175.00	
103477	45409			175.00	
736938	07/19/2019	C & B INDUSTRIES INC	9568		**17.86**
7791	45650			17.86	
736939	07/19/2019	CDW LLC	10026		**889.19**
SVN6826	47389			889.19	

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736940	07/19/2019	CELLCO PARTNERSHIP	9497		**1,381.21**
9833173775	DE			1,381.21	
736941	07/19/2019	CINTAS CORPORATION NO 2	1497		**2,256.71**
8404122192	47626			2,256.71	
736942	07/19/2019	COMMUNITY ACTION INC	1051		**3,915.91**
6302019HESG18	44653			3,915.91	
736943	07/19/2019	COREFIRST BANK & TRUST	1111		**2,114.09**
JUNE 2019	47739			2,114.09	
736944	07/19/2019	ENGROFF CATERING INC	11768		**4,120.00**
12613	47665			4,120.00	
736945	07/19/2019	ENVISION INDUSTRIES INC	1549		**32.50**
0003534052	45534			32.50	
736946	07/19/2019	FINLAY AUTOMOTIVE SUPPLY INC	10237		**508.67**
154134	45468			200.90	
154443	45468			141.96	
154535	45468			125.31	
154596	45468			40.50	
736947	07/19/2019	FISHER PARKING & SECURITY INC	5802		**2,815.00**
17465	47284			2,207.00	
17519	47617			608.00	
736948	07/19/2019	FORTILINE INC	7351		**1,959.42**
4646645	47543			1,959.42	
736949	07/19/2019	GH STORE FIFTEEN LLC	11479		**31.46**
145830	45586			31.46	
736950	07/19/2019	GT DISTRIBUTORS INC	2008		**21,322.85**
INV0715802	46845			21,322.85	
736951	07/19/2019	HEARTLAND ALARMS INC	5718		**120.00**
525501	45743			120.00	
736952	07/19/2019	SPENCER & COMPANY	2321		**11,111.55**
S 29844	45422			799.30	
W 35264	45422			347.21	
W 36372	45422			8,610.10	
W 36454	45422			1,354.94	
736953	07/19/2019	HYGIENIC DRY CLEANERS INC	11630		**460.20**
A 439860	46500			11.95	
A 439861	46500			19.90	
A 439864	46500			29.85	
A 439885	46500			256.00	
A 439886	46500			58.50	
A 439782	46500			84.00	
736954	07/19/2019	INFORMATION NETWORK OF KANSAS	2395		**20.60**
2608618	45545			20.60	
736955	07/19/2019	IRON MOUNTAIN INC	2444		**20.00**
PYM4990 ADD	47723			20.00	
736956	07/19/2019	JAMES L DUNLAP	2533		**171.87**
514288	45426			23.96	

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
514294	45426			57.96	
514296	45426			9.95	
915481	45426			80.00	
736957	07/19/2019	JOHN DEERE FINANCIAL FSB	5769		**45.22**
1182398	45452			45.22	
736958	07/19/2019	KANSAS DEPT OF LABOR	2688		**24,821.91**
47683 ID AS0000	47683			24,821.91	
736959	07/19/2019	STATE OF KANSAS	2691		**49,851.31**
9184 XTKM GAY	SALES TAX WATE			49,851.31	
736960	07/19/2019	LAIRD NOLLER FORD INC	2939		**152.05**
1229395	45435			152.05	
736961	07/19/2019	LE UPFITTER LLC	10758		**275.40**
5787	47372			275.40	
736962	07/19/2019	MIKE'S FRAME SHOP INC	3423		**1,693.93**
16118	45437			1,153.93	
16120	45437			540.00	
736963	07/19/2019	MOSER, ROBERT E	3537		**1,200.00**
45890 MAY-JUN	45890			1,200.00	
736964	07/19/2019	NAILL ENTERPRISES LTD	4931		**96.15**
9796 15	45652			96.15	
736965	07/19/2019	OZARK INTEGRATED PEST SERVICE	3791		**1,890.00**
33517	45913			1,890.00	
736966	07/19/2019	PRISON REHABILITATIVE	6556		**29.50**
E1067941	46718			29.50	
736967	07/19/2019	PUR O ZONE INC	6773		**948.08**
782554	45724			948.08	
736968	07/19/2019	RED VALVE CO	10745		**730.00**
670491	47089			730.00	
736969	07/19/2019	REEVES WIEDEMAN COMPANY INC	4154		**1,365.22**
5421589	45615			26.52	
5418902	45721			94.68	
5418902 1	45721			115.80	
5418913	45721			94.68	
5418913 1	45721			57.90	
5420506	45721			117.93	
5420593	45615			730.15	
5418557	45615			69.54	
5418759	45615			58.02	
736970	07/19/2019	ROYAL PAPERS	10393		**241.87**
918263	45954			241.87	
736971	07/19/2019	RUHL, DAVID WALTER	11763		**1,348.07**
47592	47592			1,348.07	
736972	07/19/2019	SCHULTE SUPPLY INC	9563		**1,298.22**
S1150259 001	47440			1,298.22	
736973	07/19/2019	SECURITAS SECURITY SERVICES US	4451		**349.30**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
W6506853	45368			349.30	
736974	07/19/2019	SHAWNEE COUNTY	4506		**14,500.00**
47740 ORD#1867	47740			14,500.00	
736975	07/19/2019	SHAWNEE COUNTY	4521		**82.50**
19003314	45392			15.00	
A4052	45392			33.75	
A4053	45392			33.75	
736976	07/19/2019	SHAWNEE COUNTY RURAL WATER	5719		**1,519.00**
45968 JUN 2019	45968			1,519.00	
736977	07/19/2019	SIMILAR MODE UNIFORMS INC	4563		**4,972.47**
47162	47162			3,355.57	
47220	47220			1,616.90	
736978	07/19/2019	STANARD & ASSOCIATES INC	11314		**772.50**
SA000041375	47658			772.50	
736979	07/19/2019	STATE OF KANSAS	2697		**730,000.00**
47636 PROJ 089	47636			730,000.00	
736980	07/19/2019	TOPEKA FOUNDRY & IRON WORKS IN	5029		**2,065.00**
16278	45950			2,065.00	
736981	07/19/2019	VIMEO INC	11299		**11,000.00**
INV 006050	47780			11,000.00	
736998	07/19/2019	FRATERNAL ORDER OF POLICEMEN	1773		**10,746.47**
UNF1190719192		Union Dues - FOP		10,746.47	
736999	07/19/2019	CAPITOL CONCRETE PRODUCTS INC	789		**950.80**
90273765	47599			950.80	
737000	07/19/2019	FASTENAL COMPANY	1619		**169.45**
KSTOP267617	45416			6.73	
KSTOP267824	45416			2.40	
KSTOP267827	45618			139.12	
KSTOP268030	45618			16.49	
KSTOP267539	45416			4.71	
737001	07/19/2019	KANSAS SAND & CONCRETE INC	2744		**1,320.00**
90273399	45533			420.00	
90273473	45533			300.00	
90273639	45533			600.00	
737002	07/19/2019	MCCRAY LUMBER COMPANY INC	3280		**31.47**
TO01295370 001	45872			31.47	
737003	07/19/2019	MID-STATES MATERIALS LLC	3401		**306.58**
81898	45868			306.58	
737004	07/19/2019	VANCE BROTHERS INC	5197		**1,056.00**
ZH 19641	47163			1,056.00	
737005	07/19/2019	ALANIS-NEGRETE, J REYES	9715		**25.00**
CR 2007 001176	DEANN K MASSEY			25.00	
737006	07/19/2019	AMERIC INN	11783		**58.99**
CR 2012 000729	NR HOWEY			58.99	

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737007	07/19/2019	BARNES, DENNIS	9995		**30.00**
CR 2015 000534	BEVERLY MARTIN			30.00	
737008	07/19/2019	KANSAS BUREAU OF INVESTIGATION	2646		**281.74**
CR 2012 001379	SD JOHNSON			92.74	
CR 2017 001497	JL LANNAN			5.00	
CR 2017 001755	GE ANTHONY JR			20.00	
CR 2018 000686	MJ WILLIAMS			139.00	
CR 2018 000968	LM TESCH JR			25.00	
737009	07/19/2019	LENAHAN, KEVIN	11639		**25.00**
CR 2018 000739	JL PETERS			25.00	
737010	07/19/2019	SCHUTTERA, STEPHANIE S	11704		**60.00**
CR 2018 001267	KJ IVEY			60.00	
737011	07/19/2019	TREOLO, JOHN	11760		**290.30**
CR 2018 001424	JC WARNER JR			290.30	
737012	07/26/2019	AT&T	281		**635.69**
5125959405	LONG DISTANCE			635.69	
737013	07/26/2019	BNSF RAILWAY COMPANY INC	537		**100.00**
19061432 CONT	47688			100.00	
737014	07/26/2019	COMMUNITY ACTION INC	1051		**1,766.95**
3312019HESG18	44653			1,766.95	
737015	07/26/2019	CONSOLIDATED RURAL WATER	1076		**1,285.00**
45883 JUL 2019	45883			1,285.00	
737016	07/26/2019	D & D LAWN CARE LLC	10861		**1,120.00**
863	47520			1,120.00	
737017	07/26/2019	EWT HOLDING III CORP	9747		**5,300.00**
904064915	45857			1,100.00	
904064929	45857			1,100.00	
904064945	45857			1,100.00	
904064958	45857			2,000.00	
737018	07/26/2019	FINLAY AUTOMOTIVE SUPPLY INC	10237		**820.75**
153543	45468			38.80	
155337	45506			183.20	
155432	45468			515.62	
155445	45468			20.41	
155843	45506			62.72	
737019	07/26/2019	FORTILINE INC	7351		**10,193.70**
4658417	47605			2,340.00	
4664842	47543			7,853.70	
737020	07/26/2019	GH STORE FIFTEEN LLC	11479		**16.80**
C13657	45586			16.80	
737021	07/26/2019	GT DISTRIBUTORS INC	2008		**9,576.95**
INV0716827	46845			9,576.95	
737022	07/26/2019	HEARTLAND ALARMS INC	5718		**495.00**
53070	45743			495.00	
737023	07/26/2019	HYGIENIC DRY CLEANERS INC	11630		**125.95**
A 440266	46500			19.90	

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A 440369	46500			23.75	
A 439993	46500			16.00	
A 439994	46500			9.95	
A 439995	46500			9.95	
A 439996	46500			9.95	
A 439997	46500			9.95	
A 440171	46500			10.00	
A 439992	46500			16.50	
737024	07/26/2019	INFORMATION NETWORK OF KANSAS	2395		**1,426.96**
2659662	45822			1,426.96	
737025	07/26/2019	IRON MOUNTAIN INC	2444		**250.89**
BTNL970	45379			190.47	
BTNL971	45379			24.72	
BTNM764	46168			35.70	
737026	07/26/2019	KANSAS DEPARTMENT OF REVENUE	2666		**1,675.00**
47812 JULY 201	47812			1,675.00	
737027	07/26/2019	KANSAS DEPT OF HEALTH & ENVIR	2674		**847.00**
W6000 APR-JUN	45568			847.00	
737028	07/26/2019	KANSAS DEPT OF HEALTH & ENVIR	2676		**60.00**
47841	47841			60.00	
737029	07/26/2019	STATE OF KANSAS	2691		**10,419.15**
9203 MCFN FRP	SALES TAX ZOO			10,419.15	
737030	07/26/2019	KANSAS ONE CALL SYSTEM INC	2728		**3,356.40**
9060469	45572			3,356.40	
737031	07/26/2019	KANSAS SECURED TITLE	2747		**425.00**
SN050290	47821			125.00	
SN050900	45703			300.00	
737032	07/26/2019	LE UPFITTER LLC	10758		**1,265.00**
5695	46730			1,265.00	
737033	07/26/2019	NAILL ENTERPRISES LTD	4931		**96.15**
9796 16	45652			96.15	
737034	07/26/2019	PUR O ZONE INC	6773		**1,465.16**
782989	45724			944.56	
782990	45724			520.60	
737035	07/26/2019	RAD INC	5042		**102.04**
70670	45446			102.04	
737036	07/26/2019	SCHULTE SUPPLY INC	9563		**2,419.84**
S1150364 001	47499			2,080.00	
S1150797 001	47604			339.84	
737037	07/26/2019	SCOTTY D WILSON	4442		**5,600.00**
882713	47445			5,600.00	
737038	07/26/2019	SEABROOKS TOO LLC	10813		**398.00**
2019 0782	45720			398.00	
737039	07/26/2019	SECURITAS SECURITY SERVICES US	4451		**349.30**
W6516144	45368			349.30	

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737040	07/26/2019	SIMILAR MODE UNIFORMS INC	4563		**315.50**
47164	46499			315.50	
737041	07/26/2019	TBS ELECTRONICS INC	4886		**189.15**
00100696	47717			189.15	
737042	07/26/2019	TRANSUNION RISK AND	9436		**149.65**
JUNE 2019 ACCT	45346			149.65	
737043	07/26/2019	UNDERGROUND VAULTS & STORAGE	5130		**4.00**
450293	47700			4.00	
737044	07/26/2019	WEST PUBLISHING CORPORATION	4972		**762.00**
840507389	46200			762.00	
737045	07/26/2019	WH SCALE CO	5390		**1,790.00**
39097	46337			1,790.00	
737046	07/26/2019	COTTON ONEIL CLINIC	1131		**1,947.91**
E202369860	47765			37.73	
E202369870	47765			37.73	
E202585670	47765			37.73	
E204197990	47765			37.73	
E204301940	47765			10.41	
E204429520	47765			133.47	
E204429530	47765			139.17	
E204637560	47765			71.67	
E204716970	47765			153.96	
E203212730	47765			71.94	
E204083710	47765			336.26	
E204083720	47765			613.46	
E204083730	47765			43.92	
E204083740	47765			112.88	
E204083750	47765			109.85	
737047	07/26/2019	HEALTHSTAT INC	9951		**48,899.20**
106891	45612			48,899.20	
737078	07/26/2019	AMERICAN PUBLIC WORKS	178		**270.00**
47791 FINCHAM	47791			45.00	
47791 FUND M	47791			45.00	
47791 PARRISH	47791			45.00	
47791 SCHNEIDE	47791			45.00	
47791 VANDEVE	47791			45.00	
47791 VINCENT	47791			45.00	
737079	07/26/2019	CENTRAL STATES MACHINING & WEL	869		**80.00**
88905	46771			80.00	
737080	07/26/2019	FASTENAL COMPANY	1619		**176.03**
KSTOP268102	45618			1.51	
KSTOP268239	45618			148.72	
KSTOP268083	45618			25.80	
737081	07/26/2019	MID-STATES MATERIALS LLC	3401		**1,439.39**
82243	45868			155.80	
82285	45647			1,283.59	
737082	07/26/2019	DILLONS	6828		**19.99**
CR 2004 001515(	VJ SHANNON			19.99	
737083	07/26/2019	KANSAS BUREAU OF INVESTIGATION	2646		**35.00**

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Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
CR 2019 000122	EM CRUMMEY			35.00	
737084	07/26/2019	PATRICK JR, ROY W	11705		**227.28**
CR 2006 001089	JP ROBINSON			227.28	
737085	07/26/2019	SHAWNEE COUNTY PARKS	10192		**71.21**
CR 2015 001548	A AGUILAR			71.21	
737086	07/26/2019	VILLANUEVA, BRENDA	9858		**50.00**
CR 2007 000490	AR ANDRES			50.00	
737087	07/26/2019	WALMART RESTITUTION RECOVERY	6534		**3.74**
CR 2012 000959	AARON J PEET			3.74	
737088	08/01/2019	BRENTWOOD APARTMENTS LLC	8837		**709.00**
HEN105-0819		S+C AUGUST 2019 Payment		412.00	
ROB106-0819		S+C AUGUST 2019 Payment		297.00	
737089	08/01/2019	HANRAHAN, DONALD P	6407		**785.00**
HEN104-0819		S+C AUGUST 2019 Payment		465.00	
SAN102-0819		S+C AUGUST 2019 Payment		320.00	
737090	08/01/2019	KANSAS GAS SERVICE INC	2708		**2,376.00**
BRI107-0819		510752268		35.00	
BUR102-0819		512665109		52.00	
BUR103-0819		512673066		35.00	
BUS102-0819		512101896		522.00	
BYR102-0819		512593481		50.00	
DAM101-0819		512663066		81.00	
WAR101-0819		510799987		63.00	
WIC101-0819		512681085		111.00	
WUN101-0819		512669433		50.00	
MIM102-0819		512576354		90.00	
MON104-0819		512665111		40.00	
PAI102-0819		512343955		80.00	
RAN101-0819		510645877		40.00	
SMI109-0819		510026004		77.00	
SMI122-0819		510135004		70.00	
LEA101-0819		510830666		40.00	
LED102-0819		512581775		50.00	
MAR120-0819		512431051		87.00	
MIL101-0819		510798989		35.00	
GAR102-0819		510223561		10.00	
GLO102-0819		510021106		128.00	
HEN104-0819		512598779		45.00	
HES101-0819		512277684		87.00	
HIL107-0819		510936078		5.00	
KIM1032-0819		510137930		25.00	
DIV101-0819		512181970		50.00	
ENL101-0819		512665127		50.00	
FAI101-0819		512661575		40.00	
FIN103-0819		510802536		120.00	
GAL102-0819		510300989		104.00	
GAL102-0819A		510300989		104.00	
737091	08/01/2019	LANE, GARY L	11657		**248.00**
PHI101-0819		S+C AUGUST 2019 Payment		248.00	
737092	08/01/2019	POMEROY, CHARLES	11557		**786.00**
FLO103-0819		S+C AUGUST 2019 Payment		786.00	
737093	08/01/2019	WESTAR ENERGY	5377		**9,090.00**
WIS103-0819		4656918226		138.00	

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WUN101-0819		3998207465	59.00
ZAV101-0819		2303929500	148.00
SMI122-0819		9147434007	108.00
STA104-0819		4593889808	35.00
SUH103-0819		1601691606	85.00
WAD102-0819		5581462521	93.00
WAR101-0819		5224306008	120.00
WIC101-0819		7904211746	289.00
RAN101-0819		6468525506	80.00
REE102-0819		458908828	95.00
RHO103-0819		7564301629	98.00
SIS101-0819		5331263341	75.00
SMI109-0819		1565708528	78.00
SMI121-0819		444181720	91.00
PAU104-0819		982051589	53.00
PER110-0819		5651114827	91.00
PET101-0819		8252675002	64.00
PET102-0819		618136904	78.00
POR101-0819		8874362604	42.00
RAI102-0819		1610537026	49.00
MUR103-0819		2706788125	130.00
NOR101-0819		9715194165	111.00
ORC101-0819		4498403780	143.00
OST101-0819		6874027822	100.00
PAI102-0819		3643984386	215.00
PAR101-0819		4126262284	304.00
MCG1031-0819		1449386986	195.00
MEN112-0819		2632736284	38.00
MIL101-0819		4958094065	50.00
MIM102-0819		8732014209	169.00
MON104-0819		2071518362	90.00
MOR103-0819		8945998709	65.00
LEA101-0819		9579592107	85.00
LED102-0819		407602582	50.00
LYN104-0819		2183580101	27.00
MAR102-0819		8525687789	333.00
MAR120-0819		9155907386	173.00
MCC103-0819		1320802347	73.00
HUD103-0819		1468733567	65.00
HUR103-0819		6508435289	30.00
JAC104-0819		556043166	30.00
JON107-0819		8049247045	47.00
KOL103-0819		8389867723	75.00
LAM101-0819		5622638167	85.00
HED101-0819		4818554366	120.00
HEN101-0819		5808401640	246.00
HEN104-0819		1969408545	50.00
HES101-0819		7934944347	131.00
HIL107-0819		2753492805	153.00
HOM101-0819		9484706308	125.00
GAL102-0819		9518284420	104.00
GAL102-0819A		9379707300	105.00
GAR102-0819		7088289620	159.00
GAY101-0819		6361120501	65.00
GLO102-0819		2512266529	100.00
HAS101-0819		6159271240	78.00
ERI101-0819		3372475229	106.00
FAI101-0819		9322107085	65.00
FIL101-0819		1161059786	75.00
FIN103-0819		1643173961	120.00
FOR103-0819		9219623461	95.00
FOS102-0819		8656233446	44.00
CRA100-0819		2467285287	100.00
CUN104-0819		1263701767	65.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
DAM101-0819		8283719566		47.00	
DAR101-0819		0464139268		43.00	
DIV101-0819		3563085328		115.00	
ENL101-0819		4525016624		50.00	
BUR102-0819		6776165921		55.00	
BUR103-0819		2073468589		99.00	
BUS102-0819		5191964589		525.00	
BYR102-0819		6949962		53.00	
BYR103-0819		5807321101		58.00	
COT101-0819		393373165		45.00	
BEN101-0819		7836115020		113.00	
BEV101-0819		9914946927		48.00	
BLA105-0819		2648597364		51.00	
BRA104-0819		5600928000		223.00	
BRI107-0819		1544479540		38.00	
BRO103-0819		8701536323		64.00	
ALL105-0819		988117844		73.00	
ATK103-0819		3109607662		196.00	
BAR102-0819		9701050383		173.00	
BAR105-0819		2805252940		68.00	
BAR107-0819		3781838027		142.00	
BEL102-0819		6331073428		53.00	
737094	08/02/2019	BUTLER & ASSOCIATES PA	730		**1.74**
00000272019080		Garnishment - Pct of Net		1.74	
737095	08/02/2019	BUTLER & ASSOCIATES PA	731		**1.74**
00000272019080		Garnishment - Pct of Net		1.74	
737096	08/02/2019	BUTLER & ASSOCIATES PA	731		**110.23**
00000064119080		Garnishment - Pct of Net		110.23	
737097	08/02/2019	BUTLER & ASSOCIATES PA	731		**137.14**
00000257819080		Garnishment - Pct of Net		137.14	
737098	08/02/2019	BUTLER & ASSOCIATES PA	731		**1.74**
00000272019080		Garnishment - Pct of Net		1.74	
737099	08/02/2019	BUTLER & ASSOCIATES PA	731		**386.25**
00000065819080		Garnishment - Pct of Net		386.25	
737100	08/02/2019	BUTLER & ASSOCIATES PA	731		**110.23**
00000064119080		Garnishment - Pct of Net		110.23	
737101	08/02/2019	BUTLER & ASSOCIATES PA	731		**137.14**
00000257819080		Garnishment - Pct of Net		137.14	
737102	08/02/2019	BUTLER & ASSOCIATES PA	731		**232.43**
00000216319080		Garnishment - Pct of Net		232.43	
737103	08/02/2019	CALIFORNIA DEPARTMENT OF CHILD	753		**220.61**
00000297019080		Child Support - Amt		220.61	
737104	08/02/2019	CHAPTER 13 TRUSTEE	2494		**95.54**
00000250319080		Bankruptcy - Amt 26 PP		95.54	
737105	08/02/2019	CHAPTER 13 TRUSTEE	2494		**138.46**
00000100919080		Bankruptcy - Amt 26 PP		138.46	
737106	08/02/2019	CHAPTER 13 TRUSTEE	2494		**130.00**
00000237919080		Bankruptcy - Amt 26 PP		130.00	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
737107	08/02/2019	CHAPTER 13 TRUSTEE	2494		**207.69**
00000029719080		Bankruptcy - Amt 26 PP		207.69	
737108	08/02/2019	CHAPTER 13 TRUSTEE	2494		**120.00**
00000229619080		Bankruptcy - Amt 26 PP		120.00	
737109	08/02/2019	CHAPTER 13 TRUSTEE	2494		**291.23**
00000074119080		Bankruptcy - Amt 26 PP		291.23	
737110	08/02/2019	CHAPTER 13 TRUSTEE	2494		**94.15**
00000241019080		Bankruptcy - Amt 26 PP		94.15	
737111	08/02/2019	CHAPTER 13 TRUSTEE	2494		**41.54**
00000251519080		Bankruptcy - Amt 26 PP		41.54	
737112	08/02/2019	CHAPTER 13 TRUSTEE	2494		**46.15**
00000246819080		Bankruptcy - Amt 26 PP		46.15	
737113	08/02/2019	CHAPTER 13 TRUSTEE	2494		**36.92**
00000296719080		Bankruptcy - Amt 26 PP		36.92	
737114	08/02/2019	CHAPTER 13 TRUSTEE	2494		**129.23**
00000238519080		Bankruptcy - Amt 26 PP		129.23	
737115	08/02/2019	CHAPTER 13 TRUSTEE	2494		**198.46**
00000119519080		Bankruptcy - Amt 26 PP		198.46	
737116	08/02/2019	CHAPTER 13 TRUSTEE	2494		**323.08**
00000082819080		Bankruptcy - Amt 26 PP		323.08	
737117	08/02/2019	EVANS & MULLINIX PA	11521		**835.55**
00000068119080		Garnishment - Pct of Net		835.55	
737118	08/02/2019	FAMILY SUPPORT PAYMENT CENTER	6780		**307.85**
00000241019080		Child Support - Amt		307.85	
737119	08/02/2019	FAMILY SUPPORT PAYMENT CENTER	6780		**253.85**
00000305919080		Child Support - Amt		253.85	
737120	08/02/2019	H KENT HOLLINS ATTORNEY AT LAW	6502		**1.74**
00000272019080		Garnishment - Pct of Net		1.74	
737121	08/02/2019	H KENT HOLLINS ATTORNEY AT LAW	6502		**354.73**
00000217319080		Garnishment - Pct of Net		354.73	
737122	08/02/2019	H KENT HOLLINS ATTORNEY AT LAW	6502		**417.62**
00000066719080		Garnishment - Pct of Net		417.62	
737123	08/02/2019	KAHRS LAW OFFICES PA	2618		**1.74**
00000272019080		Garnishment - Pct of Net		1.74	
737124	08/02/2019	KANSAS DEPARTMENT OF REVENUE	6574		**903.92**
00000055819080		Tax Levy State - Pct		903.92	
737125	08/02/2019	KATHLEEN A LAUGHLIN	11480		**289.00**
00000299319080		Bankruptcy - Amt 26 PP		289.00	
737126	08/02/2019	PITTENGER LAW GROUP LLC	10882		**502.29**
00000258519080		Garnishment - Pct of Net		502.29	
737127	08/02/2019	OFFICE OF THE ATTORNEY GENERAL	10437		**92.31**

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
00000265319080		Child Support - Amt		92.31	
737128	08/02/2019	UNITED STATES GOVERNMENT	9489		**271.08**
00000215519080		Student Loan Federal - Pct		271.08	
737129	08/02/2019	UNITED STATES GOVERNMENT	9489		**378.34**
00000109319080		Student Loan Federal - Pct		378.34	
737130	08/02/2019	UNITED STATES TREASURY	5156		**219.24**
00000111619080		Tax Levy Federal - Amount		219.24	
737131	08/02/2019	WILLIAM GRIFFIN CHAPTER	5446		**276.92**
00000020919080		Bankruptcy - Amt 26 PP		276.92	
737132	08/02/2019	WILLIAM GRIFFIN CHAPTER	5446		**736.54**
00000025419080		Bankruptcy - Amt 26 PP		736.54	
737133	08/02/2019	WILLIAM GRIFFIN CHAPTER	5446		**96.92**
00000255219080		Bankruptcy - Amt 26 PP		96.92	
737134	08/02/2019	WILLIAM GRIFFIN CHAPTER	5446		**161.54**
00000295419080		Bankruptcy - Amt 26 PP		161.54	
737135	08/02/2019	WILLIAM GRIFFIN CHAPTER	5446		**745.16**
00000080119080		Bankruptcy - Amt 26 PP		745.16	
737136	08/02/2019	ZIMMERMAN & ZIMMERMAN PA	5186		**1.79**
00000272019080		Garnishment - Pct of Net		1.79	
737137	08/02/2019	ZIMMERMAN & ZIMMERMAN PA	5186		**1.74**
00000272019080		Garnishment - Pct of Net		1.74	
737138	08/02/2019	CLAUSSEN JR, VERNE	11788		**11,150.00**
OTHER PERM E/	47891			2,465.00	
PERMANENT EA	47894			2,785.00	
PERMANENT EA	47883			1,400.00	
PERMANENT EA	47891			4,500.00	
737139	08/02/2019	LEE, TONLIN LUANGRAJ	11789		**3,000.00**
OTHER PERM E/	47893			1,520.00	
PERMANENT EA	47893			1,480.00	
737140	08/02/2019	MILLER, STEPHEN W	11787		**5,500.00**
OTHER PERM E/	47892			3,185.00	
PERMANENT EA	47892			1,505.00	
TREE/PERM EAS	47892			810.00	
737141	08/02/2019	911 CUSTOM LLC	8345		**195.00**
37153	45460			195.00	
737142	08/02/2019	ACTION ADVERTISING CO INC	43		**1,650.00**
70919	45399			550.00	
70932	45399			550.00	
70952	45399			550.00	
737143	08/02/2019	ADT US HOLDINGS INC	10996		**1,508.83**
129532432	PROTECTION 1			1,508.83	
737144	08/02/2019	AFFINITY CHEMICAL LLC	11339		**3,962.88**
2553952	47380			3,962.88	
737145	08/02/2019	AT&T	281		**26,769.97**

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
JULY 2019	MONTHLY PHONE			26,769.97	
737146	08/02/2019	AT&T	281		**5,415.83**
5528219406	45518			5,415.83	
737147	08/02/2019	AT&T	281		**756.55**
3110771509	45518			756.55	
737148	08/02/2019	BIG TWIN INC	5031		**158.84**
750480	45445			158.84	
737149	08/02/2019	BROWNS SUPER SERVICE INC	670		**175.00**
103838	45409			175.00	
737150	08/02/2019	CAPITAL CITY FLOORING INC	11765		**4,143.50**
7951	47629			4,143.50	
737151	08/02/2019	COUNTY OF JOHNSON	9597		**264.90**
JCS4363	46048			264.90	
737152	08/02/2019	DOUG RICHERT CADILLAC INC	1397		**3,421.38**
574642	45415			3,421.38	
737153	08/02/2019	ED BOZARTH CHEVROLET INC	578		**20,972.00**
133181	47618			20,972.00	
737154	08/02/2019	ELLIOTT AUTO SUPPLY COMPANY	5676		**4,034.29**
8 740009	45451			65.29	
8 740146	45451			10.70	
8 Z10499	45496			93.45	
8 Z10500	45496			410.48	
8 Z10501	45496			231.97	
8 739037	45451			353.80	
8 739163	45496			776.51	
8 739257	45451			34.90	
8 739537	45451			232.71	
8 739705	45451			312.34	
8 739955	45451			20.44	
8 738372	45451			214.90	
8 738541	45451			16.34	
8 738625	45451			28.89	
8 738626	45451			288.20	
8 738659	45451			91.28	
8 738774	45451			692.74	
2 5017321	45451			95.33	
46 370225	45496			64.02	
737155	08/02/2019	FINLAY AUTOMOTIVE SUPPLY INC	10237		**52.99**
155681	45468			-70.78	
155928	45506			217.56	
156030	45468			-334.77	
156083	45506			150.85	
156246	45468			22.48	
156724	45506			67.65	
737156	08/02/2019	FISHER SCIENTIFIC COMPANY LLC	4949		**1,085.95**
0602770	45594			1,085.95	
737157	08/02/2019	FOLEY SUPPLY INC	11340		**296.94**
T13518 01	45561			296.94	
737158	08/02/2019	FORTILINE INC	7351		**648.00**

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
4646647	47543			648.00	
737159	08/02/2019	GH STORE FIFTEEN LLC	11479		**41.76**
C15469	45586			4.29	
C16014	45586			37.47	
737160	08/02/2019	GT DISTRIBUTORS INC	2008		**5,329.39**
INV0717692	46845			5,329.39	
737161	08/02/2019	HAYS FIRE AND RESCUE SALES AND	11147		**520.30**
4202N	45474			15.62	
4207N	45474			504.68	
737162	08/02/2019	HENDRICKS, LARRY D	11785		**747.00**
47813 CASE#201	47813			747.00	
737163	08/02/2019	SPENCER & COMPANY	2321		**894.06**
S 29933	45422			490.14	
W 36847	45422			403.92	
737164	08/02/2019	HYGIENIC DRY CLEANERS INC	11630		**39.90**
A 440572	46500			20.00	
A 440573	46500			19.90	
737165	08/02/2019	JEFFERSON STREET HOTEL PARTNER	4090		**2,039.80**
819	47825			2,039.80	
737166	08/02/2019	JOHN HOFFER CHRYSLER JEEP INC	2541		**1,619.15**
158112	45427			283.80	
63223	45427			1,335.35	
737167	08/02/2019	STATE OF KANSAS	2691		**73,949.74**
003 0230 1 000 (2	DE			73,949.74	
737168	08/02/2019	KANSAS SECRETARY OF STATE	2745		**41.75**
47868 ACCT0004	47868			41.75	
737169	08/02/2019	LAIRD NOLLER FORD INC	2939		**20,124.56**
7023174	45491			77.88	
8127310	45435			17,907.18	
8127831	45435			998.80	
1229651	45435			83.77	
1229676	45435			47.22	
1229680	45435			50.47	
1229731	45435			8.97	
1229747	45435			162.20	
7023142	45435			80.18	
1229483	45435			309.11	
1229526	45435			314.12	
1229548	45435			1.27	
1229613	45435			83.39	
737170	08/02/2019	LE UPFITTER LLC	10758		**270.20**
5865	47285			270.20	
737171	08/02/2019	MARSHALL AND ASSOCIATES INC	11644		**20,952.93**
19 23348	47811			20,952.93	
737172	08/02/2019	MIDWAY SALES & DISTRIBUTING	3405		**253.77**
2443697	45802			38.84	
2442688	45802			9.19	
2442652	45802			205.74	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
737173	08/02/2019	MIDWEST ELECTRICAL	10362		**7,000.00**
19 127	43206			7,000.00	
737174	08/02/2019	MISSOURI-KANSAS SUPPLY COMPANY	10451		**3,015.35**
1430447	45663			3,015.35	
737175	08/02/2019	MOTOROLA SOLUTIONS INC	3548		**4,615.00**
16061016	47207			4,615.00	
737176	08/02/2019	NAILL ENTERPRISES LTD	4931		**96.15**
9796 17	45652			96.15	
737177	08/02/2019	PREMIER FARM & HOME LLC	4002		**529.00**
228453	45365			529.00	
737178	08/02/2019	PRISON REHABILITATIVE	6556		**29.50**
E1085241	47587			29.50	
737179	08/02/2019	PUR O ZONE INC	6773		**1,148.37**
783064	45724			1,148.37	
737180	08/02/2019	RED VALVE CO	10745		**4,128.00**
670992	47089			4,128.00	
737181	08/02/2019	REEVES WIEDEMAN COMPANY INC	4154		**218.63**
5424714	45758			107.93	
5425554	45721			110.70	
737182	08/02/2019	ROLLING PRAIRIE	9658		**36.25**
58240	45504			36.25	
737183	08/02/2019	SAFELITE FULFILLMENT INC	6839		**49.95**
00687 183111	45454			49.95	
737184	08/02/2019	SAMS CLUB	4357		**79.84**
002156	46786			79.84	
737185	08/02/2019	SCHULTE SUPPLY INC	9563		**3,233.73**
S1150788 003	47604			3,233.73	
737186	08/02/2019	SCOTTY D WILSON	4442		**15,600.00**
882714	47444			6,500.00	
882716	47492			9,100.00	
737187	08/02/2019	SECURITAS SECURITY SERVICES US	4451		**349.30**
W6524416	45368			349.30	
737188	08/02/2019	SENNE COMPANY INC	4474		**77,135.20**
43000 6	43000			77,135.20	
737189	08/02/2019	SHAWNEE COUNTY	4506		**7,650.00**
DG 2019 2	46837			7,650.00	
737190	08/02/2019	SHAWNEE REGIONAL PREVENTION &	4525		**80,131.06**
CPP2019 2	46838			38,598.58	
EI2019 2	46839			16,984.03	
SS2019 2	46690			24,548.45	
737191	08/02/2019	T-MOBILE USA INC	8549		**4,210.81**
JULY 2019 CELL	DE			4,210.81	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 6/29/2019 and 8/2/2019

Check No.	Check Date/PO #	Vendor Name and Number			Check Amount
737192	08/02/2019	T-MOBILE USA INC	8549		**9,450.09**
JULY 2019 DATA	DE			9,450.09	
737193	08/02/2019	TARGET RESEARCH INC	11509		**125.00**
47835 CLAIM#YK	47835			125.00	
737194	08/02/2019	TOPEKA FOUNDRY & IRON WORKS IN	5029		**340.00**
16517	45869			340.00	
737195	08/02/2019	WILLIAMS, TODD R	11737		**539.20**
47863	47863			539.20	
737221	08/02/2019	FRATERNAL ORDER OF POLICEMEN	1773		**10,706.34**
UNF1190802180		Union Dues - FOP		10,706.34	
737222	08/02/2019	DANIEL R HOUSER INC	7046		**650.00**
20190150	47102			650.00	
737223	08/02/2019	FASTENAL COMPANY	1619		**12.25**
KSTOP268334	45416			4.23	
KSTOP268436	45618			8.02	
737224	08/02/2019	KANSAS SAND & CONCRETE INC	2744		**1,190.00**
90276025	45533			360.00	
90276031	45533			600.00	
90276477	45533			230.00	
737225	08/02/2019	MID-STATES MATERIALS LLC	3401		**3,175.01**
82472	45647			3,175.01	
737226	08/02/2019	MIDWEST MOTOR SUPPLY CO INC	2854		**460.04**
7264340	45653			198.37	
7264342	45653			261.67	
737227	08/02/2019	RICK'S CONCRETE SAWING	4207		**3,000.00**
19 0656	47879			2,300.00	
19 0665	47879			700.00	
737228	08/02/2019	TARWATER FARM & HOME SUPPLY	4872		**36.94**
1907 287011	45620			36.94	
737229	08/02/2019	HOWLAND, BRIAN R	10281		**50.00**
CR 2015 000160	AARON M COWDIN			50.00	

Total for Check Payments **3,041,830.48**

TOTAL OF PAYMENTS **18,377,015.54**

Payment Listing

CB255 Date: 08/16/19 JOB SUBMISSION PARAMETERS
Time: 09:17

User Name: INFORBC\KJOHNSON
Job Name: CB255KEJ
Step Nbr: 1

Cash Code:	07	US BANK OPERATING ACCT
or Cash Code Group:		
Transaction Code:	SYS	AP SYSTEM PAYMENT
Check Date:	062919 -	080219
Check Nbr:		-
Company:		
Transaction Status:	P	Paid
Report Sequence:	C	By Transaction Code
Detail Option:		Summary

Payment Listing

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

Transaction Code SYS AP SYSTEM PAYMENT

Reference Number	Payment Nbr	Co.	Post Date	Pay Date	Void Date	Amount	Status	Payee Name	Pay Group	Proc Grp
KING MONIQ	736787	1	06/27/19	07/05/19		188.72	Historical	MONIQUE KING	COT	
DOWNTOWN T	736788	1	06/26/19	07/05/19		12.11	Historical	DOWNTOWN TOPEKA FOUN	COT	
HOLGUIN SA	736789	1	06/26/19	07/05/19		69.49	Historical	GRISELDA HOLGUIN SAN	COT	
ELLIOTT PA	736790	1	07/01/19	07/05/19		1735.00	Historical	ELLIOTT PARS & SERVI	COT	
ENGEMANN D	736791	1	07/01/19	07/05/19		1735.00	Historical	ENGEMANN DRAINAGE CO	COT	
COOPERWOOD	736792	1	06/24/19	07/05/19		814.00	Historical	GLORIA RENEE COOPERW	COT	
HALLADAY N	736793	1	06/27/19	07/05/19		690.00	Historical	NECOMA LACE HALLADAY	COT	
MILLER ANI	736794	1	06/27/19	07/05/19		100.00	Historical	ANISSA M MILLER	COT	
DOLIFKA RA	736795	1	06/25/19	07/05/19		100.00	Historical	RANDY EUGENE DOLIFKA	COT	
GHOSTON IV	736796	1	06/26/19	07/05/19		66.50	Historical	ADOLPHUS GHOSTON IV	COT	
DODSON MIC	736797	1	06/20/19	07/05/19		10.00	Historical	MICHAEL DODSON	COT	
HARRED FAL	736798	1	06/20/19	07/05/19		39.12	Historical	FALICITY HARRED	COT	
HULL MICHE	736799	1	06/20/19	07/05/19		10.00	Historical	MICHELLE HULL	COT	
SINNER II	736800	1	06/20/19	07/05/19		10.00	Historical	ROBERT LEE SINNER II	COT	
325 PINECR	736862	1	06/27/19	07/12/19		6467.86	Historical	CLAUDE C DUNCAN	COT	
GREATER TO	736863	1	07/03/19	07/12/19		250.00	Historical	GREATER TOPEKA PARTN	COT	
SUTHERLAND	736864	1	07/03/19	07/12/19		250.00	Historical	MARY SUTHERLAND	COT	
BARTON ALA	736865	1	07/09/19	07/12/19		100.00	Historical	ALAINA BARTON	COT	
DOUGLAS AM	736866	1	07/09/19	07/12/19		224.87	Historical	AMANDA DOUGLAS	COT	
HAZEN TONY	736867	1	07/09/19	07/12/19		198.36	Historical	TONY HAZEN	COT	
HENRY EMIL	736868	1	07/09/19	07/12/19		201.36	Historical	EMILY HENRY	COT	
FAT BACK B	736869	1	07/10/19	07/12/19		197.95	Historical	FAT BACK BREWING ASS	COT	
CONDRAY &	736870	1	07/02/19	07/12/19		171.91	Historical	CONDRAY & YOUNG LLC	COT	
HENRY JANI	736871	1	07/02/19	07/12/19		10.11	Historical	JANICE K HENRY	COT	
PERRY KRIS	736872	1	07/02/19	07/12/19		95.12	Historical	KRISTINA L PERRY	COT	
MATTHEWS C	736873	1	07/02/19	07/12/19		103.00	Historical	CHRISTOPHER A MATTHE	COT	
CASTANEDA	736874	1	07/01/19	07/12/19		116.00	Historical	GERARDO L CASTANEDA	COT	
SELLEY MAR	736875	1	06/28/19	07/12/19		26.99	Historical	MARTIN JAMES SELLEY	COT	
TYRELL MOR	736876	1	06/28/19	07/12/19		12.32	Historical	MORGAN TYRELL	COT	
WARNER MEL	736877	1	06/28/19	07/12/19		10.00	Historical	MELISSA WARNER	COT	
218 LAKE	736982	1	07/10/19	07/19/19		902.45	Historical	EMMA LEE CAMERON	COT	
COUNTRY ST	736983	1	07/12/19	07/19/19		1735.00	Historical	COUNTRY STAMPEDE LLC	COT	
BOLAN AMAN	736984	1	07/12/19	07/19/19		32.00	Historical	AMANDA K BOLAN	COT	
HABITAT FO	736985	1	07/12/19	07/19/19		344.44	Historical	HABITAT FOR HUMANITY	COT	
PADMANABAN	736986	1	07/12/19	07/19/19		40.50	Historical	HEMALATHA PADMANABAN	COT	
SCHONFELDT	736987	1	07/12/19	07/19/19		39.86	Historical	SHIRLEY M SCHONFELDT	COT	
ZIEGLER CH	736988	1	07/11/19	07/19/19		500.00	Historical	CHRISTA ZIEGLER	COT	
GATEWOOD B	736989	1	07/12/19	07/19/19		417.73	Historical	BRANDEN GATEWOOD	COT	
ROBERSON R	736990	1	07/15/19	07/19/19		165.51	Historical	RODNEY ROBERSON	COT	
GONZALES A	736991	1	07/16/19	07/19/19		250.00	Historical	ARTIE GONZALES	COT	
OUR LADY O	736992	1	07/16/19	07/19/19		250.00	Historical	OUR LADY OF GUADALUP	COT	
EBERT JOSE	736993	1	07/11/19	07/19/19		924.00	Historical	JOSEPH RICHARD EBERT	COT	
HOPPER GAR	736994	1	07/08/19	07/19/19		357.04	Historical	GARY P HOPPER	COT	
GREVE MARS	736995	1	07/05/19	07/19/19		35.29	Historical	MARSHALL GREVE	COT	
GONZALEZ-N	736996	1	07/05/19	07/19/19		73.22	Historical	MALIA GONZALEZ-NEALE	COT	
SENECAL PA	736997	1	07/05/19	07/19/19		10.00	Historical	PAULA JEAN SENECAL	COT	
HEAVENLY C	737048	1	07/19/19	07/26/19		34.42	Historical	HEAVENLY CREATIONS	COT	
HOOK JESSI	737049	1	07/23/19	07/26/19		1187.19	Historical	JESSICA R HOOK	COT	
JONES SHAR	737050	1	07/23/19	07/26/19		609.42	Historical	SHARON JONES	COT	

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

Transaction Code SYS AP SYSTEM PAYMENT

Reference Number	Payment Nbr	Co.	Post Date	Pay Date	Void Date	Amount	Status	Payee Name	Pay Group	Proc Grp
MILLER JES	737051	1	07/23/19	07/26/19		186.55	Historical	JESSE J MILLER	COT	
STOLAND MA	737052	1	07/19/19	07/26/19		57.55	Historical	MATTHEW J STOLAND	COT	
STURTEWAGE	737053	1	07/19/19	07/26/19		63.57	Historical	LAURIE A STURTEWAGEN	COT	
DEKAT REBE	737054	1	07/18/19	07/26/19		674.38	Historical	REBECCA DEKAT	COT	
FULTZ REND	737055	1	07/22/19	07/26/19		2861.00	Historical	RENDY FULTZ	COT	
INSURANCE	737056	1	07/22/19	07/26/19		250.00	Historical	INSURANCE CONSULTANT	COT	
OUR LADY O	737057	1	07/22/19	07/26/19		500.00	Historical	OUR LADY OF GUADALUP	COT	
JACKSON FR	737058	1	07/23/19	07/26/19		385.98	Historical	FRANKLIN JACKSON	COT	
PATTERSON	737059	1	07/24/19	07/26/19		11.33	Historical	LISA MARIE PATTERSON	COT	
BAKER BRUC	737060	1	07/18/19	07/26/19		100.00	Historical	BRUCE FREDERICK BAKE	COT	
COBIN DAVI	737061	1	07/15/19	07/26/19		100.00	Historical	DAVID LEON COBIN	COT	
ANGUIANO K	737062	1	07/19/19	07/26/19		10.00	Historical	KIMBERLY A ANGUIANO	COT	
BATT ELEAN	737063	1	07/12/19	07/26/19		10.00	Historical	ELEANOR JEAN BATT	COT	
BATT JENNI	737064	1	07/12/19	07/26/19		10.00	Historical	JENNIFER ANN BATT	COT	
CASTORNA A	737065	1	07/12/19	07/26/19		10.00	Historical	ANGEL CASTORNA	COT	
COWAN II L	737066	1	07/12/19	07/26/19		10.00	Historical	LEON S COWAN II	COT	
DELIJA SHI	737067	1	06/07/19	07/26/19		10.00	Historical	SHIRLEY J DELIJA	COT	
GORDON CLI	737068	1	07/19/19	07/26/19		10.00	Historical	CLINT ROBERT GORDON	COT	
MUDDAPPA P	737069	1	07/12/19	07/26/19		10.00	Historical	PRASHANTH KEDAMBADY	COT	
MULLEN MIC	737070	1	06/07/19	07/26/19		10.00	Historical	MICHAEL H MULLEN	COT	
ELEM ZACHA	737071	1	07/22/19	07/26/19		69.16	Historical	ZACHARIAH DELONTA EL	COT	
GEORGE TRE	737072	1	07/16/19	07/26/19		10.29	Historical	TREY GEORGE	COT	
JACKSON RY	737073	1	07/19/19	07/26/19		10.46	Historical	RYAN ANDREW MCCLURE	COT	
JOHNSON SH	737074	1	07/19/19	07/26/19		69.16	Historical	SHANEESE JOHNSON	COT	
LONG BARBA	737075	1	07/12/19	07/26/19		12.15	Historical	BARBARA LONG	COT	
TEETZEL EA	737076	1	07/19/19	07/26/19		29.08	Historical	EARL TEETZEL	COT	
BROWN NANC	737077	1	07/12/19	07/26/19		10.46	Historical	NANCY JANE BROWN	COT	
JONES PATR	737196	1	07/29/19	08/02/19		723.17	Historical	PATRICIA A JONES	COT	
LAMBERT KA	737197	1	07/29/19	08/02/19		46.94	Historical	KAITLYN E LAMBERT	COT	
KAMPSEN EL	737198	1	07/24/19	08/02/19		100.37	Historical	ELIJAH KAMPSEN	COT	
MULLINS RO	737199	1	07/24/19	08/02/19		4726.80	Historical	RON & SYNEVA MULLINS	COT	
PRY PAULA	737200	1	07/26/19	08/02/19		437.23	Historical	PAULA PRY	COT	
VERHAGEN K	737201	1	07/24/19	08/02/19		1312.63	Historical	KELSEY VERHAGEN	COT	
WEYER PETE	737202	1	07/24/19	08/02/19		226.98	Historical	PETER WEYER	COT	
COX SHAD	737203	1	07/21/19	08/02/19		95.00	Historical	SHAD COX	COT	
SHOBE DANE	737204	1	07/22/19	08/02/19		70.00	Historical	DANE SHOBE	COT	
DOMANN JON	737205	1	07/10/19	08/02/19		125.00	Historical	JONAH DOMANN	COT	
GABEL MARY	737206	1	07/26/19	08/02/19		100.00	Historical	MARY A GABEL	COT	
GABEL MARY	737207	1	07/26/19	08/02/19		100.00	Historical	MARY A GABEL	COT	
TERRY NAOM	737208	1	07/25/19	08/02/19		500.00	Historical	NAOMI LUCILLE TERRY	COT	
FLOREZ NAK	737209	1	07/24/19	08/02/19		63.00	Historical	NAKIA CHELSEA FLOREZ	COT	
KEMP CHRIS	737210	1	07/25/19	08/02/19		243.00	Historical	CHRISTOPHER LEE KEMP	COT	
MOSS RONAL	737211	1	07/22/19	08/02/19		86.87	Historical	RONALD RAY MOSS	COT	
STEELE DES	737212	1	07/22/19	08/02/19		41.99	Historical	DESIREE M STEELE	COT	
STERLING E	737213	1	07/24/19	08/02/19		649.00	Historical	EVONNA MARIE STERLIN	COT	
GARINGER A	737214	1	07/22/19	08/02/19		10.00	Historical	AMY MICHELLE GARINGE	COT	
MCASKILL C	737215	1	07/26/19	08/02/19		10.00	Historical	CALLIE ANN MCASKILL	COT	
MILLER LAR	737216	1	07/26/19	08/02/19		10.00	Historical	LARRY MILLER	COT	
STARR SKYL	737217	1	07/22/19	08/02/19		10.00	Historical	SKYLAR STARR	COT	
CROW ALLIS	737218	1	07/22/19	08/02/19		11.22	Historical	ALLISON MICHELLE CRO	COT	

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

Transaction Code SYS AP SYSTEM PAYMENT

Reference Number	Payment Nbr	Co.	Post Date	Pay Date	Void Date	Amount	Status	Payee Name	Pay Group	Proc Grp
RIVERA CAT	737219	1	07/12/19	08/02/19		10.35	Historical	CATHERINE FELICIANO-	COT	
REYNOLDS M	737220	1	06/07/19	08/02/19		13.07	Historical	MARCUS ANTHONY REYNO	COT	
					Transaction Code SYS Total	37137.60				
					Cash Code 07 Total	37137.60				
					Report Total	37137.60				

*** REPORT COMPLETED ***

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Councilmember Jeff Coen**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Debbie Harrod**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Councilmember Jeff Coen, granting Specks Bar and Grill an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions. *(Council District No. 8)*

(Approval would allow for outdoor amplified music during the hours of 2:00 p.m. to 11:00 p.m. on September 7, 2019, at 2105 SW Mission Avenue.)

VOTING REQUIREMENTS:

At least six (6 votes of the Governing Body is required.

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 Specks Bar and Grill during specified date and time.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

Specks Bar and Grill has requested the noise exception due to outdoor live bands and amplified music at the event.

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 Jeffrey Coen, granting Specks Bar & Grill an exception to the provisions of City of Topeka Code Section 9.45.150, et seq. 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 be 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 City 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, Specks Bar & Grill 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 Specks Bar & Grill 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 Specks Bar & Grill is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq. for outdoor amplified

music located 2105 SW Mission Avenue during the hours of 2:00 p.m. and 11:00 p.m. on September 7, 2019.

ADOPTED and APPROVED by the Governing Body_____.

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
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Councilmember Hiller/The Celtic Fox**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Mission Fest Kick-Off Concert 2019**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Councilmember Karen Hiller, approving a special event known as Mission Fest 2019 Kick-Off Concert. *(Council District No. 1)*

(Approval would allow the sale, consumption and possession of alcohol within barricaded portions of the specified area during the Mission Fest event on October 12, 2019, from 12:00 p.m. to 10:00 p.m.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body are required.

POLICY ISSUE:

Approval allows the barricaded portion of SW 8th Avenue between Kansas Avenue and Jackson Street to be closed to motor vehicle traffic for a special event, allowing special event attendees to buy, possess and consume alcohol 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:

Vendors holding the appropriate license from the State of Kansas to sell alcoholic liquor may in accordance with all state laws and municipal ordinances sell alcoholic liquor in the specific area designated by the Division of Alcohol Beverage Control within the barricaded portion of SW 8th Avenue between Kansas Avenue and Jackson Street for Mission Fest 2019 Kick-Off Concert, between 12:00 p.m. and 10:00 p.m.

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, approving a special event known as Mission Fest 2019 Kick-Off Concert.

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 Mission Fest 2019 Kick-Off Concert to allow the possession and consumption of alcoholic liquor, the governing body hereby approves the event to be held on October 12, 2019, from 12:00 p.m. to 10:00 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 and alleys shall be closed to motor vehicle traffic during the dates and times identified in Section 2: SW 8th Avenue between Kansas Avenue and Jackson 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
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Councilmember Hiller/Mary McBride**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Mission Fest 2019**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Councilmember Karen Hiller, approving a special event known as Mission Fest 2019. *(Council District No. 1)*

(Approval would allow the sale, consumption and possession of alcohol within barricaded portions of the specified area during the Mission Fest event on October 12, 2019, from 12:00 p.m. to 8:00 p.m.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body are required.

POLICY ISSUE:

Approval allows the barricaded portion of SW 8th Avenue between Jackson Street and Van Buren Street and SW Jackson Street between 10th Avenue and 8th Avenue to be closed to motor vehicle traffic for a special event, allowing special event attendees to buy, possess and consume alcohol 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:

Vendors holding the appropriate license from the State of Kansas to sell alcoholic liquor may in accordance with all state laws and municipal ordinances sell alcoholic liquor in the specific area designated by the Division of Alcohol Beverage Control within the barricaded portion of SW 8th Avenue between Jackson Street and Van Buren Street and SW Jackson Street between 10th Avenue and 8th Avenue for Mission Fest 2019, between 12:00 p.m. and 8:00 p.m.

BUDGETARY IMPACT:

This is a new event. The cost of City resources has yet to be determined.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Resolution

RESOLUTION NO. _____

A RESOLUTION introduced by Councilmember Karen Hiller, approving a special event known as Mission Fest 2019.

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 Mission Fest 2019 to allow the possession and consumption of alcoholic liquor, the governing body hereby approves the event to be held on October 12, 2019, from 12:00 p.m. to 8:00 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 and alleys shall be closed to motor vehicle traffic during the dates and times identified in Section 2: SW 8th Avenue between Jackson Street and Van Buren Street and SW Jackson Street between 10th Avenue and 8th Avenue. 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
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Karen Hiller**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Katie Turner**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**020 Resolutions / 004 Public Improvements**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Councilmember Karen Hiller granting The Celtic Fox 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 live bands and amplified music and sound during the hours of 12:00 p.m. and 10:00 p.m. on October 12, 2019, on SW 8th Street between S. Kansas Avenue and Jackson Street.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

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 the Celtic Fox for the Mission Fest 2019 on October 12, 2019.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

The Celtic Fox is requesting the noise exception due to live bands and 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 The Celtic Fox an exception to the provisions of City of Topeka Code Section 9.45.150, et seq. 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 be 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, The Celtic Fox 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 The Celtic Fox 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 The Celtic Fox is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq. for the Mission Fest

2019 celebration located on 8th Street between Kansas Avenue and Jackson Street during the hours of 12:00 p.m. and 10:00 p.m. on October 12, 2019.

ADOPTED and APPROVED by the Governing Body_____.

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
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Karan Thadini, Chief of Prosecution**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**2019 Standard Traffic Ordinance**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**013 Ordinances - Codified / 142 Traffic and Vehicles**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

ORDINANCE introduced by City Manager Brent Trout, adopting the 2019 Standard Traffic Ordinance (STO) and local amendments thereto, amending TMC 10.15.010 and TMC 10.15.020.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(*Approval will adopt the 2019 STO and local amendments.)*

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body.

POLICY ISSUE:

Whether or not to adopt the 2019 Standard Traffic Ordinance. (Local amendments remain same as currently adopted)

STAFF RECOMMENDATION:

Staff is requesting the Governing Body adopt the ordinance

BACKGROUND:

The League of Kansas Municipalities (LKM) prepares and publishes the Standard Traffic Ordinance on an annual basis in July of each year and the City now practices adopting them as soon as possible after publication.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Cover Memo - 2019 STO
Ordinance
2019 Edition of the STO

CITY OF TOPEKA
Legal Department -- Criminal Prosecution
215 SE 7th Street, Room 260
Topeka, KS 66603
Tel: (785) 368-3910
Fax: (785) 368-3104
www.topeka.org

MEMORANDUM

To: Governing Body Members
From: Karan Thadani, Chief of Prosecution
Re: 2019 Edition of the Standard Traffic Ordinance
Date: August 21, 2019

The purpose of this memo is to explain the proposed adoption of the 2019 edition of the Standard Traffic Ordinance (STO).

The STO is a codification of state laws that is published in book format by the League of Kansas Municipalities. The publication is revised annually to remain consistent with the changes in state law, with the 2019 edition being the most current version. Currently, the City of Topeka is operating under the 2018 edition of the STO, as adopted by the governing body in January 2019.

As you may recall, in January 2019, the legal department approached this body to recommend adoption of the 2018 version of the STO. At that time, the City was operating under the 2015 version of the ordinance. Our request to this body was based on notification to the Topeka Police Department that the US Department of Justice was retiring its current crime reporting system used by the FBI and replacing it with a new system. The new system required all state and local law enforcement agencies to update their record management systems to the most current version of the ordinance in order to function correctly. As such, this body approved the request and adopted the 2018 version of the ordinance.

At this time, the 2019 edition of the STO is available and we are recommending adoption of the ordinance with the following deletions and/or changes. Moving forward, we will continue to recommend adoption of the most recent version of the ordinance annually as it is published by the League of Kansas Municipalities.

CHANGES TO 2019 EDITION OF THE STANDARD TRAFFIC ORDINANCE

1. Delete Section 33 relating to maximum speed limits, Section 50 relating to right, left and U-turns, Section 67 relating to use of right half of crosswalks, Section 104 relating to inattentive driving, Section 107 relating to unattended motor vehicles, Section 116 relating to driving on sidewalks, Section 119 relating to parades and processions, and

Section 198 relating to vehicle license tags. These sections are historically deleted by the City with substitute provisions already in place.

2. Section 131(d) of the Standard Traffic Ordinance, relating to usable bicycle paths, is hereby declared to be and is omitted and deleted.

3. Section 133(c), relating to bicycle pedals, is hereby amended by adding the following exception: Subsection (c) shall not apply where the design of the pedal does not allow attachment of reflectors.

4. Section 194 relating to driving while license is canceled, suspended or revoked and Section 195.1 relating to operation of a motor vehicle when a habitual violator have been omitted in previous years due to third offenses requiring a mandatory 90 day jail sentence. Pursuant to an ongoing agreement with the Shawnee County District Attorney, it is proposed that the City continue to prosecute 1st and 2nd offenders and the DA's Office will prosecute the 3rd offenses requiring the mandatory 90 day jail sentence.

5. It is recommended that section 194 be included with the exception of those provisions in subsections (b) and (c) related to 3rd offenses.

6. It is recommended that section 195.1 be omitted and the substitute provision which does not contain 3rd offenses be adopted.

7. It is recommended that section 204(b) relating to doubling fines in a school zone be omitted and the substitute provision adopted.

CHANGES IN 2019 EDITION OF THE STANDARD TRAFFIC ORDINANCE

The following represent the changes in the Standard Traffic Ordinance from the 2018 edition to the 2019 edition.

Section 1. Definitions**.**

Added**:** Electric-Assisted Scooter, Digital Network, Habitual Violator, Identifying Numbers, Lien Holder, Light Weight Roadable Vehicle, Local Authorities, Manufacturer, Transportation Network Company, Transportation Network Co. Driver

Amended: Farm Tractor, Governing Body, Implement of Hubandry, Owner, Passenger Car, Pole Trailer, Semi-Trailer, Specially Constructed Vehicle, Trailer, Truck

Section 6.1. Road Construction Zone.

Section 30.2. Preliminary Breath Test.

Section 33.1. Special Speed Limitations Applicable to Certain Vehicles and Portions of Highways; Powers of Secretary and Local Authorities; Violations, Evidence of Safe Speed.

Section 38.1. Driving in Defiles or Canyons.

Section 76. Obedience to Signal Indicating Approaching of Train.

Section 105.1. Criminal Penalties for Violation of Size and Weight Laws; Exceptions.

Section 105.2. Width of Vehicles and Loads Thereon

Section 105.3. Projecting Loads to the Front and Rear

Section 114.1. Unlawful Operation of All-Terrain Vehicle.

Section 114.5. Unlawful Operation of a Work-Site Utility Vehicle.

Section 115. Unlawful Riding on Vehicles.

Section 135.1. Electric-Assisted Scooters, Traffic Law Application.

Section 151.1. Air Conditioning Equipment.

Section 156. Lamps or Flags on Projecting Loads.

Section 158. Lamps on Other Vehicles and Equipment.

Section 158.1. Lights; Lamps and Reflectors on Farm Tractors; Slow-moving Vehicle and Slow-moving Vehicle Emblem Defined; Requirements for Slow-moving Vehicles; Unlawful Acts; Exception.

Section 160.1. Wreckers, Tow Trucks or Car Carriers; Operation of Emergency Lights; When.

Section 162.1. Display of Vehicular Hazard Warning Signal Lamps and Warning Devices by Certain Stopped or Disabled Vehicles.

Section 169. Special Restrictions on Lamps.

Section 169.1. Transportation Network Lighting Device.

Section 173. Brakes; Performance Requirements.

Section 177. Windshields Must Be Unobstructed and Equipped with Wipers; Eye Protection.

Section 181. One-Way Glass and Sun Screening Devices.

Section 182.1. Seat Belts.

Section 182.1.2. Safety Belts and Shoulder Harnesses.

Section 190.1. Approval of Braking Systems on Motor-driven Cycles; Suspension or Revocation of Registration; Prohibited.

Section 192. Driver’s License.

Section 193. Driver’s License in Possession.

Section 201. Penalties

Section 201.1. Failure to Comply with a Traffic Citation.

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Brent Trout, adopting the 2019 Standard Traffic Ordinance (STO) and local amendments thereto, amending TMC 10.15.010 and TMC 10.15.020.

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

Section 1. That section 10.15.010, Incorporation of Standard Traffic Ordinance, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Incorporation of Standard Traffic Ordinance.

(a) Generally – Copies. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the city of Topeka, Kansas, the Standard Traffic Ordinance for Kansas Cities, ~~46th~~47th Edition (~~2018~~2019), prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections or parts or portions as are hereafter omitted, deleted, modified or changed. One copy of the Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. ~~20170~~_____," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of the ordinance codified in this chapter and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The Standard Traffic Ordinance, as amended, shall also be posted on the city's website.

(b) Traffic Infractions and Traffic Offenses.

(1) A traffic infraction is a violation of any section of this title or of the

Standard Traffic Ordinance that prohibits or requires the same behavior as that prohibited or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118, and amendments thereto.

(2) All traffic violations which are included within this title and which are not traffic infractions as defined in subsection (b)(1) of this section shall be considered traffic offenses.

Section 2. That section 10.15.020, Amendments, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Amendments.

The ~~2018~~2019 Edition of the Standard Traffic Ordinance for Kansas Cities, as adopted by reference, shall be amended as follows:

(a) Section 33 of the Standard Traffic Ordinance, relating to maximum speed limits, is hereby declared to be and is omitted and deleted and the provisions set forth at TMC 10.20.060 shall be substituted therefor.

(b) Section 50 of the Standard Traffic Ordinance, relating to right, left and U-turns at intersection – obedience to, is hereby declared to be and is omitted and deleted and the provisions set forth at TMC 10.20.180, 10.20.190, 10.20.210, and 10.20.220 shall be substituted therefor.

(c) Section 67 of the Standard Traffic Ordinance, relating to pedestrians to use right half of crosswalks, is hereby declared to be and is omitted and deleted.

(d) Section 104 of the Standard Traffic Ordinance, relating to inattentive driving, is hereby declared to be and is omitted and deleted and the provisions set forth at TMC 10.20.100 shall be substituted therefor.

(e) Section 107 of the Standard Traffic Ordinance, relating to unattended motor vehicles, is hereby declared to be and is omitted and deleted and the provisions set forth at TMC 10.20.125 shall be substituted therefor.

(f) Section 116 of the Standard Traffic Ordinance, relating to driving upon sidewalks, is hereby declared to be and is omitted and deleted and the provisions set forth at TMC 10.20.127 shall be substituted therefor.

(g) Section 119 of the Standard Traffic Ordinance, relating to parades and processions, is hereby declared to be and is omitted and deleted and the provisions set forth in Chapter 10.50 TMC shall be substituted therefor.

(h) Section 131(d) of the Standard Traffic Ordinance, relating to usable bicycle paths, is hereby declared to be and is omitted and deleted.

(i) Section 133(c), relating to bicycle pedals, is hereby amended by adding the following exception:

Exception: Subsection (c) shall not apply where the design of the pedal does not allow attachment of reflectors.

(j) Section 194(b) and (c) of the Standard Traffic Ordinance, relating to driving while license canceled, suspended or revoked, is hereby declared to be and is omitted and deleted.

(k) Section 195.1 of the Standard Traffic Ordinance, relating to operation of a motor vehicle when a habitual violator, is hereby declared to be and is omitted and deleted and the provisions set forth at TMC 10.20.230 shall be substituted therefor.

(l) Section 198 of the Standard Traffic Ordinance, relating to vehicle license – illegal tag, is hereby declared to be and is omitted and deleted and the provisions set

forth at TMC 10.05.060 shall be substituted therefor.

(m) Section 204(b) of the Standard Traffic Ordinance, relating to fines doubled in school zones, is hereby declared to be and is omitted and deleted and the provisions set forth at TMC 10.20.170 shall be substituted therefor.

Section 4. That original § 10.15.010 and § 10.15.020 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 5. This ordinance shall take effect and be in force from 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



2019

Standard Traffic Ordinance For Kansas Cities

47th Edition
Edited By Amanda Stanley
General Counsel

Ordinance Incorporated by Reference
Under the Provisions of K.S.A. 12-3009 through 12-3012, and K.S.A. 12-3301 and 12-3302

by Ordinance No._____

City of _____, Kansas

2019

Standard Traffic Ordinance For Kansas Cities

47th Edition
Edited By Amanda Stanley
General Counsel

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STANDARD TRAFFIC ORDINANCE
FOR
KANSAS CITIES

The *Standard Traffic Ordinance for Kansas Cities* has been published by the League of Kansas Municipalities since 1960. It is designed to provide a comprehensive traffic code for Kansas cities. It does not take effect in a city until the governing body has passed and published an ordinance incorporating it by reference under the authority of and by the procedure prescribed by K.S.A. 12-3009 through 12-3012 and K.S.A. 12-3301 and 12-3302.All citations refer to the Kansas Statutes in effect 7/1/19 unless otherwise noted.

It is not necessary to publish the *Standard Traffic Ordinance* in a newspaper if it is properly incorporated by reference. It is only necessary to publish the incorporating ordinance. The incorporating ordinance may delete articles or sections that the governing body considers unnecessary for the city. The incorporating ordinance may also change sections, but where there is a statutory citation at the end of any section, care should be exercised not to change the language in such a manner as to conflict with the language of the statute (K.S.A. 8-2001).

The *Standard Traffic Ordinance*, in large part, parallels the state traffic act. Additional provisions for local regulations, if any, may be included in the incorporating ordinance. Previous ordinances relating to traffic in conflict with provisions of this standard traffic ordinance and ordinances incorporating earlier editions of the standard traffic ordinance should be repealed by the incorporating ordinance.

There must be at least one official copy of this standard ordinance on file with the city clerk. Enforcing officers should have copies. The blanks on the first page should be filled in on all copies.

There are several blank pages at the end of this book. Newspaper clippings of the incorporating ordinance and subsequent ordinances on traffic may be pasted on these pages. Extra copies of the newspaper should be procured, or reprints arranged for so that copies may be pasted in all copies of the standard ordinance.

A listing of changes made to the *Standard Traffic Ordinance* for 2019, can be found on page 200 of this edition.

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STANDARD TRAFFIC ORDINANCE

FOR

KANSAS CITIES

Edition of 2019

Article 1. Definitions

Section 1. Definitions. The following words and phrases when used in this ordinance shall, for the purpose of this ordinance and other traffic ordinances, have the meanings respectively ascribed to them in this section except when the context otherwise requires. (K.S.A. 8-1401)

Alcoholic Beverage. Any alcoholic liquor, as defined by K.S.A. 41-102 and amendments thereto, or any cereal malt beverage, as defined by K.S.A. 41-2701 and amendments thereto. (K.S.A. 8-1599(a))

Alcohol Concentration. The number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath. (K.S.A. 8-1013(a))

Alley. A street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic. (K.S.A. 8-1402)

All-Terrain Vehicle. Any motorized nonhighway vehicle 50 inches or less in width, having a dry weight of 1,500 pounds or less, and traveling on three or more nonhighway tires. (K.S.A. 8-1402; K.S.A. 8-126)

Arterial Street. Any U.S. or state numbered route, controlled access highway or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways. (K.S.A. 8-1403)

Authorized Emergency Vehicle. Such fire department vehicles or police bicycles or police vehicles which are publicly owned; motor vehicles operated by ambulance services permitted by the emergency medical services board under the provisions of

K.S.A. 65-6101 *et seq.,* and amendments thereto; wreckers, tow trucks or car carriers, as defined by K.S.A. 66-1329, and amendments thereto, and having a certificate of public service from the state corporation commission; and such other publicly or privately owned vehicles which are designated as emergency vehicles pursuant to K.S.A. 8-2010, and amendments thereto. (K.S.A. 8-1404)

Autocycle. A three-wheel motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride it. (K.S.A. 8-1497)

Bicycle. Every device propelled by human power upon which any person may ride, having two tandem wheels, either of which is more than 14 inches in diameter. (K.S.A. 8-1405)

Bus. Every motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons; and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation. (K.S.A. 8-1406)

Business District. The territory contiguous to and including a highway when within any 600 feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks or office buildings, railroad stations and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway. (K.S.A. 8-1407)

Chief of Police. The chief of police of the city, or any member of the police department of the city designated by the chief of police to act in his or her place.

Church Bus. Every bus owned by a religious organization and operated for the transportation of persons to or from services or activities of such religious organization. As used in this section, **religious organization** means any organization, church, body of communicants or group, gathered in common membership for mutual edification in piety, worship and religious observances, or a society of individuals united for religious purposes at a definite place. (K.S.A. 8-1730a(a))

City or This City. A city incorporating this ordinance by reference and whose name is stated in the incorporating ordinance.

Commercial Motor Vehicle. A motor vehicle designed or used to transport passengers or property, if:

(a) The vehicle has a gross vehicle weight rating of 26,001 or more pounds or such lesser rating, as determined by rules and regulations adopted by the secretary, but shall not be more restrictive than the federal regulation;

(b) The vehicle is designed to transport 16 or more passengers, including the driver; or

(c) The vehicle is transporting hazardous materials and is required to be placarded in accordance with 49 C.F.R. § 172, subpart F.

(K.S.A. 8-2,128(f))

Controlled-Access Highway. Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

Crosswalk.

(a) That part of a roadway at an intersection included within the connections of the lateral lines of sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; or

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(K.S.A. 8-1411)

Daycare Program. Those which provide day service for development in self-help, social, recreational, and work skills for people with intellectual and other disabilities, giving priority to providing services for young people with severe intellectual and other disabilities.

Daycare Program Bus. Every bus used primarily to carry out functions of a day care program or used by a childcare facility licensed by the Kansas Department of Health and Environment who provides transportation for children six through 18 years of age. (K.S.A. 8-1730a(b))

Department or Motor Vehicle Department or Vehicle Department. The division of vehicles of the department of revenue, acting directly or through its duly authorized officers and agents. When acting on behalf of the department of revenue pursuant to this act, a county treasurer shall be deemed to be an agent of the state of Kansas. (K.S.A. 8-126(e))

Digital Network. Any online-enabled application, software, website or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers**.** (K.S.A. 8-2702(a))

Director. The director of vehicles. (K.S.A. 8-1412)

Divided Highway. A highway divided into two or more roadways by leaving an intervening space or by a physical barrier or by a clearly indicated dividing section so constructed as to impede vehicular traffic. (K.S.A. 8-1414)

Division. The division of vehicles of the department of revenue. (K.S.A. 8-1413)

Drag Race. The operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to out-distance each other, or the operation of one or more vehicles over a common selected course, from the same point to the same point, for the purpose of comparing the relative speeds or power of acceleration of such vehicle or vehicles within a certain distance or time limit. (K.S.A. 8-1565(b))

Drawbar. A bar across the rear of a motor vehicle, or a device securely attached to the motor vehicle, which maintains a fixed position and to which a tow bar may be coupled. (K.S.A. 8-1414a)

Driveaway-Towaway Operations. Any operation in which any motor vehicle, trailer or semitrailer, singly or in combination, new or used, constitutes the commodity being transported, when one set or more of wheels of any such vehicle are on the roadway during the course of transportation, whether or not any such vehicle furnishes the motive power. (K.S.A. 8-1415)

Driver. Every person who drives or is in actual physical control of a vehicle. (K.S.A. 8-1416)

Driver's License. Any license to operate a motor vehicle issued under the laws of this state. (K.S.A. 8-1417)

Electric-Assisted Bicycle. A bicycle with two or three wheels, a saddle, fully operative pedals for human propulsion, and an electric motor. The electric-assisted bicycle's electric motor must have a power output of no more than 1,000 watts, be incapable of propelling the device at a speed of more than 20 miles per hour on level ground and incapable of further increasing the speed of the device when human power alone is used to propel the device beyond 20 miles per hour. (K.S.A. 8-1489)

Electric-Assisted Scooter. Every self-propelled vehicle that has at least two wheels in contact with the ground, an electric motor, handlebars, a brake and a deck that is designed to be stood upon when riding. (K.S.A.8-126(g))

Electronic Certificate of Title. Any electronic record of ownership, including any lien or liens that may be recorded, retained by the division in accordance with K.S.A. 8-135d, and amendments thereto. (K.S.A. 8-126(j))

Electric Personal Assistive Mobility Device. A self-balancing two nontandem wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less. (K.S.A. 8-1491)

Electric Vehicle. A vehicle that is powered by an electric motor drawing current from rechargeable storage batteries or other portable electric energy storage devices, provided the recharge energy must be drawn from a source off the vehicle, such as, but not limited to:

(a) Residential electric service;

(b) An electric vehicle charging station, also called an EV charging station, an electric recharging point, a charging point, EVSE (Electric Vehicle Supply Equipment) or a public charging station.

(K.S.A. 8-126(i))

Essential Parts. All integral and body parts of a vehicle of a type required to be registered hereunder, the removal, alteration or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type or mode of operation. (K.S.A. 8-1418)

Exhibition of Speed or Acceleration. Those acts which cause or create unnecessary rapid acceleration, unnecessary tire squeal, skid, smoke, or slide upon acceleration or stopping including the casting of tread, gravel, dirt or other road surface materials from the tires; acts that simulate a temporary race; acts that cause the vehicle to unnecessarily turn abruptly, sway or lose traction with the road surface.

Farm Tractor. Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry, and such term shall include every self-propelled implement of husbandry. (K.S.A. 8-1420)

Farm Trailer. Every trailer and semitrailer as those terms are defined in this section, designed and used primarily as a farm vehicle. (K.S.A. 8-126(m))

Golf Cart. A motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.(K.S.A. 8-1495)

Governing Body. In commission and commission-manager cities, the mayor shall be considered part of the city governing body in all matters. In mayor-council, modified mayor-council and mayor-council-manager cities, the mayor shall be considered part of the city governing body for the purpose of voting on the passage of a charter ordinance. Whether the mayor is considered part of the governing body for purposes of voting on any other matter shall otherwise be established by ordinance of the city passed by a 2/3 majority of the council. All existing ordinances and charter ordinances relating to the mayor being considered part of the city governing body shall remain in effect until amended or repealed by such city. (K.S.A. 12-104)

Gross Weight. The weight of a vehicle without load plus the weight of any load thereon. (K.S.A. 8-1423)

Habitual Violator. Defined as in K.S.A. 8-285.

Highway. Every way or place of whatever nature open to the use of the public as a matter of right for the purpose of vehicular travel. The term **highway** shall not be deemed to include a roadway or driveway upon grounds owned by private owners, colleges, universities or other institutions. See also **Street or Highway.** (K.S.A. 8-126(p); K.S.A. 8-1424)

House Trailer.

(a) A trailer or semitrailer which is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on streets and highways; or

(b) A trailer or a semitrailer whose chassis and exterior shell is designed and constructed for use as a house trailer, as defined in paragraph (a), but which is used instead permanently or temporarily for the advertising, sales, display or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

(c) **House Trailer** does not include a manufactured home or a mobile home, as such terms are defined in K.S.A. 58-4202.

(K.S.A. 8-1425)

Identifying Numbers. The numbers, and letters, if any, on a vehicle designated by the division for the purpose of identifying the vehicle. (K.S.A. 8-1426)

Ignition Interlock Device. A device which uses a breath analysis mechanism to prevent a person from operating a motor vehicle if such person has consumed an alcoholic beverage. (K.S.A. 8-1013(d))

Implement of Husbandry. Every vehicle designed or adapted and used exclusively for agricultural operations and only incidentally moved or operated upon the highways. Such term shall include, but not be limited to, a fertilizer spreader or nurse tank used exclusively for dispensing or spreading water, dust or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202, and amendments thereto, regardless of ownership. For the purpose of this section or for the purpose of the act of which this section is a part, “implement of husbandry” shall not include

(a) A truck mounted with a fertilizer spreader used or manufactured principally to spread animal dung;

(b) a mixer-feed truck owned and used by a feedlot, as defined by K.S.A. 47-1501, and amendments thereto, and specially designed and used exclusively for dispensing feed to livestock in such feedlot; or

(c) a truck permanently mounted with a spreader used exclusively for dispensing or spreading water, dust or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202, and amendments thereto, regardless of ownership.

(K.S.A. 8-1427)

Intersection.

(a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict; or

(b) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

The junction of an alley with a street or highway shall not constitute an intersection. (K.S.A. 8-1428)

Interstate System. The national system of interstate and defense highways. (K.S.A. 8-1428a)

Laned Roadway. A roadway which is divided into two or more clearly marked lanes for vehicular traffic. (K.S.A. 8-1429)

License or License to Operate a Motor Vehicle. Any driver's license or any other license or permit to operate a motor vehicle issued under, or granted by, the laws of this state, including:

(a) Any temporary license, or instruction permit;

(b) The privilege of any person to drive a motor vehicle whether or not such person holds a valid license; and

(c) Any nonresident's operating privilege.

(K.S.A. 8-1430)

Lien Holder. A person holding a security interest in a vehicle. (K.S.A. 8-1431)

Light Transmission. The ratio of the amount of total light to pass through a product or material including any safety glazing material to the amount of the total light falling on the product or material and the glazing. (K.S.A. 8-1749b(b))

Light Weight Roadable Vehicle. A multipurpose motor vehicle that is allowed to be driven on public roadways and is required to be registered with, and flown under the direction of, the federal aviation administration. (K.S.A. 8-1496)

Local Authorities. The Kansas turnpike authority and every city, county and other local board or body having authority to adopt ordinances or regulations relating to vehicular traffic under the constitution and laws of this state. (K.S.A. 8-1432)

Low-Speed Vehicle. Any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour and is manufactured in compliance with the national highway and traffic safety administration standards for low-speed vehicles in 49 C.F.R. 571.500. (K.S.A. 8-1488)

Luminous Reflectants. The ratio of the amount of total light that is reflected outward by the product or material to the amount of the total light falling on the product or material. (K.S.A. 8-1749b(c))

Mail. To deposit in the United States mail properly addressed and with postage prepaid. (K.S.A. 8-1433)

Manufacturer. Every person engaged in the business of constructing or assembling vehicles of a type required to be registered in this state. (K.S.A. 8-1434)

Metal Tire. Every tire, the surface of which in contact with the highway, is wholly or partly of metal or other hard non-resilient material. (K.S.A 8-1435)

Micro Utility Truck. Any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a

metal cab. **Micro utility truck** does not include a work-site utility vehicle. (K.S.A.8-1494)

Motor Home. Every motor vehicle designed to provide temporary living quarters for recreational, camping or travel use. (K.S.A. 8-1436)

Motor Vehicle. Every vehicle, other than a motorized bicycle or a motorized wheelchair, that is self-propelled. (K.S.A. 8-1437; K.S.A. 8-126(v))

Motorcycle. Every motor vehicle, including autocycles, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor. (K.S.A. 8-1438)

Motor-Driven Cycle. Every motorcycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower, and every bicycle with motor attached, except a motorized bicycle or an electric-assisted bicycle. (K.S.A. 8-1439)

Motorized Bicycle. Every device having two tandem wheels or three wheels which may be propelled by either human power or helper motor, or by both, and which has: (a) a motor which produces not more than 3.5 brake horsepower; (b) a cylinder capacity of not more than 130 cubic centimeters; (c) an automatic transmission; and (d) the capability of a maximum design speed of no more than 30 miles per hour except a low power cycle. (K.S.A. 8-1439a)

Motorized Skateboard. A self-propelled device which has a motor or engine, a deck on which a person may ride and at least two wheels in contact with the ground.

Motorized Wheelchair. Any self-propelled vehicle designed specifically for use by a physically disabled person and such vehicle is incapable of a speed in excess of 15 miles per hour. (K.S.A. 8-1439c)

Narrow Width Lane. A lane that is too narrow for a bicycle and a vehicle to travel safely side-by-side within the lane. (K.S.A. 8-1590)

Nonreflective. A product or material designed to absorb light rather than to reflect it. (K.S.A. 8-1749b(d))

Nonresident. Every person who is not a resident of this state. (K.S.A. 8-1440)

Nonresident's Operating Privilege. The privilege conferred upon a nonresident by the laws of this state pertaining to the operation by such person of a motor vehicle, or the use of a vehicle owned by such person, in this state. (K.S.A. 8-1441)

Official Time Standard. Whenever certain hours are specified, they shall mean standard time or daylight-saving time as may be in current use in this city.

Official Traffic-Control Devices. All signs, signals, markings, and devices, not inconsistent with this ordinance, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic. (K.S.A. 8-1442)

Official Traffic-Control Signal. Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

Oil Well Servicing, Oil Well Clean-out or Oil Well Drilling Machinery or Equipment. A vehicle constructed as a machine used exclusively for servicing, cleaning-out or drilling an oil well and consisting in general of a mast, an engine for power, a draw works and a chassis permanently constructed or assembled for one or more of those purposes. The passenger capacity of the cab of a vehicle shall not be considered in determining whether such vehicle is oil well servicing, oil well clean-out or oil well drilling machinery or equipment. (K.S.A. 8-126(cc))

Ordinance Traffic Infraction. Is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118, as amended.

Other Competent Evidence. Includes: (a) alcohol concentration tests obtained from samples taken three hours or more after the operation or attempted operation of a vehicle; and (b) readings obtained from a partial alcohol concentration test on a breath testing machine. (K.S.A. 8-1013(f))

Owner. A person, other than a lienholder, having the property in or title to a vehicle; and such term includes a person entitled

to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security. (K.S.A. 8-1443)

Park or Parking. The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers. (K.S.A. 8-1444)

Passenger Car. Every motor vehicle, except motorcycles and motor-driven cycles, designed for carrying ten (10) passengers or less and used for the transportation of persons. A motor vehicle, manufactured or assembled after January 1, 1968, or a motor vehicle manufactured or assembled prior to 1968 which was manufactured or assembled with safety belts, with motive power designed for carrying 10 passengers or fewer, including vans, but does not include a motorcycle or a motor-driven cycle. (K.S.A. 8-1445; 8-2502)

Pedestrian.

(a) Any person afoot;

(b) Any person in a wheelchair, either manually or mechanically propelled, or other low powered, mechanically propelled vehicle designed specifically for use by a physically disabled person; or

(c) Any person using an electric personal assistive mobility device.

(K.S.A. 8-1446)

Person. Every natural person, firm, partnership, association or corporation. (K.S.A. 8-1447)

Person with a Disability. Any individual who:

(a) Has a severe visual impairment;

(b) Cannot walk 100 feet without stopping to rest;

(c) Cannot walk without the use of or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair or other assistive device;

(d) Is restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter or the arterial oxygen tension is less than 60 mm/hg on room air at rest;

(e) Uses portable oxygen;

(f) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American heart association; or

(g) Is severely limited in such person's ability to walk at least 100 feet due to an arthritic, neurological or orthopedic condition.

Pneumatic Tire. Every tire in which compressed air is designed to support the load. (K.S.A. 8-1448)

Pole Trailer. Every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes or structural members capable, generally, of sustaining themselves as beams between the supporting connections. (K.S.A. 8-1449)

Police Officer. Every law enforcement officer, as defined in K.S.A. 25-5111, authorized to direct or regulate traffic or to make arrests for violations of traffic regulations. (K.S.A. 8-1450)

Private Road or Driveway. Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons. (K.S.A. 8-1451)

Racing. The use of one or more vehicles in an attempt to out-gain, out-distance or prevent another vehicle from passing, to arrive at a given destination ahead of another vehicle or vehicles, or to test the physical stamina or endurance of drivers over long distance driving routes. (K.S.A. 8-1565(c))

Railroad. A carrier of persons or property upon cars operated upon stationary rails. (K.S.A. 8-1452)

Railroad Sign or Signal. Any sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train. (K.S.A. 8-1453)

Railroad Train. A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails. (K.S.A. 8-1454)

Recreational Off-Highway Vehicle. Any motor vehicle more than 50 but not greater than 64 inches in width, having a dry weight of 2,000 pounds or less, traveling on four or more nonhighway tires. (K.S.A. 8-126(hh))

Recreational Vehicle. A vehicular-type unit built on or for use on a chassis and designed primarily as living quarters for recreational, camping, vacation or travel use and which has its own motive power or is mounted on or drawn by another vehicle, and which has a body width not exceeding eight feet and a body length not exceeding 40 feet; but such term shall not include a unit which has no electrical system which operates above 12 volts and has no provisions for plumbing, heating and any other component or feature for which a standard is adopted by the state uniform standards code for mobile homes and recreational vehicles. (K.S.A. 75-1212)

Registration. The registration certificate or certificates and registration plates issued under the laws of this state pertaining to the registration of vehicles. (K.S.A. 8-1455)

Residence District. The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is improved in the main, with residences or residences and buildings in use for business. (K.S.A. 8-1456)

Revocation of Driver's License. The termination by formal action of the division of a person's license or privilege to operate a motor vehicle on the highways, which termination shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon by the division after the expiration of the applicable period of time prescribed in K.S.A. 8-256 and any amendments thereto. (K.S.A. 8-1457)

Right-of-Way. The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian

approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other. (K.S.A. 8-1458)

Road Construction Zone. The portions of a highway which are identified by posted or moving signs as being a construction or maintenance work area. The zone starts at the first sign identifying the zone and continues until a posted or moving sign indicates that the road construction zone has ended. (K.S.A. 8-1458a)

Roadway. That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways the term **roadway** as used herein shall refer to any such roadway separately but not to all such roadways collectively. (K.S.A. 8-1459)

Safety Hitch. A chain, cable, or other material of sufficient weight which will prevent the towed vehicle from breaking loose in the event the tow bar or drawbar fails or becomes disconnected. (K.S.A. 8-1459a)

Safety Zone. The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone. (K.S.A. 8-1460)

Samples. Includes breath supplied directly for testing, which breath is not preserved. (K.S.A. 8-1013(g))

School Bus. Every motor vehicle defined and designated as a school bus in K.S.A. 72- 6486(g)(1), formerly cited as K.S.A. 72-8301(g). (K.S.A. 8-1461)

School Crossing Guard. Any person 18 years of age and older or any person under 18 years of age who is being directly supervised by a person at least 18 years of age, acting with or without compensation and who is authorized under K.S.A. 8-15,104, and amendments thereto, to supervise, direct, monitor, or otherwise assist school children at a street or intersection in the vicinity of a school crosswalk or bus stop. (K.S.A. 8-1492)

Secretary. The Secretary of Transportation.

Security Agreement. A written agreement which reserves or creates a security interest. (K.S.A. 8-1462)

Security Interest. An interest in a vehicle reserved or created by agreement and which secures payment or performance of an obligation. The term includes the interest of a lessor under a lease intended as security. A security interest is “perfected” when it is valid against third parties generally, subject only to specific statutory exceptions. (K.S.A. 8-1463)

Self-propelled Farm Implement. Every farm implement designed for specific use applications with its motive power unit permanently incorporated in its structural design. (K.S.A. 8-126(jj))

Semitrailer. Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle. (K.S.A. 8-1464) .

Sidewalk. That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians. (K.S.A. 8-1465)

Solid Rubber Tire. Every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load. (K.S.A. 8-1466)

Special Mobile Equipment. Every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: Ditch digging apparatus, well boring apparatus and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth moving carry-alls and scrapers, power shovels and drag lines, and self-propelled cranes and earth moving equipment. The term does not include house trailers, dump trucks, truck mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached. (K.S.A. 8-1467)

Specially Constructed Vehicle. Every vehicle of a type required to be registered in this state, not originally constructed

under a distinctive name, make, model or type by a generally recognized manufacturer of vehicles and not materially altered from its original construction. (K.S.A. 8-1468)

Stand or Standing. The halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers. (K.S.A. 8-1469)

State. The State of Kansas.

Stop. When required means complete cessation from movement. (K.S.A. 8-1471)

Stop or Stopping. When prohibited means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal. (K.S.A. 8-1472)

Street or Highway. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. Where the word “highway” or the word “street” is used in this ordinance, it shall mean street, avenue, boulevard, thoroughfare, trafficway, alley and other public way for vehicular travel by whatever name unless the context clearly indicates otherwise. (K.S.A. 8-1473)

Sun Screening Devices. A film material or device that is designed to be used in conjunction with motor vehicle safety glazing materials for reducing the effects of the sun. (K.S.A. 8-1749b(a))

Suspension of a Driver’s License. The temporary withdrawal by formal action of the division of a person’s license or privilege to operate a motor vehicle on the highways. (K.S.A. 8-1474)

Through Highway. Every highway or portion thereof on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield the right-of-way to vehicles on such highway in obedience to either a stop sign, yield sign or other traffic-control device, when such signs or devices are erected as provided in this ordinance. (K.S.A. 8-1475)

Tow Bar. A rigid piece of material which is structurally adequate to hold any weight vehicle towed and which is properly and securely mounted to the towed vehicle without excessive slack but with sufficient play to allow for universal action of the connection and which is equipped with a suitable locking device to prevent accidental separation of the towing vehicle and the towed vehicle. (K.S.A. 8-1476a)

Toxic Vapors. The following substances or products containing such substances:

(a) Alcohols, including methyl, isopropyl, propyl, or butyl;
(b) aliphatic acetates, including ethyl, methyl, propyl, or methyl cellosolve acetate;
(c) acetone;
(d) benzene;
(e) carbon tetrachloride;
(f) cyclohexane;
(g) freons, including freon 11, freon 12 and other halogenated hydrocarbons;
(h) hexane;
(i) methyl ethyl ketone;
(j) methyl isobutyl ketone;
(k) naptha;
(l) perchlorethylene;
(m) toluene;
(n) trichloroethane; or
(o) xylene.
(K.S.A. 21-5712)

Traffic. Pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any highway for purposes of travel. (K.S.A. 8-1477)

Traffic-Control Signal. Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed. (K.S.A. 8-1478)

Traffic Control Signal Preemption Device. Any device, instrument, or mechanism designed, intended, or used to interfere with the operation or cycle of a traffic-control signal. (K.S.A. 21-6324(d))

Traffic Infraction. A violation of any of the statutory provisions listed in subsection (c) of K.S.A. 8-2118 as amended.

Trailer. Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that no part of its weight rests upon the towing vehicle. (K.S.A. 8-1479)

Transportation Network Company. A corporation, partnership, sole proprietorship or other entity operating in Kansas that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct or manage the personal vehicles or transportation network company drivers that connect to its digital network, except where agreed to by written contract. (K.S.A. 8-2702(e))

Transportation Network Company Driver. An individual who:

(1) Receives connections to potential passengers and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(2) Uses a personal vehicle to provide services for riders matched through a digital network controlled by a transportation network company and receives, in exchange for providing the passenger a ride, compensation that exceeds the individual's cost to provide the ride.

(K.S.A. 8-2702(f))

Travel Trailer. Every vehicle without motive power designed to be towed by a motor vehicle constructed primarily for recreational purposes. (K.S.A. 8-1490)

Truck. Every motor vehicle designed, used or maintained primarily for the transportation of property. (K.S.A. 8-1481)

Truck-Camper. Any structure designed, used or maintained primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office or commercial space. (K.S.A. 8-1482)

Truck Tractor. Every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle or load so drawn. (K.S.A. 8-1483)

Urban District. The territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses, situated at intervals of less than 100 feet for a distance of a quarter of a mile or more. (K.S.A. 8-1484)

Vehicle. Every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, excepting electric personal assistive mobility devices or devices moved by human power or used exclusively upon stationary rails or tracks. (K.S.A. 8-1485)

Waste Collection Vehicle. A vehicle specifically designed and equipped and used exclusively for garbage, refuse, recycling or solid waste collection or disposal operations. (K.S.A. 8-15,112(b))

Wide-Base Single Tires. All tires having a section width, as specified by the manufacturer, of 14 inches or more. (K.S.A. 8-1742b(a))

Wireless Communication Device. Any wireless electronic communication device that provides for voice or data communication between two or more parties, including, but not limited to, a mobile or cellular telephone, a text messaging device, a personal digital assistant that sends or receives messages, an audio-video player that sends or receives messages or a laptop computer. **Wireless communication device** does not include a device which is voice-operated and which allows the user to send or receive a text based communication without the use of either hand, except to activate or deactivate a feature or function. (K.S.A. 8-15,111(a)(1))

Work-Site Utility Vehicle. Any motor vehicle which is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more nonhighway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. **Work-site utility vehicle** does not include a micro utility truck. (K.S.A. 8-1493)

Wrecker or Tow Truck. Any motor vehicle equipped with booms, winches or similar equipment specifically designed for recovery or towing of vehicles.

Write, Send or Read a Written Communication. Using a wireless communication device to manually type, send or read a written communication, including, but not limited to, a text message, instant message or electronic mail. (K.S.A. 8-15,111(a)(2))

Article 2. Scope of Ordinance

Sec. 2. Provisions of Ordinance Refer to Vehicles Upon the Streets and Highways; Exceptions. The provisions of this ordinance relating to the operation of vehicles refer exclusively to the operation of vehicles upon streets and highways within this city except:

(a) Where a different place is specifically referred to in a given section; and

(b) The provisions of Sections 29 to 31, inclusive, of this ordinance, and the provisions of Article 10 of Chapter 8 of the Kansas Statutes Annotated, and amendments thereto, shall apply upon streets and highways and elsewhere throughout the city. (K.S.A. 8-1501)

Sec. 3. Emergency, Temporary and Experimental Regulations. The chief of police or city traffic engineer is hereby empowered to make regulations necessary to make effective the provisions of this and other traffic ordinances of the city, to establish no parking zones on special occasions to expedite traffic or for safety purposes, signs being properly posted, to make and enforce temporary or experimental regulations to cover emergencies or special conditions or to determine the advisability of permanent regulations for recommendation to the governing body, and test traffic-control devices under actual conditions of traffic. No temporary or experimental regulation shall remain in force for more than 90 days. (K.S.A. 8-2001; 8-2002, as amended)

Sec. 4. Authority of Police. Police officers of the city shall at all times be empowered to enforce the provisions of this and other traffic ordinances of this city and temporary and emergency rules and regulations of the chief of police, and may at any time direct and control traffic in person or by visible or audible signals: provided, that in the event of fire, temporary traffic congestion or other emergency, or to expedite the flow of traffic or to safeguard pedestrians, officers may direct traffic as conditions require

notwithstanding the provisions of this ordinance and other traffic ordinances. (K.S.A. 8-2001; 8-2002)

Article 3. Obedience to and Effect of Traffic Laws

Sec. 5. Required Obedience to Traffic Laws. It is unlawful for any person to do any act forbidden or fail to perform any act required in this ordinance.

Sec. 6. Obedience to Authorized Persons Directing Traffic. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer or fireman of this city invested by law with authority to direct, control or regulate traffic. (K.S.A. 8-1503)

Sec. 6.1. Road Construction Zone. It shall be unlawful for any person to fail, neglect or refuse to comply with restrictions or traffic regulations in a road construction zone or fail to comply with traffic orders or traffic directions by a flagman in a road construction zone. (K.S.A 8-1531a)

Sec. 7. Persons Riding Animals or Driving Animal-Drawn Vehicles. Every person riding an animal or driving any animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this ordinance, except those provisions of this ordinance which by their very nature can have no application. (K.S.A. 8-1504)

Sec. 8. Persons Working on Highways; Exceptions. Unless specifically made applicable, the provisions of this ordinance, except those contained in Sections 29 to 31, inclusive, of this ordinance, shall not apply to persons, motor vehicles and equipment while actually engaged in work upon a highway, but shall apply to such persons and vehicles when traveling to or from such work. (K.S.A. 8-1505)

Sec. 9. Public Officers and Employees to Obey Ordinance; Exceptions. The provisions of this ordinance applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by the United States, this state or any county, city or any other political subdivision of the state, subject to such specific exceptions as are set forth in this ordinance. (K.S.A. 8-2103)

Sec. 10. Authorized Emergency Vehicles.

(a) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(b) The driver of an authorized emergency vehicle may:

(1) Park or stand, irrespective of the provisions of this ordinance.
(2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
(3) Exceed the maximum speed limits so long as such driver does not endanger life or property.
(4) Disregard regulations governing direction of movement or turning in specified directions.
(5) Proceed through toll booths on roads or bridges without stopping for payment of tolls, but only after slowing down as may be necessary for safe operation and the picking up or returning of toll cards.

(c) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of an audible signal meeting the requirements of Section 174 and visual signals meeting the requirements of Section 160 of this ordinance, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

(d) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of reckless disregard for the safety of others. (K.S.A. 8-1506)

Ref.: Sec. 61.

Article 4. Traffic Signs, Signals and Markings

Sec. 11. Manual and Specifications for Traffic Control Devices. All traffic control devices shall conform to the state manual and specifications. (K.S.A. 8-2005)

Sec. 12. Obedience to and Required Traffic-Control Devices; Presumption of Legality.

(a) The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto, placed in accordance with the provisions of this ordinance, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this ordinance.

(b) No provision of this ordinance for which official traffic-control devices are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place.

(c) Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this ordinance, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

(d) Any official traffic-control device placed pursuant to the provisions of this ordinance and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this ordinance, unless the contrary shall be established by competent evidence. (K.S.A. 8-1507)

Sec. 13. Traffic-Control Signal Legend. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall

be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) **Green Indication.**

(1) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left, unless a sign at such place prohibits either such turn; but vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(2) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may enter the intersection cautiously only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(3) Unless otherwise provided by a pedestrian-control signal, as provided in Section 14, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) **Steady Yellow Indication.**

(1) Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

(2) Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal as provided in Section 14, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(c) **Steady Red Indication.**

(1) Vehicular traffic facing a steady circular red or red arrow signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection or if none, then before entering the intersection, and shall remain standing until an indication to proceed is shown, except as provided in paragraphs (2), (3), and (4) of this subsection. Any turn provided for in paragraphs (2), (3), and (4) shall be governed by the applicable provisions of Section 49 of this ordinance.

(2) Unless a sign is in place prohibiting a turn, vehicular traffic facing a steady red signal may cautiously enter the intersection to make a right turn after stopping as required by paragraph (1) of this subsection. After stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(3) Unless a sign is in place prohibiting a turn, vehicular traffic upon a roadway restricted to one-way traffic facing a steady red signal at the intersection of such roadway with another roadway restricted to one-way traffic which is proceeding to the left of such vehicular traffic, may cautiously enter the intersection to make a left turn after stopping as required by paragraph (1) of this subsection. After stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(4) The driver of a motorcycle or person riding a bicycle facing any steady red signal, which fails to change to a green light within a reasonable period of time because of a signal malfunction or because the signal has failed to detect the arrival

of the motorcycle or bicycle because of its size or weight, shall have the right to proceed subject to the rules stated herein. After stopping, the driver or rider shall yield the right-of-way to any vehicle in or near the intersection or approaching on a roadway so closely as to constitute an immediate hazard during the time such driver or rider is moving across or within the intersection or junction of roadways. Such motorcycle or bicycle traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(5) Unless otherwise directed by a pedestrian-control signal as provided in Section 14, pedestrians facing a steady circular red or red arrow signal alone shall not enter the roadway.

(d) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

(K.S.A. 8-1508)

Sec. 13.1. Traffic Control Signal Preemption Devices.

(a) Except as provided in subsection (c), it shall be unlawful for any person to knowingly possess a traffic control signal preemption device.

(b) A person convicted of violating subsection (a) shall be guilty of a code violation and subject to a fine of not more than $1,000 or by imprisonment for not more than six months or by both such fine and imprisonment. (K.S.A. 21-6324)

(c) The provisions of this section shall not apply to the operator, passenger, or owner of any of the following authorized emergency vehicles, in the course of such person's emergency duties:

(1) Publicly owned fire department vehicles;
(2) Publicly owned police vehicles; or
(3) Motor vehicles operated by ambulance services permitted by the emergency medical services board.

(K.S.A. 21-6324)

Sec. 14. Pedestrian-Control Signals. Whenever special pedestrian-control signals exhibiting the words "walk" or "don't walk" or symbols of "walking person" or "upraised palm" are in place, such signals shall indicate as follows:

(a) **Flashing or Steady Walk or Walking Person.** Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(b) **Flashing or Steady Don't Walk or Upraised Palm.** No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the "walk" or "walking person" signal shall proceed to a sidewalk or safety island while the "don't walk" or "upraised palm" signal is showing. (K.S.A. 8-1509)

Sec. 15. Flashing Signals.

(a) Whenever an illuminated flashing red or yellow light is used in a traffic signal or with a traffic sign it shall require obedience by vehicular traffic as follows:

(1) **Flashing Red (Stop Signal).** When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
(2) **Flashing Yellow (Caution Signal).** When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

(b) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossing shall be governed by the rules as set forth in Section 76 of this ordinance.

(K.S.A. 8-1510)

Sec. 16. Lane-Direction-Control Signals. When lane-direction-control signals are placed over the individual lanes of a street or highway, such signals indicate and apply to drivers of vehicles as follows:

(a) **Green Indication.** Vehicular traffic may travel in any lane over which a green signal is shown.

(b) **Steady Yellow Indication.** Vehicular traffic is thereby warned that a lane control change is being made.

(c) **Steady Red Indication.** Vehicular traffic shall not enter or travel in any lane over which a red signal is shown.

(d) **Flashing Yellow Indication.** Vehicular traffic may use the lane only for the purpose of approaching and making a left turn. (K.S.A. 8-1511)

Sec. 17. Display of Unauthorized Signs, Signals or Markings.

(a) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

(b) No person shall place or maintain, nor shall any public authority permit upon any highway any official traffic control device bearing thereon any commercial advertising, except for business signs included as part of official motorist service panels or roadside area information panels approved by the secretary of transportation.

(c) This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(d) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance and the governing body is hereby empowered to remove the same or cause it to be removed without notice. (K.S.A. 8-1512)

Sec. 18. Interference with Official Traffic-Control Devices or Railroad Signs or Signals. No person, without lawful authority, shall attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof. (K.S.A. 8-1513)

Sec. 19. Designation of Crosswalks and Safety Zones. The chief of police, subject to the approval of the governing body, may designate and maintain by appropriate devices, marks or lines on the surface of the roadway, crosswalks at intersections where in his/her opinion there is particular danger to pedestrians crossing the roadway and at such other places as may be deemed necessary. The chief of police may also, subject to such approval, establish and mark safety zones of such kind and character and at such places as may be deemed necessary for the protection of pedestrians. (K.S.A. 8-2001 and K.S.A. 8-2006)

Ref.: Driving Through Safety Zones, see Sec. 70.

Sec. 20. Play Streets.

(a) The chief of police shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

(b) Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any such driver shall exercise the greatest care in driving upon any such street or portion thereof.

(K.S.A. 8-2002(a)(14))

Sec. 21. Traffic Lanes. The chief of police is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is deemed necessary.

Article 5. Accidents and Accident Reports; Duties

Sec. 22. Provisions of Article Apply Throughout City. The provisions of this article shall apply upon streets and highways and elsewhere throughout the city. (K.S.A. 8-1601)

Ref.: Sec. 2.

Sec. 23. Accident Involving Death or Personal Injuries; Duties of Drivers, Reports; Penalties.

(a) The driver of any vehicle involved in an accident resulting in injury to, great bodily harm to or death of any person or damage to any attended vehicle or property shall immediately stop such vehicle at the scene of such accident, or as close thereto as possible, but shall then immediately return to and in every event shall remain at the scene of the accident until the driver has fulfilled the requirements of Section 25.

(b) A person who violates subsection (a) when an accident results in:

(1) Total property damages of less than $1,000 shall be punished as provided in Section 201.
(2) Any person who violates this section which results in injury to any person or property damages in excess of $1,000 shall be punished by imprisonment for not more than one year or by a fine of not more than $2,500, or by both such fine and imprisonment.

(c) The driver shall comply with the provisions of section 26.1

(K.S.A. 8-1602)

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Sec. 24. Reserved for Future Use.

Sec. 25. Duty of Driver to Give Certain Information after Accident; Failure to Provide Proof of Liability Insurance or Financial Security; Duty to Render Aid after Accident; Proof of Liability Insurance or Financial Security by Electronic Means, Restrictions.

(a) (1) The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any attended vehicle or other property shall give such driver's name, address, and the registration number of the vehicle such driver is driving, and upon request shall exhibit such driver's license or permit to drive, the name of the company with which there is in effect a policy of motor vehicle liability insurance covering the vehicle involved in the accident and the policy number of such policy to any person injured in such accident or to the driver or occupant of or person attending any vehicle or other property damaged in such accident, and shall give such information and upon request exhibit such license or permit and the name of the insurer and policy number to any police officer at the scene of the accident or who is investigating the accident.

(2) Such driver, insofar as possible, shall immediately make efforts to determine whether any person involved in such accident was injured or killed, and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying of such person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

(b) If no police officer is present, the driver of any vehicle involved in such accident, or any occupant of such vehicle 18 years of age or older, shall immediately report such accident, by the quickest available means of communication, to the nearest office of a duly authorized police authority if:

(1) There is apparently property damage of $1,000 or more;

(2) Any person involved in the accident is injured or killed; or

(3) The persons specified in subsection (a) are not present or in condition to receive such information.

(c) Unless the insurance company subsequently submits an insurance verification form indicating that insurance was not in force, no person charged with failing to provide the name of such person's insurance company and policy number as required in subsection (a), shall be convicted if such person produces in court, within 10 days of the date of arrest or of issuance of the citation, evidence of financial security for the motor vehicle operated, which was valid at the time of arrest or of issuance of the citation. For the purpose of this subsection, evidence of financial security shall be provided by a policy of motor vehicle liability insurance, an identification card or certificate of insurance issued to the policyholder by the insurer which provides the name of the insurer, the policy number, make and year of the vehicle and the effective and expiration dates of the policy, or a certificate of self-insurance signed by the commissioner of insurance. Such evidence also may be produced by displaying on a cellular phone or other type of portable electronic device evidence of financial security required by this subsection. Any person to whom such evidence of financial security is displayed shall view only such evidence of financial security. Such person shall be prohibited from viewing any other content or information stored on such cellular phone or other portable electronic devices. (K.S.A. 8-1604)

Sec. 26. Duty Upon Striking Unattended Vehicle or Other Property.

(a) The driver of any vehicle which collides with or is involved in an accident with any vehicle or other property which is unattended, resulting in any damage to such other vehicle or property, shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle or other property of such driver's name, address and the registration number of the vehicle such driver was driving, or shall attach securely in a conspicuous place in or on such vehicle or other property a written notice giving such driver's name, address, and the registration number of the vehicle such driver was driving, and without unnecessary delay shall notify the nearest office of a authorized police authority.

(b) The driver under subsection (a), if possible, shall comply with the provisions of section 26.1. (K.S.A. 8-1605)

Sec. 26.1. Removal of Vehicle from Roadway After Accident.

(a) Except in the case of an accident involving death or apparent injury of any person, or the transportation of hazardous material, the owner or driver of a vehicle which obstructs the regular flow of traffic on any interstate highway, U.S. highway, or any multi-lane or divided roadway, shall make every reasonable effort to move the vehicle from the roadway, if, moving the vehicle may be done safely, does not require towing and may be operated under its own power without further damage to the vehicle or the roadway and without endangering other vehicles or persons upon the roadway.

(b) Except in the case of an accident involving death or apparent injury of any person or the transportation of hazardous material, authorized employees or agents of the Kansas department of transportation, Kansas highway patrol, or other law enforcement agency without the consent of the driver or owner of the vehicle or property, may require, assist in or cause the removal from the roadway any vehicle, debris or any other property which is obstructing the regular flow of traffic, creating or aggravating an emergency situation or otherwise endangering public safety.

(c) No state, county, or municipal agency nor their authorized employees or agents shall be held liable for any damages resulting from the reasonable exercise of authority granted under this section.

(d) Notwithstanding the provisions of this section, a driver is required to comply with the applicable provisions of K.S.A. 8-1601 *et seq.,* and amendments thereto. (K.S.A. 8-15,107)

Sec. 27. Reserved for Future Use.

Sec. 28. False Reports. A person shall not give information in oral or written reports, as required in this ordinance, knowing or having reason to believe that such information is false. (K.S.A. 8-1608)

Article 6. Serious Traffic Offenses

Sec. 29. Reckless Driving; Penalties.

(a) Any person who drives any vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

(b) Except as provided in K.S.A. 8-2,142, violation of this section is a misdemeanor. Upon a first conviction of a violation of this section a person shall be sentenced to not less than five days nor more than 90 days' imprisonment or fined not less than $25 nor more than $500, or by both such fine and imprisonment. On a second or subsequent conviction of a violation of this section, a person shall be sentenced to not less than 10 days nor more than six months' imprisonment or fined not less than $50 nor more than $500 or both such fine and imprisonment. (K.S.A. 8-1566)

Sec. 30. Driving Under the Influence of Intoxicating Liquor or Drugs; Penalties.

(a) Driving under the influence is operating or attempting to operate any vehicle within this city while:

(1) The alcohol concentration in the person's blood or breath as shown by any competent evidence, including other competent evidence, as defined in Section 1 of this ordinance, is .08 or more;
(2) The alcohol concentration in the person's blood or breath, as measured within three hours of the time of operating or attempting to operate a vehicle, is .08 or more;
(3) Under the influence of alcohol to a degree that renders the person incapable of safely driving a vehicle;
(4) Under the influence of any drug or combination of drugs to a degree that renders the person incapable of safely driving a vehicle; or
(5) Under the influence of a combination of alcohol and any drug or drugs to a degree that renders the person incapable of safely driving a vehicle.

(b) (1) Driving under the influence is:

(A) An ordinance violation. On a first conviction of a violation of this section, the person convicted shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment, or in the court's discretion 100 hours of public service, and fined not less than $750 nor more than $1,000. The person convicted shall serve at least 48 consecutive hours' imprisonment or 100 hours of public service either before or as a condition of any grant of probation or suspension, reduction of sentence or parole. The court may place the person convicted under a house arrest program to serve the remainder of the sentence only after such person has served 48 consecutive hours' imprisonment;

(B) On a second conviction of a violation of this section the person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than $1,250 nor more than $1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program to serve the five days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic

monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of 120 hours;

(2) In addition, prior to sentencing for any conviction pursuant to subsection (b)(1)(A) or (b)(1)(B), the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person 18 years of age or older convicted of violating this section who had one or more children under the age of 18 years in the vehicle at the time of the offense shall have such person's punishment enhanced by one month of imprisonment. This imprisonment must be served consecutively to any other minimum mandatory penalty imposed for a violation of this section. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) If a person is charged with a violation of subsection (a)(4) or (a)(5), the fact that the person is or has been entitled to use the drug under the laws of this state shall not constitute a defense against the charge.

(e) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessment and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(f) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to $5 for each full hour spent by the person in the

specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

(g) The court shall electronically report every conviction of a violation of this section and every diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of this section to the division including any finding regarding the alcohol concentration in the offender's blood or breath. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state.

(h) For the purpose of determining whether a conviction is a first or second conviction in sentencing under this section:

(1) Convictions for a violation of this section, K.S.A. 8-1567, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that this section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring on or after July 1, 2001. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offense;

(2) Any convictions for a violation of the following sections occurring during a person's lifetime shall be taken into account:

(A) Driving a commercial motor vehicle under the influence, K.S.A. 8-2,144, and amendments thereto, or section 30.1 of this ordinance;

(B) Operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto;

(C) Involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or K.S.A. 21-5405(a)(3) or (a)(5), and amendments thereto;

(D) Aggravated battery as described in K.S.A. 21-5413(b)(3) or (b)(4), and amendments thereto; and

(E) Aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) **Conviction** includes:

(A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging an offense described in subsection (h)(2); and

(B) Conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another jurisdiction that would constitute an offense that is comparable to the offense described in subsection (h)(1) or (h)(2);

(4) Multiple convictions of any crime described in subsection (h)(1) or (h)(2) arising from the same arrest shall only be counted as one conviction;

(5) It is irrelevant whether an offense occurred before or after conviction for a previous offense; and

(6) A person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this section, and amendments thereto, only once during the person's lifetime.

(i) For the purposes of determining whether an offense is comparable, the following shall be considered:

(1) The name of the out-of-jurisdiction offense;

(2) The elements of the out-of-jurisdiction offense;

(3) Whether the out-of-jurisdiction offense prohibits similar conduct prohibited by the closest approximate Kansas offense.

(j) Upon conviction of a person of a violation of this section, the division, upon receiving a report of conviction, shall suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

(k) Upon conviction of a person of a violation of this section, the court may order the convicted person to pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

(l) Upon the filing of a complaint, citation, or notice to appear alleging a person has violated the acts prohibited by this section, and prior to conviction thereof, a city attorney shall request and shall receive from the:

(1) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and
(2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(m) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person charged with a violation of this section to avoid the mandatory penalties established by this section. For the purpose of this subsection, entering into a diversion agreement pursuant to K.S.A. 12-4413 *et seq.*, or K.S.A 22-2906 *et seq*., and amendments thereto, shall not constitute plea bargaining.

(n) The alternatives set out in subsection (a) may be pleaded in the alternative, and the city may, but shall not be required to, elect one or more of such alternatives prior to submission of the case to the fact finder.

(o) As used in this section:

(1) **Imprisonment** shall include any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city.

(2) **Drug** includes toxic vapors as such term is defined in K.S.A. 21-5712, and amendments thereto. (K.S.A. 8-1567)

Ref.: For persons under 21 years of age, see also K.S.A. 8-1567a.

{Editor's Note: Since 2007 the Kansas Legislature has acted to give municipal courts jurisdiction over the felony level offences of Third, Fourth, and Subsequent Driving Under the Influence (DUI), K.S.A. 8-1567(l)(1) and (l)(3). However, K.S.A. 8-1567(m)(2) appears to remove this authority from municipal courts. Because of this apparent conflict, and concerns about sentencing issues and cost, the Editor has determined that Third, Fourth, and Subsequent Driving Under the Influence (DUI) would not be included in this Code. Should a city wish to implement these provisions concerning prosecuting felony level DUI in municipal court, a separate ordinance will need to be adopted.**}**

Sec. 30.1. Driving Commercial Motor Vehicle Under the Influence of Intoxicating Liquor or Drugs; Penalties.

(a) Driving a commercial motor vehicle under the influence is operating or attempting to operate any commercial motor vehicle, as defined in Section 1, within this city while:

(1) The alcohol concentration in the person's blood or breath, as shown by any competent evidence, including other competent evidence, is .04 or more;
(2) The alcohol concentration in the person's blood or breath, as measured within three hours of the time of driving a commercial motor vehicle, is .04 or more; or
(3) Committing a violation of subsection (a) of Section 30 of this ordinance, or the ordinance of a city or resolution of a county which prohibits any of the acts prohibited thereunder or is otherwise comparable.

(b) (1) Driving a commercial motor vehicle under the influence is:

(A) An ordinance violation. On a first conviction, the person convicted shall be sentenced

to not less than 48 consecutive hours nor more than six months' imprisonment, or in the court's discretion, 100 hours of public service, and fined not less than $750 nor more than $1,000. The person convicted shall serve at least 48 consecutive hours' imprisonment or 100 hours of public service either before or as a condition of any grant of probation, suspension or reduction of sentence or parole or other release;

(B) On a second conviction, the person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than $1,250 nor more than $1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program to serve the five days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's

residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours; and

(2) In addition, prior to sentencing for any conviction pursuant to subsection (b)(1)(A) or (b)(1)(B), the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person 18 years of age or older convicted of a violation of this section who had one or more children under the age of 18 years in the vehicle at the time of the offense shall have such person's punishment enhanced by one month of imprisonment. This imprisonment shall be served consecutively to any other minimum mandatory penalty imposed for a violation of this section. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) If a person is charged with a violation of Section 30(a)(4) or (a)(5), as incorporated in this section, the fact that the person is or has been entitled to use the drug under the laws of this state shall not constitute a defense against the charge.

(e) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessment and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(f) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to $5 for each full hour spent by the person in the

specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

(g) The court shall electronically report every conviction of a violation of this section to the division. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the:

(1) Division a record of all prior convictions obtained against such person for any violation of any of the motor vehicle laws of this state; and
(2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(h) Upon conviction of a person of a violation of this section, the division, upon receiving a report of conviction, shall: (1) Disqualify the person from driving a commercial motor vehicle under K.S.A. 8-2,142, and amendments thereto; and (2) suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

(i) The court is authorized to order that the convicted person pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

(j) Upon the filing of a complaint, citation or notice to appear alleging a violation of this section, and prior to conviction thereof, a city attorney shall request and shall receive from the: (A) Division of vehicles a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and (B) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(k) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person

charged with a violation of this section which prohibits the acts prohibited by this section, to avoid the mandatory penalties established by this section.

(l) The alternatives set out in subsection (a) may be pleaded in the alternative, and the city may, but shall not be required to, elect one or two of the three prior to submission of the case to the fact finder.

(m) For the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section:

(1) Convictions for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of an ordinance of any city or resolution of any county that prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring on or after July 1, 2001. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offense;

(2) Any convictions for a violation of the following sections occurring during a person's lifetime shall be taken into account:

(A) This section or K.S.A. 8-2,144, and amendments thereto;

(B) Operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto;

(C) Involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or K.S.A. 21-5405(a)(3) or (a)(5), and amendments thereto;

(D) Aggravated battery as described in K.S.A. 21-5413(b)(3) or (b)(4), and amendments thereto; and

(E) Aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its

repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) **Conviction** includes:

(A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (m)(2);

(B) Conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another jurisdiction that would constitute an offense that is comparable to the offense described in subsection (m)(1) or (m)(2);

(4) It is irrelevant whether an offense occurred before or after conviction for a previous offense; and

(5) Multiple convictions of any crime described in subsection (m)(1) or (m)(2) arising from the same arrest shall only be counted as one conviction.

(n) For the purposes of determining whether an offense is comparable, the following shall be considered:

(1) The name of the out-of-jurisdiction offense;

(2) The elements of the out-of-jurisdiction offense;

(3) Whether the out-of-jurisdiction offense prohibits similar conduct prohibited by the closest approximate Kansas offense.

(o) For the purpose of this section:

(1) **Imprisonment** shall include any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city; and

(2) **Drug** includes toxic vapors as such term is defined in K.S.A. 21-5712, and amendments thereto. (K.S.A. 8-2,144)

Sec. 30.2. Preliminary Breath Test.

(a) A law enforcement officer may request a person who is operating or attempting to operate a motor vehicle

within this state to submit to a preliminary screening test of the person's breath or oral fluid, or both, if the officer has reasonable suspicion to believe that the person has been operating or attempting to operate a vehicle while under the influence of alcohol or drugs or both alcohol and drugs.

(b) If the person submits to the test, the results shall be used for the purpose of assisting law enforcement officers in determining whether an arrest should be made and whether to request the tests authorized by K.S.A. 8-1001 and amendments thereto. A law enforcement officer may arrest a person based in whole or in part upon the results of a preliminary screening test. Such results shall not be admissible in any civil or criminal action concerning the operation of or attempted operation of a vehicle except to aid the court or hearing officer in determining a challenge to the validity of the arrest or the validity of the request to submit to a test pursuant to K.S.A. 8-1001 and amendments thereto. Following the preliminary screening test, additional tests may be requested pursuant to K.S.A. 8-1001 and amendments thereto.

(c) Any preliminary screening of a person's breath shall be conducted with a device approved pursuant to K.S.A. 65-1,107, and amendments thereto. Any preliminary screening of a person's oral fluid shall be conducted in accordance with rules and regulations, if any, approved pursuant to K.S.A. 75-712h, and amendments thereto.

(K.S.A. 8-1012)

Sec. 30.2.1. Reserved for Future Use.

{Editor's Note: K.S.A. 8-1025 was found to be unconstitutional by the Kansas Supreme Court so the Editor has deleted the offense of Refusal to Submit to Alcohol or Drug Test.**}**

Sec. 30.3. Ignition Interlock Devices; Tampering.

(a) No person shall:

(1) Tamper with an ignition interlock device, circumvent it or render it inaccurate or inoperative;
(2) Request or solicit another to blow into an ignition interlock device, or start a motor vehicle equipped

with such device, providing an operable motor vehicle to a person whose driving privileges have been restricted to driving a motor vehicle equipped with such device;

(3) Blow into an ignition interlock device, or start a motor vehicle equipped with such device, providing an operable motor vehicle to a person whose driving privileges have been restricted to driving a motor vehicle equipped with such device; or

(4) Operate a vehicle not equipped with an ignition interlock device while such person's driving privileges have been restricted to driving a motor vehicle equipped with such device.

(b) Violation of this section shall be punished by a fine of not more than $2,500 or by imprisonment for not more than one year or by both such fine and imprisonment.

(c) In addition to any other penalties provided by law:

(1) (A) On a first conviction of a violation of subsection (a)(1) or (a)(2), the division shall extend the ignition interlock restriction period on the person's driving privileges for an additional 90 days; and

(B) On a second or subsequent conviction of a violation of subsection (a)(1) or (a)(2), the division shall restart the original ignition interlock restriction period on the person's driving privileges; and

(2) On a conviction of a violation of subsection (a)(4), the division shall restart the original ignition interlock restriction period on the person's driving privileges.

(K.S.A. 8-1017)

{Editor's Note: K.S.A.8-1015(e) seems to provide an exception to K.S.A. 8-1017(a)(4) as replicated in STO section 30.3 (a) (4) with regard to driving an employer's vehicle. However, there are also exceptions to this exception. Please see K.S.A. 8-1015 for further guidance.**}**

Sec. 30.4. Impounded Motor Vehicle; Disposition; When. If the owner of a motor vehicle which has been impounded pursuant to Section 30 or Section 105, refuses to pay any towing, impoundment, storage, or other fees relating to the impoundment or immobilization of such vehicle or fails to take possession of such vehicle within 30 days following the date of the expiration of the impoundment period, such vehicle shall be deemed abandoned and the vehicle may be disposed of by the person having possession of such vehicle. If the person having possession of such vehicle is a public agency, disposition of such vehicle shall be in compliance with the procedures for notice and public auction provided by paragraph (2) of subsection (a) of K.S.A. 8-1102, and amendments thereto. If the person having possession of such vehicle is not a public agency, disposition of such vehicle shall be in compliance with K.S.A. 8-1103 through 8-1108, and amendments thereto. (K.S.A. 8-1021)

Sec. 30.5. Commercial Driver's Licenses; Diversion Agreements Not Allowed.

(a) A driver or a holder of a commercial driver's license may not enter into a diversion agreement in lieu of further criminal proceedings that would prevent such person's conviction for any violation, in any type of motor vehicle, of a state or local traffic control law, except a parking violation, from appearing on the person's record, whether the person was convicted for an offense committed in the state where the person is licensed or another state.

(b) For purposes of subsection (a), a person shall be considered a holder of a commercial driver's license if the person was a holder of a commercial driver's license at the time the person was arrested or was issued a citation and shall remain a holder of a commercial driver's license even if the person surrenders the commercial driver's license after the arrest or citation. (K.S.A. 8-2,150)

Sec. 31. Fleeing or Attempting to Elude a Police Officer.

(a) (1) Any driver of a motor vehicle who willfully fails or refuses to bring such driver's vehicle to a stop for a pursuing police vehicle or police bicycle, when given visual or audible signal to bring the vehicle to a stop shall be guilty as provided by subsection (c).

(2) Any driver of a motor vehicle who willfully otherwise flees or attempts to elude a pursuing police vehicle or police bicycle, when given visual or audible signal to bring the vehicle to a stop, shall be guilty as provided by subsection (c).

(3) It shall be an affirmative defense to any prosecution under subsection (a)(1) that the driver's conduct in violation of such paragraph was caused by such driver's reasonable belief that the vehicle or bicycle pursuing such driver's vehicle is not a police vehicle or police bicycle.

(b) The signal given by the police officer may be by hand, voice, emergency light, or siren:

(1) If the officer giving such signal is within or upon an official police vehicle or police bicycle at the time the signal is given, the vehicle or bicycle shall be appropriately marked showing it to be an official police vehicle or police bicycle; or

(2) If the office giving such signal is not utilizing an official police vehicle or police bicycle at the time the signal is given, the officer shall be in uniform, prominently displaying such officer's badge of office at the time the signal is given.

(c) Every person convicted of violating subsection (a), shall upon first conviction be imprisoned for not more than six months or fined not to exceed $1,000, or both. Every person convicted of violating this section shall upon a second conviction be punished by imprisonment not to exceed one year or fined not to exceed $2,500 or both.

(d) (1) For the purpose of this section **conviction** means a final conviction without regard whether sentence was suspended or probation granted after such conviction. Forfeiture of bail, bond or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction. For the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section it is irrelevant whether an offense occurred before or after conviction for a previous offense.

(2) **Appropriately marked** official police vehicle or police bicycle shall include, but not be limited

to, any police vehicle or bicycle equipped with functional emergency lights or siren or both and which the emergency lights or siren or both have been activated for the purpose of signaling a driver to stop a motor vehicle. (K.S.A. 8-1568)

Article 7. Speed Regulations

Sec. 32. Speed Limitations; Basic Rule. No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual hazards then existing. Consistent with the foregoing, every person shall drive at a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions. (K.S.A. 8-1557)

Sec. 33. Maximum Speed Limits.

(a) Except as provided in subsection (b) and except when a special hazard exists that requires lower speed for compliance with K.S.A. 8-1557, and amendments thereto, the limits specified in this subsection or established as authorized by law shall be maximum lawful speeds, and no person shall operate a vehicle at a speed in excess of such maximum limits:

(1) In any urban district, 30 miles per hour;
(2) On any separated multilane highway, as designated and posted by the secretary of transportation, 75 miles per hour;
(3) On any county or township highway, 55 miles per hour; and
(4) On all other highways, 65 miles per hour.

(b) No person shall drive a school bus to or from school, or interschool or intraschool functions or activities, at a speed in excess of the maximum speed limits provided in subsection (a), except that the board of education of any school district may establish by board policy lower maximum speed limits for the operation of such district's school buses. The provisions of this subsection

relating to school buses shall apply to buses used for the transportation of students enrolled in community colleges or area vocational schools, when such buses are transporting students to or from school, or functions or activities.

(c) The maximum speed limits in this section may be altered as authorized in K.S.A. 8-1559 and K.S.A. 8-1560, and amendments thereto. (K.S.A. 8-1558)

Sec. 33.1. Special Speed Limitations Applicable to Certain Vehicles and Portions of Highways; Powers of Secretary and Local Authorities; Violations, Evidence of Safe Speed.

(a) No person shall drive a vehicle which is towing a house trailer at a speed greater than a maximum of fifty-five (55) miles per hour.

(b) No person shall drive any vehicle equipped with solid rubber tires at a speed greater than a maximum of ten (10) miles per hour.

(c) No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure, when such structure is signposted as provided in this section.

(d) The secretary of transportation and local authorities on highways under their respective jurisdictions may conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if it shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this article, the secretary or local authority shall determine and declare the maximum speed of vehicles which such structure can safely withstand, and shall cause or permit suitable signs stating such maximum speed to be erected and maintained not less than one hundred (100) feet before each end of such structure.

(e) Upon the trial of any person charged with a violation of this section, proof of said determination of the maximum speed by said secretary and the existence of said signs

shall constitute conclusive evidence of the maximum speed which can be maintained with safety to such bridge or structure.
(K.S.A. 8-1563)

Sec. 34. Minimum Speed Regulation.

(a) No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

(b) Whenever the governing body determines on the basis of an engineering and traffic investigation that slow speeds on any highway or part of a highway consistently impede the normal and reasonable movement of traffic, the governing body may determine and declare a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with law, and that limit shall be effective when posted upon appropriate fixed or variable signs. (K.S.A. 8-1561)

Sec. 35. Special Speed Limitation on Motor-Driven Cycle. No person shall operate any motor-driven cycle at any time mentioned in Section 144 at a speed greater than 35 miles per hour unless such motor-driven cycle is equipped with a head lamp or lamps which are adequate to reveal a person or vehicle at a distance of 300 feet ahead. (K.S.A. 8-1562)

Ref.: Sec. 182.

Sec. 36. Charging Speed Violations. In every charge of violation of any speed regulation in this article, except charges of violations of Section 32, the complaint, also the summons or notice to appear, shall specify the speed at which the defendant is alleged to have driven, also the speed limit applicable within the district or at the location. (K.S.A. 8-1564)

Sec. 37. Racing on Highways. No person shall drive any vehicle in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or for the purpose of making a speed record, and no person shall in any manner participate in any such race, competition, contest, test or exhibition. (K.S.A. 8-1565)

Ref.: Power to change speed limits generally and regulate speed in parks and school zones. (K.S.A. 8-1560, and K.S.A. 8-2002)

Article 8. Driving on Right Side of Roadway; Overtaking and Passing; Use of Roadway

Sec. 38. Driving on Right Side of Roadway; Exceptions.

(a) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

(1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movements;
(2) When an obstruction exists making it necessary to drive to the left of center of the highway, except that any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard;
(3) Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
(4) Upon a roadway restricted to one-way traffic.

(b) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction, or when preparing for a left turn at an intersection or into a private road or driveway.

(c) Upon any roadway having four or more lanes for moving traffic and providing for two-way movement of traffic, no vehicle shall be driven to the left of the center line of the roadway, except when authorized by official traffic-control devices, designating certain lanes to the left of the center of the roadway for use by traffic not otherwise permitted to use such lanes, or except as permitted under subsection (a)(2) hereof. However, this subsection

shall not be construed as prohibiting the crossing of the center line in making a left turn into or from an alley, private road or driveway. (K.S.A. 8-1514)

Ref.: Sec. 46.

Sec. 38.1. Driving in Defiles or Canyons. The driver of a motor vehicle traveling through defiles or canyons or on highways with steep grades shall hold such motor vehicle under control and as near the right-hand edge of the roadway as reasonably possible and, except when driving entirely to the right of the center of the roadway, shall give audible warning with the horn of such motor vehicle upon approaching any curve where the view is obstructed within a distance of two hundred (200) feet along the highway. (K.S.A. 8-1579)

Sec. 39. Passing Vehicles Proceeding in Opposite Directions. Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible. (K.S.A. 8-1515)

Sec. 40. Overtaking a Vehicle or Bicycle on the Left. The following rules shall govern the overtaking and passing of vehicles and bicycles proceeding in the same direction, subject to those limitations, exceptions and special rules hereinafter stated:

(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle.

(c) (1) The driver of a vehicle overtaking a bicycle proceeding in the same direction shall pass to the

left thereof at a distance of not less than three feet and shall not again drive to the right side of the roadway until safely clear of the overtaken bicycle.

(2) The driver of a vehicle may pass a bicycle proceeding in the same direction in a no-passing zone with the duty to execute the pass only when it is safe to do so. (K.S.A. 8-1516)

Ref.: For limitation see Sec. 42.

Sec. 40.1 Passing a Stationary Waste Collection Vehicle.

(a) The driver of a motor vehicle, upon approaching a stationary waste collection vehicle obviously and actually engaged in waste collection and displaying vehicular hazard warning signal lamps as required by Section 174(f), shall do either of the following:

(1) If the driver of the motor vehicle is traveling on a highway that consist of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary waste collection vehicle; or

(2) If the driver is not traveling on a highway of a type described in paragraph (1), or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle and maintain a safe speed for the road, weather and traffic conditions.

(b) This section shall not operate to relieve the driver of a waste collection vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(c) Prior to July 1, 2019, a law enforcement officer shall issue a warning citation to anyone violating the provisions of subsection (a). Violations after July 1, 2019 shall be subject to penalties as established pursuant to Section 201. (K.S.A. 8-15,112)

Sec. 41. When Passing on the Right is Permitted.

(a) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(1) When the vehicle overtaken is making or about to make a left turn; or
(2) Upon a roadway with unobstructed pavement of sufficient width for two or more lines of vehicles moving lawfully in the direction being traveled by the overtaking vehicle.
(3) A transit bus authorized under and being operated in accordance with the provisions of K.S.A. 75-5091, and amendments thereto.

(b) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. Such movement shall not be made by driving off the roadway, except as authorized under K.S.A. 75-5091, and amendments thereto. (K.S.A. 8-1517)

Sec. 42. Limitations on Overtaking on the Left. Except as otherwise provided in this article no vehicle shall be driven to the left of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practicable and, in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within 200 feet of any approaching vehicle. (K.S.A. 8-1518)

Ref.: Sec. 40.

Sec. 43. Further Limitations on Driving on Left of Center of Roadway.

(a) No vehicle shall be driven to the left side of the roadway under the following conditions:

(1) When approaching or upon the crest of a grade or a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;
(2) When approaching within 100 feet of or traversing any intersection or railroad grade crossing, except that this section shall not apply to any intersection on a state or county maintained highway located outside city limits unless such intersection is marked by an official department of transportation or county road department traffic control device or pavement marking or both indicating that passing is prohibited and such marking is placed at least 100 feet before the intersection; or
(3) When the view is obstructed upon approaching within 100 feet of any bridge, viaduct or tunnel.

(b) The foregoing limitations shall not apply upon a one-way roadway nor under the conditions described in subsection (a)(2) of Section 38, nor to the driver of a vehicle turning left into or from an alley, private road or driveway. (K.S.A. 8-1519)

Sec. 44. No-Passing Zones.

(a) Whenever signs or markings are in place to define a no-passing zone and clearly visible to an ordinarily observant person no driver shall at any time drive on the left side of the roadway within such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length.

(b) This section shall not apply under the conditions described in subsection (a)(2) of Section 38, nor to the driver of a vehicle turning left into or from an alley, private road or driveway. (K.S.A. 8-1520)

Sec. 45. One-Way Roadways and Rotary Traffic Islands.

(a) When official traffic control devices indicate that vehicular traffic shall proceed in one direction upon any highway, roadway, part of a roadway or specific lanes a vehicle shall be driven only in the direction designated at all or such times as shall be indicated by such device.

(b) A vehicle passing around a rotary traffic island shall be driven only to the right of such island. (K.S.A. 8-1521)

Sec. 46. Driving on Roadways Laned for Traffic. Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:

(a) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(b) Upon a roadway which is divided into three lanes and provides for two-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction when such center lane is clear of traffic within a safe distance, or in preparation for making a left turn or where such center lane is at the time allocated exclusively to traffic moving in the same direction that the vehicle is proceeding and such allocation is designated by official traffic-control devices.

(c) Official traffic-control devices may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such device.

(d) Official traffic-control devices may be installed prohibiting the changing of lanes on sections of roadway and drivers of vehicles shall obey the direction of every such device. (K.S.A. 8-1522)

Ref.: Sec. 38.

Sec. 47. Following Too Closely.

(a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the highway.

(b) The driver of any truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another truck or motor vehicle drawing another vehicle shall leave sufficient space, whenever conditions permit, so that an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a truck or motor vehicle drawing another vehicle from overtaking and passing any vehicle or combination of vehicles.

(c) Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions. (K.S.A. 8-1523)

Sec. 48. Driving on Divided Highways; Left and U Turns; Controlled-Access Highways. No person shall:

(a) Drive a vehicle over, upon or across any intervening space, physical barrier or a clearly indicated dividing section so constructed as to impede vehicular traffic between roadways on divided highways;

(b) Make a left turn or a semicircular or “U” turn on the interstate system;

(c) Make a left turn or a semicircular or “U” turn over, across or within any intervening space, physical barrier or a clearly indicated dividing section so constructed as to impede vehicular traffic between roadways on a divided highway, except this subsection (c) does not prohibit making a left turn or a semicircular or “U” turn through an opening provided and surfaced for the purpose of public use for such turning movements;

(d) Make a left turn or a semicircular or “U” turn on a divided highway wherever such turn is specifically prohibited by a sign or signs placed by the authority having jurisdiction over that highway;

(e) Drive any vehicle on a divided highway except on the proper roadway provided for that purpose and in the proper direction and to the right of the intervening space, physical barrier or a clearly indicated dividing section so constructed as to impede vehicular traffic between roadways unless directed or permitted to use another roadway by official traffic-control devices or police officers;

(f) Drive any vehicle onto or from any controlled-access highway except at such entrances and exists as are established by the authority having jurisdiction over such highway;

(g) Use controlled-access highway right of way for parking vehicles or mobile equipment, or stacking of materials or equipment, for the purpose of servicing adjacent property; or

(h) Stop, stand or park vehicles on the right of way of controlled-access highway except for:

(1) Stopping of disabled vehicles;
(2) Stopping to give aid in an emergency;
(3) Stopping in compliance with directions of a police officer or other emergency or safety official;
(4) Stopping due to illness or incapacity of driver; or
(5) Parking in designated parking or rest areas.

(K.S.A. 8-1524)

Ref.: Secs. 50, 51.

Article 9. Turning and Starting and Signals On Stopping and Turning

Sec. 49. Turning.

(a) The driver of a vehicle intending to turn shall do so as follows:

(1) **Right Turns.** Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

(2) **Left Turns.** The driver of a vehicle intending to turn left shall approach the turn in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle. Whenever practicable a left turn at an intersection shall be made to the left of the center of the intersection, and any left turn shall be made so as to leave the intersection or other location in the extreme left-hand lane lawfully available to traffic moving in the same direction as such vehicle on the roadway being entered.

(b) **Two-way left turn lanes.** Where a special lane for making left turns by drivers proceeding in opposite directions has been indicated by official traffic control devices:

(1) A left turn shall not be made from any other lane;
(2) A vehicle shall not be driven in the lane except when preparing for or making a left turn from or into the roadway or when preparing for or making a U-turn when otherwise permitted by law.

(c) When official traffic-control devices are placed within or adjacent to intersections requiring and directing that a different course from that specified in this section be traveled by vehicles turning at an intersection, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such devices. (K.S.A. 8-1545)

Sec. 50. Right, Left and U Turns at Intersections: Obedience To.

(a) The chief of police is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U turn, and shall place or cause to be placed proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or the signs may be removed when such turns are permitted.

(b) Whenever authorized signs are erected or temporarily displayed on a movable standard indicating that no right

or left or U turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.
(K.S.A. 8-2202)

Ref.: Secs. 48, 51.

Sec. 51. U Turns; Where Prohibited. The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district, when posted, nor upon any other street unless such movement can be made in safety without interfering with other traffic. (K.S.A. 8-1546)

Ref.: Secs. 48, 50.

Sec. 52. Turning on Curve or Crest of Grade Prohibited. No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet. (K.S.A. 8-1546)

Sec. 53. Starting Parked Vehicle. No person shall start a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety. (K.S.A. 8-1547)

Sec. 54. Turning Movements and Required Signals.

(a) No person shall turn a vehicle or move right or left upon a roadway unless and until such movement can be made with reasonable safety, nor without giving an appropriate signal in the manner hereinafter provided.

(b) A signal of intention to turn or move right or left when required shall be given continuously during not less than the last 100 feet traveled by vehicle before turning.

(c) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal, in the manner provided herein, to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

(d) The signals required on vehicles by subsection (b) of Section 149 shall not be flashed on one side only on

a disabled vehicle, flashed as a courtesy or “do pass” signal to operators of other vehicles approaching from the rear, nor be flashed on one side only of a parked vehicle except as may be necessary for compliance with this section. (K.S.A. 8-1548)

Sec. 55. Signals by Hand and Arm or Signal Lamps. The driver of any motor vehicle or combination of vehicles which is required to be equipped with electric turn signal lamps by Section 149 shall give any required notice of intention to turn by means of electric turn signals meeting the requirements of subsection (b) of Section 161. The driver of any other motor vehicle or combination of vehicles shall give such notice by means of hand and arm signals, as provided in Section 56, or by such electric turn signals. (K.S.A. 8-1549)

Sec. 56. Methods of Giving Signals. All signals herein required to be given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

(a) Left turn — hand and arm extended horizontally.

(b) Right turn — hand and arm extended upward.

(c) Stop or decrease of speed — hand and arm extended downward.

(K.S.A. 8-1550)

Article 10. Right-of-Way

Sec. 57. Vehicles Approaching or Entering Intersection.

(a) When two vehicles approach or enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

(b) The right-of-way rule declared in subsection (a) is modified at through highways and otherwise as hereinafter stated in this ordinance. (K.S.A. 8-1526)

Sec. 58. Vehicle Turning Left. The driver of a vehicle intending

to turn to the left within an intersection or into any alley, private road or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard. (K.S.A. 8-1527)

Sec. 59. Stop Signs and Yield Signs.

(a) Preferential right-of-way may be indicated by stop signs or yield signs.

(b) Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After having stopped, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways. Such driver shall yield the right-of-way to pedestrians within an adjacent crosswalk.

(c) The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways. Such driver shall yield the right-of-way to pedestrians within an adjacent crosswalk. If a driver is involved in a collision with a vehicle in the intersection or junction of roadways or with a pedestrian in an adjacent crosswalk, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of the driver's failure to yield the right-of-way. (K.S.A. 8-1528)

Sec. 60. Vehicle Entering Roadway. The driver of a vehicle about to enter or cross a roadway from any place other than another roadway shall yield the right-of-way to all vehicles approaching on the roadway to be entered or crossed. (K.S.A. 8-1529)

Ref.: Sec. 80.

Sec. 61. Operation of Vehicles on Approach of Authorized Emergency Vehicles.

(a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of Section 174(d) and visual signals meeting the requirements of Section 160 of this ordinance or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall do the following unless otherwise directed by a police officer:

(1) Yield the right-of-way;
(2) Immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway clear of any intersection; and
(3) Stop and remain in such position until the authorized emergency vehicle has passed.

(b) The driver of a motor vehicle upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is making use of visual signals meeting the requirements of Section 160, or subsection (d) of Section 162, shall do either of the following:

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary authorized emergency vehicle; or
(2) If the driver is not traveling on a highway of a type described in paragraph (1), or if the driver

is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle and maintain a safe speed for the road, weather and traffic conditions.

(c) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway. (K.S.A. 8-1530)

Ref.: Sec. 10.

Sec. 61.1. Passing When Near Stationary Authorized Emergency Vehicle. The driver of a vehicle shall not overtake and pass another vehicle when approaching within 100 feet of:

(a) A stationary authorized emergency vehicle on a highway that consists of two lanes carrying traffic in opposite directions, when the authorized emergency vehicle is making use of visual signals meeting the requirements of Section 160, or subsection (d) of Section 162; or

(b) A stationary authorized vehicle which is obviously and actually engaged in work on a highway that consists of two lanes carrying traffic in opposite directions, when such vehicle displays flashing lights meeting the requirements of Section 172. (K.S.A. 8-1520a)

Sec. 62. Highway Construction and Maintenance.

(a) The driver of a vehicle shall yield the right-of-way to any authorized vehicle or pedestrian actually engaged in work upon a highway within any road construction zone, indicated by official traffic-control devices.

(b) The driver of a vehicle shall yield the right-of-way to any authorized vehicle which is obviously and actually engaged in work upon a highway whenever such vehicle displays flashing lights meeting the requirements of Section 172.

(c) The driver of a motor vehicle upon approaching a stationary authorized vehicle which is obviously and

actually engaged in work upon a highway, when such authorized vehicle is displaying flashing lights meeting the requirements of Section 172, shall do either of the following:

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather, and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary authorized vehicle; or

(2) If the driver is not traveling on a highway of a type described in paragraph (1), or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle and maintain a safe speed for the road, weather, and traffic conditions.

(d) This section shall not operate to relieve the driver of an authorized vehicle from the duty to drive with due regard for the safety of all persons using the highway. (K.S.A. 8-1531)

Article 11. Pedestrians

Sec. 63. Pedestrians; Obedience to Traffic-Control Devices and Traffic Regulations.

(a) A pedestrian shall obey the instructions of any official traffic-control device specifically applicable to such person, unless otherwise directed by a police officer.

(b) Pedestrians shall be subject to traffic and pedestrian-control signals as provided in Sections 13 and 14.

(c) At all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this ordinance. (K.S.A. 8-1532)

Sec. 64. Pedestrians' Right-of-Way in Crosswalks; Control Signals.

(a) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian entering or crossing the roadway within a crosswalk.

(b) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.

(c) Subsection (a) of this section shall not apply under the conditions stated in subsection (b) of Section 65.

(d) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. (K.S.A. 8-1533)

Sec. 64.1. School Crossing Guard; Disobeying. No person shall willfully fail or refuse to comply with any lawful order or direction of any uniformed school crossing guard invested by law with authority to direct, control, or regulate traffic. (K.S.A. 8-15,103)

Sec. 65. Crossing at Other Than Crosswalks; Jaywalking.

(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(c) Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

(d) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control

devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements. (K.S.A. 8-1534)

Sec. 66. Drivers to Exercise Due Care. Notwithstanding other provisions of this article, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian, and shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any obviously confused or incapacitated person. (K.S.A. 81535)

Sec. 67. Pedestrians to Use Right Half of Crosswalks. Pedestrians shall move, whenever practicable upon the right half of crosswalks. (K.S.A. 8-1536)

Sec. 68. Pedestrians on Highways.

(a) Where a sidewalk is provided and its use is practicable it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.

(c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk only on the left side of the roadway.

(d) Except as otherwise provided in this article, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway. (K.S.A. 8-1537)

Sec. 69. Pedestrians Soliciting Rides or Business.

(a) No person shall stand upon or along a street or highway for the purpose of soliciting a ride.

(b) No person shall stand on a highway for the purpose of soliciting employment, business or contributions from the occupant of any vehicle.

(c) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

(d) The soliciting of contributions under subsection (b) shall not be prohibited if such person or organization has first obtained a permit authorizing such soliciting from the city. (K.S.A. 8-1538)

Sec. 70. Driving Through Safety Zone Prohibited. No vehicle shall at any time be driven through or within a safety zone. (K.S.A. 8-1539)

Sec. 71. Pedestrians Right-of-Way on Sidewalks. The driver of a vehicle shall yield the right-of-way to any pedestrian on a sidewalk. (K.S.A. 8-1540)

Sec.72. Pedestrians Yield to Authorized Emergency Vehicles.

(a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of subsection (d) of Section 174 and visual signals meeting the requirements of Section 160 of this ordinance, or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right-of-way to the authorized emergency vehicle.

(b) This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian. (K.S.A. 8-1541)

Sec. 73. Blind Pedestrian Right-of-Way. The driver of a vehicle shall yield the right-of-way to any blind pedestrian carrying a clearly visible white cane or accompanied by a guide dog. (K.S.A. 8-1542)

Sec. 74. Pedestrian Under Influence of Alcohol or Drugs. A pedestrian who is under the influence of alcohol or any drug to a degree which renders such pedestrian a hazard shall not walk or be upon a highway except on a sidewalk. (K.S.A. 8-1543)

Sec. 75. Bridge or Railroad Signals.

(a) No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate or barrier after a bridge operation signal indication has been given.

(b) No pedestrian shall pass through, around, over or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed. (K.S.A. 8-1544)

Article 12. Special Stops Required

Sec. 76. Obedience to Signal Indicating Approach of Train.

(a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad, and shall not proceed until such driver can do so safely. The foregoing requirements shall apply when:

(1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train or other on-track equipment;
(2) A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train or other on-track equipment;
(3) A railroad train or other on-track equipment approaching within approximately 1,500 feet of the highway crossing emits a signal audible from such distance and such railroad train or other on-track equipment, by reason of its speed or nearness to such crossing, is an immediate hazard; or
(4) An approaching railroad train or other on-track equipment is plainly visible and is in hazardous proximity to such crossing.

(b) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. (K.S.A. 8-1551)

Sec. 77. All Vehicles Must Stop at Certain Railroad Grade Crossings. When the Secretary of Transportation, or governing body of this city with the approval of the commission, has designated a particularly dangerous highway-grade crossing of a railroad and erected a stop sign thereat, the driver of any vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad and shall proceed only upon exercising due care. (K.S.A. 8-1552)

Sec. 78. Certain Vehicles Must Stop at All Railroad Grade Crossings.

(a) Except as provided in subsection (b), the driver of any vehicle described in rules and regulations issued by the Secretary of Transportation in conjunction with the State Corporation Commission, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within 50 feet but not less than 15 feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, and shall not proceed until such driver can do so safely. After stopping as required and upon proceeding when it is safe to do so, the driver of any vehicle shall cross only in such gear of the vehicle that there will be no necessity for manually changing gears while traversing such crossings and the driver shall not manually shift gears while crossing the track or tracks.

(b) This section shall not apply at:

(1) Any railroad grade crossing at which traffic is controlled by a police officer or human flagman;
(2) Any railroad grade crossing at which traffic is controlled by a functioning highway traffic signal transmitting a green indication which, under local law, permits a vehicle to proceed across the railroad tracks without slowing or stopping;
(3) Any abandoned railroad grade crossing which is marked with a sign indicating that the rail line is abandoned;
(4) Any industrial or spur line railroad grade crossing marked with a sign reading “Exempt.” Such exempt signs shall be erected only by or with the consent of the appropriate state or local authority;
(5) A railroad grade crossing used exclusively for industrial switching purposes, within a business district. (K.S.A. 8-1553)

Sec. 79. Moving Heavy Equipment at Railroad Grade Crossing.

(a) No person shall operate or move any crawler type tractor, steam shovel, derrick, roller or any equipment or structure having a normal operating speed of 10 or less miles per hour, or a vertical body or load clearance of less than one-half (½) inch per foot of the distance between any two adjacent axles or in any event of less than nine inches, measured above the level surface of a roadway, upon or across any tracks at a railroad grade crossing without first complying with this section.

(b) Notice of any such intended crossing shall be given to a station agent of such railroad and a reasonable time be given to such railroad to provide proper protection at such crossing.

(c) Before making any such crossing, the person operating or moving any such vehicle or equipment shall first stop the same not less than 15 feet nor more than 50 feet from the nearest rail of such railroad, and while so stopped, shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.

(d) No such crossing shall be made when warning is given by automatic signal or crossing gates or flagman or otherwise of the immediate approach of a railroad train or car. If a flagman is provided by the railroad, movement over the crossing shall be under of the flagman. (K.S.A. 8-1554)

Sec. 80. Emerging from Alley or Private Driveway or Building. The driver of a vehicle emerging from an alley, building, private road or driveway within a business or residence district shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across such alley, building entrance, road or driveway, or in the event there is no sidewalk area, shall stop at the point nearest the street to be entered where the driver has a view of approaching traffic thereon. (K.S.A. 8-1555)

Ref.: Sec. 60.

Sec. 81. Overtaking and Passing School Bus.

(a) The driver of a vehicle meeting or overtaking from either direction any school bus stopped on the highway shall stop before reaching such school bus when there is in operation on the school bus the flashing red lights specified in subsection (a) of Section 170, and the driver shall not proceed until such school bus resumes motion or the flashing red lights and the stop signal arm are no longer actuated.

(b) Every school bus shall be equipped with red visual signals meeting the requirements of subsection (a) of Section 170 of this ordinance, which may be actuated by the driver of the school bus whenever but only whenever such vehicle is stopped on the highway for the purpose of receiving or discharging school children. A school bus driver shall not actuate the special visual signals:

(1) At intersections or other places where traffic is controlled by traffic-control signals or police officers or;
(2) In designated school bus loading areas where the bus is entirely off the roadway.

(c) Every school bus shall bear upon the front and rear thereof plainly visible signs containing the words “School Bus” in letters not less than eight inches in height. When a school bus is being operated upon a highway for purposes other than the actual transportation of children either to or from school or to or from interschool or intraschool functions or activities, or for maintenance, repair or storage purposes, all markings thereon indicating “school bus” shall be covered or concealed.

(d) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a controlled-access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway, and where pedestrians are not permitted to cross the roadway.

(e) On a first conviction of a violation of subsection (a), the person shall be fined $315. For a second conviction of a violation of subsection (a) within five years the person

shall be fined $750. For a third or subsequent violation of subsection (a) within five years the person shall be fined $1,000.

(f) The provisions of this section shall be subject to the provisions contained in K.S.A. 8-2009a, and amendments thereto. (K.S.A. 8-1556)

Sec. 82. Overtaking and Passing Church Bus or Day Care Program Bus.

(a) The driver of a vehicle meeting or overtaking from either direction any church bus or day care program bus stopped on the highway shall stop before reaching such church bus or day care program bus when there is in operation on said church bus or day care program bus the flashing red lights specified in subsection (a) of Sec. 170, and said driver shall not proceed until such church bus or day care program bus resumes motion or said driver is signaled by the church bus or day care program bus driver to proceed or the flashing red lights and stop signal arm, if any, are no longer actuated.

(b) If a church bus or day care program bus is equipped with visual signals permitted by subsection (c) of Sec. 171, such signals may be actuated by the driver of said church bus or day care program bus only when such vehicle is stopped on the highway for the purpose of receiving or discharging passengers. A church bus or day care program bus driver shall not actuate said special visual signals:

(1) At intersections or other places where traffic is controlled by traffic-control signals or police officers; or
(2) In designated loading areas where the bus is entirely off the roadway.

(c) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a church bus or day care program bus which is on a separate roadway or when upon a controlled-access highway and the church bus or day care program bus is stopped in a loading zone which is part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway. (K.S.A. 8-1556a)

Article 13. Stopping, Standing and Parking

Sec. 83. Stopping, Standing or Parking Outside Business or Residence Districts.

(a) Outside a business or residence district, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the roadway when it is practicable to stop, park or so leave such vehicle off the roadway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway.

(b) This section, Section 85 and Section 86 shall not apply to the driver of any vehicle which is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such position. (K.S.A. 8-1569)

Sec. 84. Officers Authorized to Remove Vehicles.

(a) Whenever any police officer finds a vehicle in violation of any of the provisions of Section 83, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the roadway.

(b) Any police officer is hereby authorized to remove or cause to be removed to a place of safety any unattended vehicle illegally left standing upon any highway, bridge, causeway or in any tunnel in such position, or under such circumstances as to obstruct the normal movement of traffic.

(c) Any police officer is hereby authorized to remove or cause to be removed to the nearest garage or other place of safety any vehicle found upon a highway when:

(1) Report has been made that such vehicle has been stolen or taken without the consent of its owner;
(2) The person or persons in charge of such vehicle are unable to provide for its custody or removal; or
(3) When the person driving or in control of such

vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before the municipal judge without unnecessary delay. (K.S.A. 8-1570)

Sec. 85. Stopping, Standing or Parking Prohibited in Specified Places. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

(a) Stop, stand or park a vehicle:

(1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
(2) On a sidewalk;
(3) Within an intersection;
(4) On a crosswalk;
(5) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
(6) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
(7) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
(8) On any railroad tracks;
(9) On any controlled-access highway;
(10) In the area between roadways of a divided highway, including crossovers; or
(11) At any place where official signs prohibit stopping.

(b) Stand or park a vehicle, whether occupied or not except momentarily to pick up or discharge a passenger or passengers:

(1) In front of a public or private driveway;
(2) Within 15 feet of a fire hydrant;
(3) Within 20 feet of a crosswalk at an intersection;
(4) Within 30 feet upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the side of a roadway;
(5) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance, when properly sign-posted; or
(6) At any place when official signs prohibit standing.

(c) Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading property or passengers:

(1) Within 50 feet of the nearest rail of a railroad crossing;
(2) At any place where official signs prohibit parking.

(d) Move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.

(e) Stand or park a vehicle in areas designated as fire lanes upon public or private property. (K.S.A. 8-1571)

Sec. 86. Stopping or Parking on Roadways.

(a) Except where angle parking is permitted by ordinance, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within 12 inches of the right-hand curb or as close as practicable to the right-hand edge of the right-hand shoulder.

(b) Except when otherwise provided by ordinance, every vehicle stopped or parked upon a one-way road way shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within 12 inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder or with its left-hand wheels within 12 inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

(c) The governing body may by ordinance permit angle parking on any roadway, except that angle parking shall not be permitted on any federal-aid or state highway unless the secretary of transportation has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic. (K.S.A. 8-1572)

Sec. 87. Accessible Parking.

(a) No person shall stop, stand or park any vehicle in a

parking space, whether on public or private property, which is clearly marked as being reserved for the use of persons with a disability or persons responsible for the transportation of persons with a disability unless such vehicle bears a special license plate, permanent placard or temporary placard issued pursuant to K.S.A. 8-161 or K.S.A. 8-1,125, and amendments thereto, and is being operated by or used for the transportation of a person with a disability or disabled veteran. In addition to the temporary placard, a person issued such temporary placard shall carry the state or county receipt showing the name of the person who is issued such temporary placard. If a parking space on private property is clearly marked as being reserved for the use of a specified person with a disability it shall be unlawful for any other person to park in such space.

(b) When a motor vehicle which bears a special license plate or placard issued pursuant to K.S.A. 8-1,125, and amendments thereto, is being operated by or used for the transportation of a person with a disability, such motor vehicle:

(1) May be parked in any parking space, whether on public or private property, which is clearly marked as being reserved for the use of persons with a disability or persons responsible for the transportation of a person with a disability, except a parking space on private property which is clearly marked as being reserved for the use of a specified person with a disability;
(2) May be parked for a period of time not to exceed 24 hours in any parking zone which is restricted as to the length of parking time permitted, except where stopping, standing or parking is prohibited to all vehicles, where parking is reserved for special types of vehicles or where parking would clearly present a traffic hazard; and
(3) Shall be exempt from any parking meter fees of the state or any city, county or other political subdivision.

(c) Official identification devices issued to persons with a disability by any other state, district, or territory subject to the laws of the United States, or any foreign jurisdiction, shall be recognized as acceptable identification in the state of Kansas. Motor vehicles bearing a valid device

from such a jurisdiction shall be accorded the parking privileges contained in subsection (b), except that if such person becomes a resident of the state of Kansas, such identification devices shall not be recognized as acceptable identification 60 days after such person becomes a resident of this state and such devices shall be deemed expired. Possession of an identification device deemed to have expired shall be subject to the provisions of subsection (a) of Section 87.1.

(d) (1) Notwithstanding the provisions of K.S.A. 8-2003, and amendments thereto, each designated accessible parking space shall be clearly marked by vertically mounted signs bearing the international symbol of access.

(2) All parking shall conform to Title II or Title III, as required by the Americans with disabilities act of 1990, 42 USCA 12101 *et seq.* and 28 CFR Parts 35 and 36.

(e) (1) At no time, except when necessary to avoid conflict with other traffic, or in compliance with the law or the directions of a law enforcement officer or official traffic-control device, shall a person:

(A) Stop, stand or park a vehicle in any parking space designated as accessible parking without displaying a special license plate, permanent placard or disabled veteran license plate and an individual identification card, or a valid temporary placard. Placards shall be displayed in accordance with subsection (a) K.S.A. 8-1,125, and amendments thereto;

(B) Stop, stand or park a vehicle so that it blocks an access entrance;

(C) Stop, stand or park a vehicle so that it blocks a disabled parking stall;

(D) Stop, stand or park a vehicle so that it blocks an access aisle; or

(E) Stop, stand or park a vehicle in an access aisle between or beside a designated accessible parking space.

(2) Each violation of subsection (e)(1) is punishable by a fine of not less than $50 nor more than $100.

(3) The provisions of subsection (e)(1) shall be enforced by law enforcement officers on public and private property.

(f) (1) Any person who willfully and falsely represents that such person has the qualifications to obtain a special license plate, a permanent placard and an individual identification card or temporary placard shall be guilty of a violation of this ordinance and shall be punished by a fine of not more than $500 or by imprisonment for not more than one month or by both such fine and imprisonment.

(2) Any person authorized to certify a person with a disability under subsection (a) of K.S.A. 8-1,125, and amendments thereto, who willfully and falsely certifies that a person has the qualifications to obtain a special license plate, a permanent placard and an individual identification card or temporary placard shall be guilty of a violation of this ordinance and shall be punished by a fine of not more than $500 or by imprisonment for not more than one month or by both such fine and imprisonment. (K.S.A. 8-1,125-8-1,130)

Sec. 87.1. Accessible Parking; Revoked or Suspended Devices.

(a) Any person who has in such person's possession any accessible parking identification device which has expired or has been revoked or suspended shall be guilty of a violation of this ordinance and shall be punished by a fine of not less than $100 nor more than $300.

(b) Any person who utilizes any accessible parking identification device issued to another person, an agency or a business, to park in any parking space specified in K.S.A. 8-1,126, and amendments thereto, which could be utilized by a person with a disability, except when transporting or arriving to transport a person with a disability to whom or for whom the identification device was issued shall be guilty of a violation of this ordinance and shall be punished by a fine of not less than $100 nor more than $300. (K.S.A. 8-1,130a)

Ref.: Sec. 198. Vehicle License; Illegal Tag.

Sec. 88. Parking for Certain Purposes Prohibited. No person shall park a vehicle upon any roadway for the principal purpose of:

(a) Displaying such vehicle for sale.

(b) Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

Sec. 89. Stall Parking. Where parking stalls or spaces are marked or designated on the pavement or curb, vehicles shall be parked or stopped within such stalls or spaces in the direction of the flow of traffic or at the angle indicated by the markings.

Sec. 90. Blocking Traffic; Narrow Streets; Stopping; When. No person shall stop, stand or park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals by a police officer. (K.S.A. 8-2002(a)(1))

Sec. 91. Parking on Narrow Streets; Signs. When signs prohibiting parking are erected on narrow streets, no person shall park or stand a vehicle in any such designated place. The chief of police is authorized to erect signs indicating “no parking” upon both sides of any street when the width of the roadway does not exceed 20 feet, or upon one side of a street when the width of the roadway does not exceed 30 feet.

Sec. 92. Parking in Alley.

(a) No person shall park any vehicle in any alley except for the purpose of loading or unloading.

(b) No person shall park any vehicle in any alley for any time of greater duration than reasonably necessary for the expeditious loading or unloading of materials. (K.S.A. 8-2002(a)(1))

Sec. 93. Parking Disabled and Other Vehicles.

(a) No person shall park or store any farm machinery, trailer or semitrailer of any kind, or parts of the same, or any dead, damaged or disabled motor vehicle or farm machinery, trailer or semitrailer of any kind, in the

roadway of any highway, or between the property line or sidewalk and the curb line of any street.

(b) A person shall not use the public highway to abandon vehicles or use the highway to leave vehicles unattended in such a manner as to interfere with public highway operations. When a person leaves a motor vehicle on a public highway or other property open to use by the public, the city having jurisdiction of such highway or other property open to use by the public, after 48 hours or when the motor vehicle interferes with public highway operations, may remove and impound the motor vehicle. (K.S.A. 8-1102)

Sec. 94. Parking Adjacent to Schools; Signs. When official signs or markings are placed indicating no parking upon any street adjacent to any school property, no person shall park a vehicle in any such designated place. The chief of police is hereby authorized to erect signs indicating "No Parking" upon either or both sides of any street adjacent to any school property when such parking would unreasonably interfere with traffic or create a hazard to traffic in such places. (K.S.A. 8-2002(a)(1))

Sec. 95. Stopping or Parking in Hazardous or Congested Places; Signs. When signs are erected upon approach to hazardous or congested places, no person shall stop, stand or park a vehicle in any such designated place. The chief of police is authorized to determine and designate by proper signs those places where the stopping or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic. (K.S.A. 8-2002(a)(1))

Sec. 96. Parking Prohibited at All Times in Designated Places. When authorized signs are erected giving notice thereof, no person shall park a vehicle at any time upon that portion of any of the streets so posted or signed for "No Parking." (K.S.A. 8-1571)

Sec. 97. Limited Time Parking Zones. Whenever any appropriate sign shall be placed and maintained in any block by lawful authority of the city giving notice that the street or highway or city owned parking lot may be used for parking or standing vehicles for a limited time only, it shall be unlawful for any person to fail or refuse to comply with such sign. (K.S.A. 8-2002(a)(1))

Sec. 98. Commercial and Delivery Vehicles: Loading and Unloading; Blocking Traffic; Removal of Vehicle; Duty of Police Department. Subject to any provision prohibiting parking at all times or during specified hours, vehicles used for the transportation of merchandise or materials may stand or be parked at the curb to take on or discharge loads on any street marked for parallel parking: Provided, that such vehicles may be backed into any curb at such times and places when and where the same may not interfere with or become a hazard to vehicular traffic on such street within the block: Provided further, that traffic may be temporarily blocked by any such vehicle backed into any curb to load or unload when the same may be necessary during such times as loading or unloading shall be undertaken in an expeditious manner without any delay, upon prior notice to and under the direction and supervision of the Police Department: Provided further, that the driver or some person in charge of such vehicle shall constantly be present or available to remove such vehicle in an emergency and the vehicle shall be removed immediately upon the same being loaded or unloaded as the case may be. The chief of police may place suitable warning signs to direct or control traffic during the time any street may be blocked or traffic restricted from its normal flow or course. (K.S.A. 8-2002(a)(1))

Sec. 99. Loading, Unloading or Special Zones. Whenever any appropriate sign shall be placed or marked along any street or highway by lawful authority of the city giving notice of any special use of the roadway adjacent thereto for the loading or unloading of merchandise or passengers or the standing of taxicabs, buses or for other authorized purposes, it shall be unlawful for any person to refuse or fail to comply with such sign. (K.S.A. 8-2002(a)(1))

Sec. 100. Citation on Illegally Parked Vehicles. Whenever any motor vehicle without driver is found parked, standing or stopped in violation of this ordinance, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation. (K.S.A. 8-2112)

Sec. 101. Failure to Comply with Traffic Citation Attached to Parked Vehicle. If a violator of restrictions on stopping, standing or parking does not appear in response to a traffic citation affixed to such motor vehicle within a period of five days, the clerk of the court, shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing

the owner of the violation and warning that in the event such letter is disregarded for a period of five days a warrant of arrest will be issued. (K.S.A. 8-2113)

Sec. 102. Presumption in Reference to Illegal Parking.

(a) In any prosecution charging a violation of any law or regulation governing the stopping, standing or parking of a vehicle, proof that the particular vehicle described in the complaint was in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of the violation the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

(b) The foregoing stated presumption shall apply only when the procedure as prescribed in Sections 100 and 101 has been followed. (K.S.A. 8-2114)

Article 14. Miscellaneous Rules

Sec. 103. Using Headphones in Vehicles. No person shall operate any motor vehicle on the streets, alleys, or roadways of the city while wearing headphones which in any way interfere with hearing of traffic noise, or warning devices or signals.

Sec. 104. Inattentive Driving. Every driver whose vehicle, because of his or her driving error or negligent inattention, collides with another vehicle, a person or fixed object, shall be guilty of inattentive driving and in violation of this section.

Sec. 105. Allowing Use of Motor Vehicle in Violation of K.S.A. 8-1014.

(a) It shall be unlawful for the owner of a motor vehicle to allow a person to drive such vehicle when such owner knows or reasonably should have known such person was driving in violation of K.S.A. 8-1014, and amendments thereto.

(b) Violation of this section is punishable by a fine of not

less than $500 nor more than $1,000. In addition to the fine imposed upon a person convicted of a violation of this section, the court may order that the convicted person's motor vehicle or vehicles be impounded or immobilized for a period not to exceed one year and that the convicted person pay all towing, impoundment, and storage fees or other immobilization costs. Prior to ordering the impoundment or immobilization of any such motor vehicle, the court shall consider the factors established in subsection (g) of K.S.A. 8-1567, and amendments thereto. Any personal property in a vehicle impounded or immobilized pursuant to this section may be retrieved prior to or during the period of such impoundment or immobilization. (K.S.A. 8-1022)

Sec. 105.1. Criminal Penalties for Violation of Size and Weight Laws; Exceptions.

(a) It shall be unlawful for any person to drive or move, or for the owner or lessee to cause or knowingly permit to be driven or moved, on any highway any vehicle or combination of vehicles of a size or weight exceeding the limitations stated in article 19 of chapter 8 of Kansas Statutes Annotated or otherwise in violation of this article, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state, and local authorities shall have no power or authority to alter such limitations except as express authority may be granted in this article.

(b) Any person violating any of the provisions of article 19 of chapter 8 of the Kansas Statutes Annotated, except for the provisions of K.S.A. 8-1908 and 8-1909, and amendments thereto, shall, upon conviction thereof, be fined in an amount not to exceed $500.

(c) Any person violating any of the provisions of K.S.A. 8-1908 or 8-1909, and amendments thereto, shall, upon a first conviction thereof, pay a fine from one, but not both of the schedules listed in subsection (c) of K.S.A. 8-2118, and amendments thereto.

(d) Except as otherwise specifically provided in this act, the provisions of article 19 of chapter 8 of Kansas Statutes Annotated governing size, weight and load shall not apply to fire apparatus, road machinery, farm tractors or

to implements of husbandry temporarily moved upon a highway, or to a vehicle operated under the terms of a currently valid special permit issued in accordance with K.S.A. 8-1911, and amendments thereto.

(e) Except on highways designated as part of the national system of interstate defense highways, the gross weight limitation prescribed by article 19 of chapter 8 of Kansas Statutes Annotated on any axle or tandem, triple or quad axles shall not apply to: (1) Trucks specifically designed and equipped and used exclusively for garbage, refuse or solid waste disposal operations when loaded with garbage, refuse or waste; or (2) trucks mounted with a fertilizer spreader used or manufactured principally to spread animal dung, except that this paragraph (2) shall not apply to truck tractors so equipped. Except that such trucks under this subsection shall not exceed 60,000 pounds for three axles or 40,000 pounds for two axles, regardless of width spacing between axles.

(f) As used in this section, "conviction" means a final conviction without regard to whether sentence was suspended or probation granted after such conviction, and a forfeiture of bail, bond or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, is equivalent to a conviction. (K.S.A. 8-1901)

Sec. 105.2. Width of Vehicles and Loads thereon.

(a) The total outside width of any vehicle or the load thereon shall not exceed 8 ½ feet, except as otherwise provided in this section.

(b) A farm tractor or a fertilizer dispensing machine shall not be permitted to travel on any highway which is a part of the national system of interstate and defense highways. Whenever a farm tractor or implement of husbandry, and any load on any such vehicle, exceeds the width limitations prescribed by this section to the extent that the width of such vehicle, including any load thereon, exceeds the width of that portion of a roadway on which such vehicle is driven, which is marked as a single lane of traffic, or, if such roadway has not been marked for lanes of traffic, the width of such vehicle exceeds more

than ½ the width of such roadway, the driver shall move such vehicle as soon as possible as far to the right side of the highway as is practicable and safe upon the approach of any oncoming or following vehicle and upon approaching the crest of a hill.

(c) The secretary shall adopt rules and regulations consistent with federal requirements designating safety and other devices which may extend out on either side of the vehicle.

(d) (1) A vehicle may be loaded with bales of hay which shall not exceed 12 feet in width and a height as authorized by K.S.A. 8-1904, and amendments thereto, but vehicles so loaded shall not be moved on any highway designated as a part of the national network of highways, except as permitted under subsection (j) of K.S.A. 8-1911, and amendments thereto, or under paragraph (2) of this subsection.

(2) A farm vehicle may be loaded with bales of hay which shall not exceed 12 feet in width and a height as authorized by K.S.A. 8-1904, and amendments thereto, but vehicles so loaded shall not be moved on any highway designated as a part of the national system of interstate and defense highways, except as permitted under subsection (j) of K.S.A. 8-1911, and amendments thereto. As used in this paragraph "farm vehicle" means a truck or truck tractor registered under K.S.A. 8-143, and amendments thereto, as a farm truck or truck tractor. Such farm truck or truck tractor may be used in combination with any type of trailer or semitrailer.

(3) Any such vehicles under paragraphs (1) or (2) so loaded shall not be moved during the period beginning 30 minutes after sunset and ending 30 minutes before sunrise. Any vehicle loaded with bales of hay as authorized by the exception in this subsection, with the load extending beyond 8 ½ feet, shall have attached thereto a sign which states "OVERSIZE LOAD" and the dimensions of the sign shall be a minimum of seven feet long and 18 inches high. Letters shall be a minimum of 10 inches high with a brush stroke of not less than 1 2/5 inches. The sign shall be readily visible from a distance of 500 feet and shall be removed when the vehicle or load does not exceed the legal width. Each vehicle shall be equipped with red flags on all four corners of the oversized load.

(e) The secretary of transportation shall adopt rules and regulations authorizing vehicles to be loaded with two combine headers which exceed the legal width, but vehicles so loaded shall not be moved on any highway designated as a part of the national system of interstate and defense highways, except as permitted under subsection (i) of K.S.A. 8-1911, and amendments thereto, and vehicles so loaded shall not be moved during the period beginning 30 minutes after sunset and ending 30 minutes before sunrise.

(f) A motor home or travel trailer may exceed 102 inches, if such excess width is attributable to an appurtenance, except that no appurtenance may extend further than the rear-view mirrors. Such mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached.

For the purposes of this subsection the term "appurtenance" shall include:

(1) An awning and its support hardware; and
(2) any appendage that is intended to be an integral part of a motor home or travel trailer coach and that is installed by the manufacturer or dealer.

The term "appurtenance" shall not include any item that is temporarily affixed or attached to the exterior of a motor home or travel trailer by the owner of such motor home or travel trailer for the purposes of transporting such item from one location to another.
(K.S.A. 8-1902)

Sec. 105.3. Loads on Passenger Vehicles Extending to Either Side. No passenger-type vehicle shall be operated on any highway with any load carried thereon extending beyond the left side of such vehicle nor extending more than six (6) inches beyond the right side thereof. (K.S.A. 8-1903)

Sec. 105.4. Projecting Loads to the Front and Rear.

(a) The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three feet beyond the front wheels of such vehicle or the front bumper of such vehicle if it is equipped with a bumper.

(b) Any vehicle or combination of vehicles transporting passenger vehicles or other motor vehicles may carry a load which extends no more than four feet beyond the front and six feet beyond the rear of the transporting vehicle or combination of vehicles.
(K.S.A. 8-1905)

Sec. 106. Transportation of Alcoholic Beverage.

(a) No person shall transport in any vehicle upon a highway or street any alcoholic beverage unless such beverage is:

(1) In the original unopened package or container, the seal of which has not been broken and from which the original cap, cork or other means of closure has not been removed;

(2) (A) In the locked rear trunk or rear compartment, or any locked outside compartment which is not accessible to any person in the vehicle while it is in motion; or

(B) If a motor vehicle is not equipped with a trunk, behind the last upright seat or in an area not normally occupied by the driver or a passenger; or

(3) In the exclusive possession of a passenger in a vehicle which is a recreational vehicle or a bus, who is not in the driving compartment of such vehicle or who is in a portion of such vehicle from which the driver is not directly accessible.

(b) Violation of this section is punishable by a fine of not more than $200 or by imprisonment for not more than six months, or both.

(c) Except as provided in subsection (e) upon conviction or adjudication of a second or subsequent violation of this section, the judge, in addition to any other penalty or disposition ordered pursuant to law, shall suspend the person's driver's license or privilege to operate a motor vehicle on the streets and highways of this state for one year.

(d) Upon suspension of a license pursuant to this section, the court shall require the person to surrender the license to

the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(e) In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person convicted of violating this section, as provided in subsection (c), the judge of the court in which such person was convicted may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year for a second violation.

Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator, of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this section a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this section.

Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this subsection, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(f) It shall be an affirmative defense to any prosecution under this section that an occupant of the vehicle other than the defendant was in exclusive possession of the alcoholic beverage.

(g) The court shall report to the division every conviction of a violation of this section. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state.

(h) For the purpose of determining whether a conviction is a first, second or subsequent conviction in sentencing under this section:

(1) **Conviction** includes being convicted of a violation of an ordinance of any city, or resolution of any county, which prohibits the acts that K.S.A. 8-1599, as amended, prohibits;
(2) Only convictions occurring in the immediately preceding five years shall be taken into account, but the court may consider other prior convictions in determining the sentence to be imposed within the limits provided for a first, second or subsequent offender, whichever is applicable; and
(3) It is irrelevant whether an offense occurred before or after conviction for a previous offense. (K.S.A. 8-1599)

Sec. 107. Unattended Motor Vehicle; Ignition; Key and Brakes.

(a) No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the highway.

(b) For the purpose of this section, unattended shall not be construed to mean a motor vehicle with an engine that has been activated by a remote starter system, when the motor vehicle is locked and when the ignition keys are not in the motor vehicle. (K.S.A. Supp. 8-1573)

Sec. 108. Obstruction of Driver's View or Driving Mechanism.

(a) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(b) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with the driver's control over the driving mechanism of the vehicle. (K.S.A. 8-1576)

Sec. 109. Coasting.

(a) The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of such vehicle in neutral.

(b) The driver of a truck or bus when traveling upon a down grade shall not coast with the clutch disengaged. (K.S.A. 8-1580)

Sec. 109.1. Motorized Skateboards. It shall be unlawful for any person to operate a motorized skateboard on any street, road or highway in this city.

Sec. 110. Following Fire Apparatus Prohibited. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or stop such vehicle within 500 feet of any fire apparatus stopped in answer to a fire alarm. (K.S.A. 8-1581)

Sec. 111. Crossing Fire Hose. No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street or private road, or driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command. (K.S.A. 8-1582)

Sec. 112. Putting Glass, Etc. on Highway Prohibited.

(a) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon such highway.

(b) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.

(c) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle. (K.S.A. 8-1583)

Sec. 112.1. Littering from a Motor Vehicle.

(a) No person shall throw, place or drop litter or allow litter to be thrown, placed or dropped from a motor vehicle onto or upon any highway, road or street. The driver or the vehicle may be cited for any litter thrown, placed or dropped from the motor vehicle, unless any other person in the motor vehicle admits to or is identified as having committed the act.

(b) “Litter” means rubbish, refuse, waste material, garbage, trash or debris of whatever kind or description and includes improperly discarded paper, metal, plastic or glass. (K.S.A. 8-15,102)

Sec. 113. Stop When Traffic Obstructed. No driver shall enter an intersection or a marked crosswalk or drive onto any railroad grade crossing unless there is sufficient space on the other side of the intersection, crosswalk or railroad grade crossing to accommodate the vehicle he or she is operating without obstructing the passage of other vehicles, pedestrians or railroad trains notwithstanding any traffic-control signal indication to proceed. (K.S.A. 8-1584)

Sec. 114. Snowmobile Operation Limited. No person shall operate a snowmobile on any controlled-access highway. No person shall operate a snowmobile on any other highway, except when crossing the highway at a right angle, or when use of the highway by other motor vehicles is impossible because of snow, or when such operation is authorized by the governing body. (K.S.A. 8-1585)

Sec. 114.1. Unlawful Operation of All-Terrain Vehicle.

(a) Except as provided in subsection (b), (c) or (d) it shall be unlawful for any person to operate an all-terrain vehicle:

(1) On any interstate highway, federal highway or state highway; or
(2) Within the corporate limits of any city unless authorized by such city.

(b) Notwithstanding the provisions of subsection (a), all-terrain vehicles owned and operated by a county noxious weed department, or all-terrain vehicles owned and operated by persons contracting with a county noxious weed department or the Kansas department of transportation may be allowed to operate such all-terrain vehicles upon the right-of-way of any federal highway or state highway for the purpose of eradicating noxious weeds and such all-terrain vehicles may be operated incidentally upon such federal highway or state highway.

(c) Notwithstanding the provisions of subsection (a), all-terrain vehicles may be operated to cross a federal highway or state highway.

(d) Notwithstanding the provisions of subsection (a)(1), persons engaged in agricultural purposes may operate an all-terrain vehicle on a federal highway or state highway under the following conditions:

(1) The operator of the all-terrain vehicle must be a licensed driver and be operating within the restrictions of the operator's license;
(2) The federal highway or state highway must have a posted speed limit of 65 miles per hour or less;
(3) The operator of the all-terrain vehicle must operate the all-terrain vehicle as near to the right side of the roadway as practicable, except when making or preparing to make a left turn; and
(4) The purpose of the trip using the all-terrain vehicle must be for agricultural purposes.

(e) No all-terrain vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles. (K.S.A. 8-15,100)

{**Editor's Note:** If a city authorizes the operation of all-terrain vehicles within the city limits, only those operators meeting all the requirements of subsection (d) can be authorized to operate on a federal or state highway located within city limits.}

Sec. 114.2. Unlawful Operation of a Micro Utility Truck.

(a) It shall be unlawful for any person to operate a micro utility truck:

(1) On any interstate highway, federal highway, or state highway; or
(2) On any public highway or street within the corporate limits of any city unless authorized by such city.

(b) No micro utility truck shall be operated on any public highway or street, unless such truck complies with the equipment requirements under Article 17 of Chapter 8 of the Kansas Statutes Annotated and amendments thereto.

(c) The provisions of subsection (a), shall not prohibit a micro utility truck from crossing a federal or state highway. (K.S.A. 8-15,106)

Sec. 114.3. Unlawful Operation of Low-Speed Vehicle.

(a) It shall be unlawful for any person to operate a low-speed vehicle on any street or highway with a posted speed limit greater than 40 miles per hour.

(b) The provisions of subsection (a), shall not prohibit a low-speed vehicle from crossing a street or highway with a posted speed limit in excess of 40 miles per hour. (K.S.A. 8-15,101)

Sec. 114.4. Unlawful Operation of a Golf Cart.

(a) It shall be unlawful for any person to operate a golf cart:

(1) On any interstate highway, federal highway, or state highway;
(2) On any public highway or street within the corporate limits of any city unless authorized by such city; or
(3) On any street or highway with a posted speed limit greater than 30 miles per hour.

(b) The provisions of subsection (a) shall not prohibit a golf cart from crossing a federal or state highway or a street or highway with a posted speed limit in excess of 30 miles per hour.

(c) A golf cart shall be operated on any public street or highway only during the hours between sunrise and sunset, unless equipped with:
(1) Lights as required for motorcycles by Sections 183 through Section 188 of this ordinance; and
(2) A properly mounted slow-moving vehicle emblem as required by K.S.A. 8-1717, and amendments thereto. (K.S.A. 8-15,108)

Sec. 114.5. Unlawful Operation of a Work-Site Utility Vehicle.

(a) It shall be unlawful for any person to operate a work-site utility vehicle:

(1) On any interstate highway, federal highway, or state highway; or

(2) Within the corporate limits of any city unless authorized by such city.

(b) Notwithstanding the provisions of subsection (a), work-site utility vehicles may be operated to cross a federal highway or state highway.

(c) Notwithstanding the provisions of subsection (a)(1), persons engaged in agricultural purposes may operate a work-site utility vehicle on a federal highway or state highway under the following conditions:

(1) The operator of the all-terrain vehicle must be a licensed driver and be operating within the restrictions of the operator's license;
(2) The federal highway or state highway must have a posted speed limit of 65 miles per hour or less;
(3) The operator of the all-terrain vehicle must operate the all-terrain vehicle as near to the right side of the roadway as practicable, except when making or preparing to make a left turn; and
(4) The purpose of the trip using the all-terrain vehicle must be for agricultural purposes.

(d) No work-site utility vehicle shall be operated on any public highway, street, or road between sunset and sunrise unless equipped with lights as required by law for motorcycles. (K.S.A. 8-15,109)

{**Editor's Note:** If a city authorizes the operation of work-site utility vehicles within the city limits, only those operators meeting all the requirements of subsection (d) can be authorized to operate on a federal or state highway located within city limits.}

Sec. 115. Unlawful Riding on Vehicles; Persons 14 Years of Age and Older.

(a) It shall be unlawful for any person 14 years of age or older to ride on any vehicle or upon any portion thereof not designed or intended for use of passengers when the vehicle is in motion.

(b) It shall be unlawful for the operator of any vehicle to allow any person 14 years of age or older to ride on any vehicle or upon any portion thereof not designated or intended for the use of passengers when the vehicle is in motion.

(c) This section shall not apply to:

(1) An employee under the age of 14 years engaged in the necessary discharge of the employee's duty within truck bodies in space intended for merchandise or cargo; or
(2) When the vehicle is being operated in parades, caravans or exhibitions which are officially authorized or otherwise permitted by law.
(K.S.A. 8-1578a)

Ref.: For Persons Under 14 Years of Age see Sec. 182.2.

Sec. 116. Driving Upon Sidewalk. No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway. (K.S.A. 8-1575)

Sec. 117. Limitations on Backing.

(a) The driver of a vehicle shall not back the same unless such movement can be made with safety and without interfering with other traffic.

(b) The driver of a vehicle shall not back the same upon any shoulder or roadway of any controlled-access highway. (K.S.A. 8-1574)

Sec. 118. Driving Through or On Private Property to Avoid Traffic Control Devices. No person shall drive through the property of a gasoline service station or the service entrance of any public or private property adjacent to any street intersection to avoid any official traffic control device or short cut from one street to another.

Sec. 119. Parades and Processions. No funeral procession or parade of persons or vehicles, excepting the military forces of the United States, the military forces of the State of Kansas, or the forces of the city police and fire departments, shall occupy, march or proceed along any highway until the chief of police shall have been notified by the person or persons in charge thereof and until the chief shall have made provision for such purpose together with a police escort if he or she deems such escort necessary. (K.S.A. 8-2002(a)(3))

Sec. 120. Driving through Procession. It shall be unlawful for the driver of any vehicle to drive between the vehicles comprising a funeral or other authorized procession while they are in motion provided such vehicles are conspicuously so designated. This section shall not apply at intersections where traffic is controlled by traffic-control devices or police officers. (K.S.A. 8-2002(a)(3))

Sec. 121. Military Forces. The military forces of the United States and the State of Kansas, while on any authorized duty involving controlled movement of military convoys, critical supplies or equipment, or during any national or state emergency, shall not be restricted by traffic regulations, and shall have the right-of-way on any street or highway through which they may pass against all except carriers of the United States mail and other emergency vehicles. (K.S.A. 48-252a)

Sec. 122. Street Barriers. Whenever any street or alley or part thereof is closed for repair, rebuilding, construction or reconstruction and suitable warning signs and barricades, which so advise the public, are erected at all intersections of the closed street or alley with all other streets and alleys, it shall be unlawful for any person or operator without authority from the proper official to:

(a) Destroy or remove any barricade, warning sign, light or torch used to close the street or alley or warn the public of the closing.

(b) Drive on that portion of the street or alley that is closed: Provided, however, that nothing in this section shall be construed as prohibiting the regular authorities of the city, state or federal government from having free access to the work at all times. (K.S.A. 8-2002)

Sec. 123. Opening and Closing Vehicle Doors. No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (K.S.A. 8-1577)

Sec. 124. Riding in House Trailer or Mobile or Manufactured Home Prohibited. No person or persons shall occupy a house trailer, manufactured home, as defined in subsection (a) of K.S.A. 58-4202, or mobile home, as defined in subsection (b) of K.S.A. 58-4202 while it is being moved upon a public street or highway. (K.S.A. 8-1578)

Sec. 125. Driving Across Lawns, Sidewalks, Yards, Crops, Etc. It shall be unlawful for any person to drive a motor vehicle upon, across or onto the lawn, sidewalk, yard, farmland, crops or fences or other real or personal property of another person, intentionally damaging the same. (K.S.A. 8-1348)

Note: State statute also provides for district court action for damages and suspension of vehicle registration.

Sec. 126. Removal of Traffic Hazards.

(a) It shall be the duty of the owner of real property to remove from such property any tree, plant, shrub or other obstruction, or part thereof, which, by obstructing the view of any driver, constitutes a traffic hazard.

(b) When the governing body determines upon the basis of an engineering and traffic investigation that such a traffic hazard exists, it shall notify the owner and order that the hazard be removed within 10 days.

(c) The failure of the owner to remove such traffic hazard within 10 days shall constitute an offense punishable by a penalty of $10 and every day said owner shall fail to remove it shall be a separate and distinct offense. (K.S.A. 8-2011)

Sec. 126.1. Obstructing License Plates. It shall be unlawful for any person to attach and display on any vehicle a license plate, as required under article 1 of chapter 8 of the Kansas Statutes Annotated, which is covered, in whole or in part, with any clear or opaque material or any other plastic-like material that affects the plate's visibility or reflectivity. (K.S.A. . 8-15,110)

Sec. 126.2. Use of Wireless Communication Devices.

(a) Except as provided in subsections (b) and (c), no person shall operate a motor vehicle on a public road or highway while using a wireless communications device to write, send or read a written communication.

(b) The provisions of subsection (a) shall not apply to:

(1) A law enforcement officer or emergency service personnel acting within the course and scope of the law enforcement officers or emergency service personnel's employment;

(2) A motor vehicle stopped off the regular traveled portion of the roadway;
(3) A person who reads, selects or enters a telephone number or name in a wireless communications device for the purpose of making or receiving a phone call;
(4) A person who receives an emergency, traffic or weather alert message; or
(5) A person receiving a message related to the operation or navigation of the motor vehicle.

(c) The provisions of subsection (a) shall not prohibit a person from using a wireless communications device while operating a moving motor vehicle to:

(1) Report current or ongoing illegal activity to law enforcement;
(2) Prevent imminent injury to a person or property; or
(3) Relay information between transit or for-hire operator and the operator's dispatcher, in which the device is permanently affixed to the motor vehicle. (K.S.A. 8-15,111)

Article 15. Operation of Bicycles, Motorized Bicycles, and Play Vehicles

Sec. 127. Effect of Regulations.

(a) Violation of any provision of Sections 128 to 133, inclusive, is a traffic infraction.

(b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of Sections 128 to 133, inclusive.

(c) The provisions of Sections 128 to 133, inclusive, which are applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles, subject to those exceptions stated herein. (K.S.A. 8-1586)

Sec. 128. Traffic Laws Apply to Persons Riding Bicycles. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this ordinance, except as otherwise

provided in Sections 127 to 133, inclusive, of this article and except as to those provisions of this ordinance which by their nature can have no application. (K.S.A. 8-1587)

Sec. 129. Riding on Bicycles; Seats; Riders Limited.

(a) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. (K.S.A. 8-1588)

Sec. 130. Clinging to Vehicles. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same, himself or herself to any vehicle upon a roadway. (K.S.A. 8-1589)

Sec. 131. Riding on Roadways and Bicycle Paths.

(a) Every person operating a bicycle or a moped upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as near to the right side of the roadway as practicable, except under any of the following situations when:

(1) Overtaking and passing another bicycle or vehicle proceeding in the same direction;
(2) Preparing for a left turn at an intersection or into a private road or driveway; or
(3) Reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving bicycles, pedestrians, animals, surface hazards or narrow width lanes that make it unsafe to continue along the right hand edge of the roadway.

(b) Any person operating a bicycle or a moped upon a one-way highway with two or more marked traffic lanes may ride as near to the left side of the roadway as practicable.
(c) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.
(d) Wherever a usable path for bicycles has been provided

adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway. (K.S.A. 8-1590)

Sec. 132. Carrying Articles. No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars. (K.S.A. 8-1591)

Sec. 133. Lamps and Other Equipment on Bicycles.

(a) Every bicycle when in use between sunset and sunrise shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and either: (1) A red reflector on the rear which shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle; (2) a lamp on the rear that shall emit a red light visible from a distance of 500 feet to the rear; or (3) the operator of such bicycle shall be wearing a device that emits a red or amber light that shall be visible from a distance of 500 feet to the rear.

(b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(c) No person shall sell a pedal for use on a bicycle, unless such pedal is equipped with a reflector which is visible from the front and rear of the bicycle to which it is attached during darkness from a distance of 200 feet, and no person shall sell a new bicycle, unless it is equipped with pedals meeting the requirements of this subsection. (K.S.A. 8-1592)

Sec. 134. Application of Sec. 127 to Sec. 133 to Motorize Bicycles. The provisions of Sections 127 to 133, inclusive, shall be applicable to motorized bicycles, and every person operating a motorized bicycle shall be subject to the provisions thereof. (K.S.A. 8-1592a)

Sec. 135. Electric-Assisted Bicycles, Traffic Law Application. Vehicle registration and driver's license shall not be required for operation of an electric-assisted bicycle. Traffic regulations applicable to bicycles shall apply to electric-assisted bicycles, except tricycles with no brake horsepower. (K.S.A. 8-1592b)

Sec. 135.1. Electric-Assisted Scooters, Traffic Law Application.

(a) It shall be unlawful for any person to operate an electric-assisted scooter on any interstate highway, federal highway or state highway.

(b) Notwithstanding the provisions of subsection (a), traffic regulations applicable to bicycles, Sections 127 to 133, inclusive, shall be applicable to electric-assisted scooters.

(c) The governing body of a city or county may adopt an ordinance or resolution that further restricts or prohibits the operation of electric-assisted scooters on any public highway, street or sidewalk within such city or county.

(d) Except as otherwise provided in subsection (c), the provisions of subsection (a) shall not prohibit an electric-assisted scooter from crossing a federal or state highway. (2019 Kansas Laws Ch. 61(SB63)

{**Editor's Note:** Pursuant to subsection (c) a city can adopt an ordinance regulating the use of electric-assisted scooters including banning their use within the city.}

Sec. 136. Use of Coasters, Roller Skates and Similar Devices Restricted. No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street at a crosswalk and except upon streets set aside as play streets. (K.S.A. 8-2002(a)(21))

Ref.: Sec. 20. Play Streets.

Article 16. Special Rules for Motorcycles

Sec. 137. Traffic Laws Apply to Persons Operating Motorcycles. Every person operating a motorcycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle under this ordinance,

except as provided in Section 138 to 142, inclusive, and except as to those provisions of this ordinance which by their nature can have no application. (K.S.A. 8-1593)

Sec. 138. Riding on Motorcycles.

(a) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle, unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator.

(b) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle. This subsection shall not apply to any person riding within an autocycle.

(c) No person shall operate a motorcycle while carrying any package, bundle or other article which prevents such person from keeping both hands on the handlebars.

(d) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the motorcycle or the view of the operator. (K.S.A. 8-1594)

Sec. 139. Operating Motorcycles on Roadways Laned for Traffic.

(a) All motorcycles are entitled to full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a lane. This subsection shall not apply to motorcycles operated two abreast in a single lane.

(b) The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(c) No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.

(d) Motorcycles shall not be operated more than two abreast in a single lane.

(e) Subsections (b) and (c) shall not apply to police officers in the performance of their official duties. (K.S.A. 8-1595)

Sec. 140. Clinging to Other Vehicles. No person riding upon a motorcycle shall attach himself, herself or the motorcycle to any other vehicle on a roadway. (K.S.A. 8-1596)

Sec. 141. Motorcycle Seat and Footrests. A motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with a seat and footrests for such passenger. (K.S.A. 8-1597)

Sec. 142. Equipment for Motorcycle Operator or Rider.

(a) No person under the age of 18 years shall operate or ride upon a motorcycle or a motorized bicycle unless wearing a helmet which complies with minimum guidelines established by the National Highway Traffic Safety Administration pursuant to the National Traffic and Motor Vehicle Safety Act of 1966 for helmets designed for use by motorcyclists and other motor vehicle users.

(b) No person shall allow or permit any person under the age of 18 years to:

(1) Operate a motorcycle or motorized bicycle or to ride as a passenger upon a motorcycle or motorized bicycle without being in compliance with the provisions of subsection (a); or
(2) Operate a motorcycle or to ride as a passenger upon a motorcycle without being in compliance with the provisions of subsection (c).

(c) (1) No person shall operate a motorcycle unless he or she is wearing an eye-protective device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant, except when the motorcycle is equipped with a windscreen which has a minimum height of 10 inches measured from the center of the handlebars.
(2) No person under the age of 18 years shall ride as a passenger on a motorcycle unless such

person is wearing an eye-protective device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant.

(d) This section shall not apply to persons riding within an enclosed cab, an autocycle, or on a golf cart, nor shall it apply to any person operating or riding any industrial or cargo-type vehicle having three wheels and commonly known as a truckster. (K.S.A. 8-1598)

Ref.: Motorcycle Equipment, Article 18.

Article 17. Lights, Brakes, Horns and Other Equipment

Sec. 143. Scope and Effect of Regulations.

(a) It is unlawful for any person to drive or move, or for the owner to cause or knowingly permit to be driven or moved on any highway, any vehicle or combination of vehicles which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this article, or which is equipped in any manner in violation of any section of this article, or for any person to do any act forbidden or fail to perform any act required by any provision of any section of this article.

(b) Nothing contained in this article shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of this article.

(c) The provisions of this article with respect to equipment required on vehicles shall not apply to implements of husbandry, road machinery, road rollers or farm tractors except as specifically made applicable in this article.

(d) The provisions of this article with respect to equipment required on vehicles shall not apply to motorcycles or motor-driven cycles, except as specifically made applicable by law.

(e) A low-speed vehicle which is in compliance with the

equipment requirements in 49 C.F.R. 571.500 shall be deemed to be in compliance with the provisions of this ordinance. (K.S.A. 8-1701)

Sec. 144. When Lighted Lamps Required; Visibility Distance and Mounted Height of Lamps.

(a) Every vehicle, except as provided in subsection (b), upon a highway within this state, at all times shall display lighted head and other lamps and illuminating devices as required for different classes of vehicles, subject to exceptions with respect to parked vehicles:

(1) From sunset to sunrise;
(2) When due to insufficient light or unfavorable atmospheric conditions, including smoke or fog, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead; or
(3) When windshield wipers are in continuous use as a result of rain, sleet, or snow.

Stop lights, turn signals, and other signaling devices shall be lighted as prescribed for the use of such devices.

(b) Motorcycles, motor-driven cycles and motorized bicycles manufactured after January 1, 1978, shall display lighted head and taillights at all times that such vehicles are operated on any highway.

(c) Law enforcement officers shall issue a warning citation to anyone violating subsection (a)(3). (K.S.A. 8-1703)

Sec. 145. Visibility Distance and Mounted Height of Lamps.

(a) Whenever any requirement is declared in this article as to the distance from which certain lamps and devices shall render objects visible or within such lamps or devices shall be visible, said provisions shall apply, during the times stated in Section 144 in respect to a vehicle without load upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

(b) Whenever any requirement is declared in this article as to the mounted height of lamps or devices, it shall

mean from the center of such lamp or device to the level ground upon which the vehicle stands when such vehicle is without a load. (K.S.A. 8-1704)

Ref.: Vehicles Parked at Night, see Sec. 157.

Sec. 146. Head Lamps on Motor Vehicles.

(a) Every motor vehicle shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this article.

(b) Every head lamp upon every motor vehicle manufactured or assembled after July 1, 1959, shall be located at a height of not more than 54 inches nor less than 24 inches to be measured as set forth in subsection (b) of Section 145. (K.S.A. 8-1705)

Sec. 147. Tail Lamps.

(a) Every motor vehicle, trailer, semitrailer and pole trailer, and any other vehicle which is being drawn at the end of a combination of vehicles, shall be equipped with at least two tail lamps mounted on the rear, which, when lighted as required in Section 144, shall emit a red light plainly visible from a distance of 1,000 feet to the rear, except that passenger cars manufactured or assembled prior to July 1, 1959, shall have at least one tail lamp. On a combination of vehicles, only the tail lamps on the rearmost vehicle need actually be seen from the distance specified. On vehicles equipped with more than one tail lamp, the lamps shall be mounted on the same level and as widely spaced laterally as practicable.

(b) Every tail lamp upon every vehicle shall be located at a height of not more than 72 inches nor less than 15 inches.

(c) Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render is clearly legible from a distance of 50 feet to the rear. Any tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be

lighted whenever head lamps or auxiliary driving lamps are lighted. (K.S.A. 8-1706)

Sec. 148. Reflectors.

(a) Every motor vehicle, trailer, semitrailer and pole trailer shall carry on the rear, either as a part of the tail lamps or separately, two or more red reflectors meeting the requirements of this section: provided, that vehicles of the types mentioned in Section 151 shall be equipped with reflectors meeting the requirements of subsection (a) of Section 153 and subsection (a) of Section 154.

(b) Every such reflector shall be mounted on the vehicle at a height not less than 15 inches nor more than 60 inches measured as set forth in subsection (b) of Section 145 and shall be of such size and characteristics and so mounted as to be visible at night from all distances within 600 feet to 100 feet from such vehicle when directly in front of lawful lower beams of head lamps, except that reflectors on vehicles manufactured or assembled prior to January 1, 1970, shall be visible at night from all distances within 350 feet to 100 feet when directly in front of lawful upper beams of head lamps. (K.S.A. 8-1707)

Sec. 149. Stop Lamps and Turn Signals.

(a) Every motor vehicle, trailer, semitrailer and pole trailer shall be equipped with two or more stop lamps meeting the requirements of subsection (a) of Section 161, except that passenger cars manufactured or assembled prior to January 1, 1953, shall be equipped with at least one stop lamp. On a combination of vehicles, only the stop lamps on the rearmost vehicle need actually be seen from the distance specified in subsection (a) of Section 161.

(b) Every motor vehicle, trailer, semitrailer and pole trailer shall be equipped with electric turn signal lamps meeting the requirements of subsection (b) of Section 161, except that passenger cars and trucks less than 80 inches in width, manufactured or assembled prior to January 1, 1953 and vehicles registered under K.S.A. 8-194, need not be equipped with electric turn signal lamps. (K.S.A. 8-1708)

Sec. 150. Application of Succeeding Sections. Sections 151 to 155, inclusive, relating to clearance lamps, marker lamps and reflectors, shall apply as stated in said sections to vehicles of the type therein enumerated, namely buses, trucks, truck-tractors, motor homes, motor vehicles with mounted truck-campers, and trailers, semitrailers and pole trailers, respectively, when operated upon any highway, and said vehicle shall be equipped as required and all lamp equipment required shall be lighted at the times mentioned in Section 144. For purposes of the sections enumerated above, a truck-camper, when mounted upon a motor vehicle, shall be considered part of the permanent structure of that motor vehicle. (K.S.A. 8-1709)

Sec. 151. Additional Equipment Required on Certain Vehicles. In addition to other equipment required by this ordinance, the following vehicles shall be equipped as herein stated.

(a) Buses, trucks, motor homes, and motor vehicles with mounted truck-camper, 80 inches or more overall width:

(1) On the front, two clearance lamps, one at each side, and on vehicles manufactured or assembled after July 1, 1959, three identification lamps meeting the specifications of subsection (g).
(2) On the rear, two clearance lamps, one at each side, and on vehicles manufactured or assembled after July 1, 1959, three identification lamps meeting the specifications of subsection (g).
(3) On each side, two side marker lamps, one at or near the front and one at or near the rear.
(4) On each side, two reflectors, one at or near the front and one at or near the rear.

(b) Trailers and semitrailers 80 inches or more in overall width, except boat trailers and house trailers for which special permits are required for movement:

(1) On the front, two clearance lamps, one at each side.
(2) On the rear, two clearance lamps, one at each side, and on vehicles manufactured or assembled after July 1, 1959, three identification lamps meeting the specifications of subsection (g).
(3) On each side, two side marker lamps, one at or near the front and one at or near the rear.

(c) Trailers and semitrailers, except boat trailers and house trailers for which special permits are required pursuant to K.S.A. 8-1911, and amendments thereto, for movement of such house trailers upon the highways of this state:

On each side, two reflectors, one at or near the front and one at or near the rear.

(d) Truck-tractors: On the front, two cab clearance lamps, one at each side, and on vehicles manufactured or assembled after July 1, 1959, three identification lamps meeting the specifications of subsection (g).

(e) Trailers, semitrailers and pole trailers 30 feet or more in overall length:

On each side, one amber side marker lamp and one amber reflector, centrally located with respect to the length of the vehicle.

(f) Pole trailers:

(1) On each side, one amber marker lamp at or near the front of the load.
(2) One amber reflector at or near the front of the load.
(3) On the rearmost support for the load, one combination marker lamp showing amber to the front and red to the rear and side, mounted to indicate maximum width of the pole trailer.

(g) Whenever required or permitted by this article, identification lamps shall be grouped in a horizontal row, with lamp centers spaced not less than six nor more than 12 inches apart, and mounted on the permanent structure of the vehicle as close as practicable to the vertical center line: provided, that where the cab of a vehicle is not more than 42 inches wide at the front roof line, a single identification lamp at the center of the cab shall be deemed to comply with the requirements for front identification lamps.

(h) Boat trailers 80 inches or more in overall width:

(1) On each side, at or near the midpoint, one

clearance lamp performing the function of both a front and rear clearance lamp.

(2) On each side, two side marker lamps, one at or near the front and one at or near the rear.

(3) On each side, two reflectors, one at or near the front and one at or near the rear. (K.S.A. 8-1710)

Ref.: Secs. 153, 154.

Sec. 151.1. Air-conditioning Equipment.

(a) The term "air-conditioning equipment" as used or referred to in this section shall mean mechanical vapor compression refrigeration equipment which is used to cool the driver's or passenger compartment of any motor vehicle.

(b) Air-conditioning equipment shall be manufactured, installed and maintained with due regard for the safety of the occupants of the vehicle and the public, and shall not contain any refrigerant which is toxic to persons or which is flammable.

(c) The secretary of transportation may adopt and enforce safety requirements, rules or regulations and specifications consistent with the requirements of this section applicable to such equipment, which shall correlate with and, so far as possible, conform to the current recommended practice or standard applicable to such equipment approved by the society of automotive engineers.

(d) No person shall have for sale, offer for sale, sell or equip any motor vehicle with any such equipment unless it complies with the requirements of this section.

(e) No person shall operate on any highway any motor vehicle equipped with any air-conditioning equipment unless said equipment complies with the requirements of this section. (K.S.A. 8-1747)

Sec. 152. Color of Clearance Lamps, Identification Lamps, Side Marker Lamps, Backup Lamps and Reflectors.

(a) Front clearance lamps, identification lamps and those marker lamps and reflectors mounted on the front or on

the side near the front of a vehicle shall display or reflect an amber color.

(b) Rear clearance lamps, identification lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color. (K.S.A. 8-1711)

Sec. 153. Mounting of Reflectors, Clearance Lamps and Side Marker Lamps.

(a) Reflectors when required by Section 151 shall be mounted at a height not less than 24 inches and not more than 60 inches above the ground on which the vehicle stands, except that if the highest part of the permanent structure of the vehicle is less than 24 inches the reflector at such point shall be mounted as high as that part of the permanent structure will permit.
The rear reflectors on a pole trailer may be mounted on each side of the bolster or load. Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but such reflector shall meet the other reflector requirements of this article.

(b) Clearance lamps, so far as is practicable, shall be mounted on the permanent structure of the vehicle in such a manner as to indicate the extreme height and width of the vehicle, except that when rear identification lamps are required and are mounted as high as is practicable, rear clearance lamps may be mounted at optional height and when the mounting of front clearance lamps results in such lamps failing to indicate the extreme width of the trailer, such lamps may be mounted at optional height but must indicate, as near as practicable, the extreme width of the trailer. Clearance lamps on truck-tractors shall be located so as to indicate the extreme width of the truck-tractor cab. Clearance lamps and side marker lamps may be mounted in combination if illumination is given as required herein with reference to both. (K.S.A. 8-1712)

Ref.: Sec. 151.

Sec. 154. Visibility of Reflectors, Clearance Lamps, and Marker Lamps.

(a) Every reflector upon any vehicle referred to in Section 151 shall be of such size and characteristics and so maintained as to be readily visible at nighttime from all distances within 600 feet to 100 feet from the vehicle when directly in front of lawful lower beams of head lamps, except that the visibility of reflectors on vehicles manufactured or assembled prior to January 1, 1970, shall be measured in front of lawful upper beams of head lamps. Reflectors required to be mounted on the sides of the vehicle shall reflect the required color of light to the sides, and those mounted on the rear shall reflect a red color to the rear.

(b) Front and rear clearance lamps and identification lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the time lights are required at all distances between 500 feet and 50 feet from the front and rear, respectively, of the vehicle.

(c) Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at all distances between 500 feet and 50 feet from the side of the vehicle on which mounted. (K.S.A. 8-1713)

Sec. 155. Obstructed Lights Not Required. Whenever motor and other vehicles are operated in combination during the time that lights are required, any lamp except tail lamps which, by reason of its location on a vehicle of the combination, would be obscured by another vehicle of the combination, need not be lighted, but this shall not affect the requirement that lighted clearance lamps be displayed on the front of the foremost vehicles required to have clearance lamps, nor that all lights required on the rear of the rearmost vehicle of any combination shall be lighted. (K.S.A. 8-1714)

Sec. 156. Lamps or Flags on Projecting Loads. Whenever the load upon any vehicle extends to the rear four (4) feet or more beyond the bed or body of such vehicle, there shall be displayed at the extreme rear end of the load, at the times specified in K.S.A. 8-1703, two (2) red lamps visible from a distance of at least five hundred (500) feet to the rear, two (2) red reflectors visible at night from all distances within six hundred (600) feet to one hundred (100) feet to the rear when directly in front of

lawful lower beams of head lamps and located so as to indicate maximum width, and on each side one (1) red lamp visible from a distance of at least five hundred (500) feet to the side and located so as to indicate maximum overhang. There shall be displayed at all other times on any vehicle having a load which extends beyond its sides or more than four (4) feet beyond its rear, red flags, not less than twelve (12) inches square, marking the extremities of such load, at each point where a lamp would otherwise be required by this section. (K.S.A. 8-1715)

Sec. 157. Lamps on Parked Vehicles.

(a) Every vehicle shall be equipped with one or more lamps which, when lighted, shall display a white or amber light visible from a distance of 1,000 feet to the front of the vehicle, and a red light visible from a distance of 1,000 feet to the rear of the vehicle. The location of said lamp or lamps always shall be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic.

(b) Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half hour after sunset and a half hour before sunrise, and in the event there is sufficient light to reveal persons and vehicles within a distance of 1,000 feet upon such street or highway, no lights need be displayed upon such parked vehicle.

(c) Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between a half hour after sunset and a half hour before sunrise and there is insufficient light to reveal any person or object within a distance of 1,000 feet upon such highway, such vehicle so parked or stopped shall be equipped with and shall display lamps meeting the requirements of subsection (a).

(d) Any lighted head lamps upon a parked vehicle shall be depressed or dimmed. (K.S.A. 8-1716)

Sec. 158. Lamps on Other Vehicles and Equipment.

(a) Every vehicle, including animal-drawn vehicles and vehicles referred to in subsection (c) of Section 143, not specifically required by the provisions of other sections in this article to be equipped with lamps or other lighting devices, shall be equipped, at all times specified in Section 144, with at least one lamp displaying a white light visible from a distance of not less than 1,000 feet to the front of said vehicle, and also shall be equipped with two lamps displaying red lights visible from a distance of not less than 1,000 feet to the rear, or as an alternative, one lamp displaying a red light visible from a distance of not less than 1,000 feet to the rear and two red reflectors visible from all distances of 600 to 100 feet to the rear when illuminated by the lawful lower beams of head lamps.

(b) Every animal-drawn vehicle shall be equipped at all times with a slow-moving vehicle emblem complying with subsection (g) of K.S.A. 8-1717. (K.S.A. 8-1718)

Sec. 158.1 Lights, Lamps and Reflectors on Farm Tractors; Slow-moving Vehicle and Slow-moving Vehicle Emblem Defined; Requirements for Slow-moving Vehicles; Unlawful Acts; Exception.

(a) Every farm tractor manufactured or assembled after January 1, 1975, shall be equipped with vehicular hazard warning lights of a type described in K.S.A. 8-1722, and amendments thereto, visible from a distance of not less than 1,000 feet to the front and rear in normal sunlight, which shall be displayed whenever any such vehicle is operated upon a highway.

(b) Every farm tractor manufactured or assembled after January 1, 1975, shall at all times, and every other such motor vehicle shall at all times mentioned in K.S.A. 8-1703, and amendments thereto, be equipped with lamps and reflectors as follows:

(1) At least two head lamps meeting the requirements of K.S.A. 8-1724, 8-1726 or 8-1727, and amendments thereto.
(2) At least one red lamp visible when lighted from a distance of not less than 1,000 feet to the rear

mounted as far to the left of the center of the vehicle as practicable.

(3) At least two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of head lamps.

(c) On every combination of farm tractor and towed farm equipment or towed implement of husbandry, the farm tractor shall be equipped as required in subsections (a) and (b), and the towed unit shall be equipped at all times mentioned in K.S.A. 8-1703, and amendments thereto, with lamps and reflectors as follows:

(1) If the towed unit or its load extends more than four feet to the rear of the tractor or obscures any light thereon, the unit shall be equipped on the rear with at least one red lamp visible when lighted from a distance of not less than 1,000 feet to the rear, mounted as far to the left of the center of the towed unit as practicable, and at least two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of head lamps.

(2) If the towed unit of such combination extends more than four feet to the left of the center line of the tractor, the unit shall be equipped on the front with an amber reflector visible from all distances within 600 feet to 100 feet to the front when directly in front of lawful lower beams of head lamps. This reflector shall be so positioned to indicate, as nearly as practicable, the extreme left projection of the towed unit.

(3) If the towed unit or its load obscures either of the vehicle hazard warning lights on the tractor, the towed unit shall be equipped with vehicle hazard warning lights described in subsection (a).

(d) The two red reflectors required in the preceding subsections shall be so positioned as to show from the rear, as nearly as practicable, the extreme width of the vehicle or combination carrying them. If all other requirements are met, reflective tape or paint may be used in lieu of the reflectors required by subsection (c).

(e) As used in this section:

(1) “Slow-moving vehicle” means any vehicle, farm

tractor, implement of husbandry, equipment or piece of machinery designed for use at speeds of less than 25 miles per hour, or which is normally moved at speeds of less than 25 miles per hour, and includes all road construction or maintenance machinery, except when such machinery is engaged in actual construction or maintenance work and there is either a flagman or clearly visible warning signs to warn of such machinery's presence on the roadway.

(2) "Slow-moving vehicle emblem" means a triangular-shaped emblem of substantial construction having equal sides of 14 inches and an altitude of 12 inches, and such emblem shall be painted a fluorescent yellow-orange color and bordered with reflective red-colored strips having a minimum width of 1 ¾ inches, with the vertices of the overall triangle truncated in such a manner that the remaining altitude shall be at least 14 inches.

(f) The secretary of transportation shall approve slow-moving vehicle emblems which meet the requirements of this act and shall compile and publish a list of approved emblems and the manufacturers thereof.

(g) A slow-moving vehicle emblem shall be mounted or affixed on the rear of the slow-moving vehicle in compliance with standard S276.2 of the American society of agricultural engineers, as such standard was revised in March 1968.

(h) No person shall operate any slow-moving vehicle on any highway which is within the national system of interstate and defense highways, the state highway system or the state system of modern express highways and freeways, unless such vehicle is equipped with a properly mounted slow-moving vehicle emblem, which has been approved by the secretary of transportation, and which is maintained in a clean, fluorescent and reflective condition, or display a slow-moving vehicle emblem on any vehicle other than a slow-moving vehicle or display such emblem on a slow-moving vehicle which is being operated at a speed of 25 miles per hour or more, or to use such emblem in any manner other than authorized by this section.

(i) Notwithstanding the provisions of this section, a low-speed vehicle shall not be required to display a slow-moving vehicle emblem. (K.S.A. 8-1717)

Sec. 159. Spot Lamps and Auxiliary Lamps.

(a) **Spot Lamps.** Any motor vehicle may be equipped with not to exceed two spot lamps. Every lighted spot lamp emitting a white light shall be so aimed and used that no part of the high-intensity portion of the beam will strike the windshield or any windows, mirror or occupant of another vehicle in motion. The limitations of this subsection shall not apply to a police vehicle used as an authorized emergency vehicle.

(b) **Fog Lamps.** Any motor vehicle may be equipped with not to exceed two fog lamps mounted on the front at a height not less than 12 inches nor more than 30 inches above the level surface upon which the vehicle stands, and so aimed that when the vehicle is not loaded none of the high-intensity portion of the light to the left of the center of the vehicle shall at a distance of 25 feet ahead project higher than a level of four inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting the above requirements may be used with lower head lamp beams as specified in subsection (a)(2) of Section 164 of this ordinance.

(c) **Auxiliary Passing Lamps.** Any motor vehicle may be equipped with not to exceed two auxiliary passing lamps mounted on the front at a height not less than 24 inches nor more than 42 inches above the level surface upon which the vehicle stands. The provisions of Section 164 shall apply to any combination of head lamps and auxiliary passing lamps.

(d) **Auxiliary Driving Lamps.** Any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height not less than 16 inches nor more than 42 inches above the level surface upon which the vehicle stands. The provisions of Section 164 shall apply to any combination of head lamps and auxiliary driving lamps. (K.S.A. 8-1719)

Sec. 160. Authorized Emergency Vehicles.

(a) Except as provided in subsection (b), every authorized emergency vehicle, in addition to any other equipment required by this ordinance, shall be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to

the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level, or in lieu thereof, any such authorized emergency vehicle shall be equipped with at least one rotating or oscillating light, which shall be mounted as high as practicable on such vehicle and which shall display to the front and rear of such vehicle a flashing red light or alternate flashes of red and white lights or red and blue lights in combination. All lights required or authorized by this subsection shall have sufficient intensity to be visible at 500 feet in normal sunlight. Every authorized emergency vehicle may, but need not, be equipped with head lamps which alternatively flash or simultaneously flash.

(b) A police vehicle when used as an authorized emergency vehicle may, but need not, be equipped with:

(1) Head lamps which alternately flash or simultaneously flash;
(2) Flashing lights specified in subsection (a), but any flashing lights, used on a police vehicle, other than the flashing lights specified in Section 162, rotating or oscillating lights or alternately flashing head lamps or simultaneously flashing head lamps, shall be red in color; or
(3) Rotating or oscillating lights, which may display a flashing red light or alternate flashes of red and blue lights in combination.

(c) A person, partnership, association, corporation, municipality or public official shall not operate, or cause to be operated upon a public highway, road or street within this city, a motor vehicle with a red light, siren or both unless the vehicle has been designated as an authorized emergency vehicle pursuant to K.S.A. 8-2010, and amendments thereto. (K.S.A. 8-1720; K.S.A. 8-2010b)\

Sec. 160.1. Wreckers, Tow Trucks or Car Carriers; Operation of Emergency Lights; When.

(a) Wreckers, tow trucks or car carriers designated as authorized emergency vehicles under subsection (c) of K.S.A. 8-2010, and amendments thereto, shall operate such lights authorized under K.S.A. 8-1720, and amendments thereto, only when such wreckers,

tow trucks or car carriers are stationary and providing wrecker or towing service at the scene of a vehicle accident or providing emergency service on the side of a highway.

(b) The provisions of this section shall be part of and supplemental to the uniform act regulating traffic on highways. (K.S.A. 8-2010c)

Sec. 161. Signal Lamps and Signal Devices.

(a) Any vehicle may be equipped and when required under this ordinance shall be equipped with a stop lamp or lamps on the rear of the vehicle which shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than 300 feet to the rear in normal sunlight, and which shall be actuated upon application of the service or foot brake, and which may, but need not, be incorporated with one or more other rear lamps.

(b) Any vehicle may be equipped and when required under this ordinance shall be equipped with electric turn signals which shall indicate an intention to turn by flashing lights showing to the front and rear of a vehicle or on a combination of vehicles on the side of the vehicle or combination toward which the turn is to be made. The lamps showing to the front shall be mounted on the same level and as widely spaced laterally as practicable and, when signaling, shall emit amber light: Provided, that on any vehicle manufactured prior to July 1, 1973, the lamps showing to the front may emit white or amber light, or any shade of light between white and amber. The lamps showing to the rear shall be mounted on the same level and as widely spaced laterally as practicable, and, when signaling, shall emit a red or amber light, or any shade of color between red and amber. Turn signal lamps shall be visible from a distance of not less than 500 feet to the front and rear in normal sunlight. Turn signal lamps may, but need not be, incorporated in other lamps on the vehicle. (K.S.A. 8-1721)

Sec. 162. Vehicular Hazard Warning Lights.

(a) Any vehicle may be equipped with lamps for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing.

(b) Every bus, truck, truck-tractor, trailer, semi-trailer or pole trailer 80 inches or more in overall width or 30 feet or more in overall length shall be equipped with lamps meeting the requirements of this section.

(c) Vehicular hazard warning signal lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable and shall display simultaneously flashing amber lights. On any vehicle manufactured prior to January 1, 1969, the lamps showing to the front may display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. Such warning lights shall be visible from a distance of not less than 500 feet in normal sunlight.

(d) Any police vehicle, when used as an authorized emergency vehicle, may be equipped with warning lamps mounted as widely spaced laterally as practicable, either inside such vehicle, in front of the rear window or on the roof of such vehicle, and capable of displaying two alternately flashing amber lights to the rear of such vehicle. Such warning lamps may be used in lieu of or in combination with any other vehicular hazard warning signal lamps used to display such warning to the rear and shall be visible from a distance of not less than 500 feet in normal sunlight.

(e) Every truck designed and used for collection and disposal of domestic or commercial waste or trash shall be equipped as provided in subsection (c) and shall operate such lamps when collecting or transporting waste or trash and traveling 15 miles per hour or less. (K.S.A. 8-1722)

Sec. 162.1. Display of Vehicular Hazard Warning Signal Lamps and Warning Devices by Certain Stopped or Disabled Vehicles.

(a) Whenever any truck, bus, truck-tractor, trailer, semitrailer or pole trailer eighty (80) inches or more in overall width or thirty (30) feet or more in overall length is stopped upon a roadway or adjacent shoulder, the driver immediately shall actuate vehicular hazard warning signal lamps meeting the requirements of K.S.A. 8-1722. Such lights need not be displayed by a vehicle parked lawfully in an urban district, or stopped lawfully to receive or discharge passengers, or stopped to avoid conflict with other traffic or to comply with the directions of a police officer or an official traffic-control device, or while the devices specified in subsections (b) to (h) are in place.

(b) Whenever any vehicle of a type referred to in subsection (a) is disabled, or stopped for more than ten (10) minutes, upon a roadway outside of an urban district at any time when lighted lamps are required, the driver of such vehicle shall display the following warning devices, except as provided in subsection (c):

(1) A lighted fusee, a lighted red electric lantern or a portable red emergency reflector shall immediately be placed at the traffic side of the vehicle in the direction of the nearest approaching traffic.

(2) As soon thereafter as possible but in any event within the burning period of the fusee, the driver shall place three (3) liquid-burning flares, or three (3) lighted red electric lanterns, or three (3) portable red emergency reflectors on the roadway in the following order:

(i) One (1) approximately one hundred (100) feet from the disabled vehicle in the center of the lane occupied by such vehicle and toward traffic approaching in that lane.

(ii) One (1) approximately one hundred (100) feet in the opposite direction from the disabled vehicle and in the center of the traffic lane occupied by such vehicle.

(iii) One (1) at the traffic side of the disabled vehicle not less than ten (10) feet rearward or forward thereof in the direction of the nearest approaching traffic. If a lighted red electric lantern or a red portable emergency reflector

has been placed at the traffic side of the vehicle in accordance with paragraph (1) of this subsection, it may be used for this purpose.

(c) Whenever any vehicle referred to in this section is disabled, or stopped for more than ten (10) minutes, within five hundred (500) feet of a curve, hillcrest or other obstruction to view, the warning device in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than one hundred (100) feet nor more than five hundred (500) feet from the disabled vehicle.

(d) Whenever any vehicle of a type referred to in this section is disabled, or stopped for more than ten (10) minutes, upon any roadway of a divided highway during the time lighted lamps are required, the appropriate warning devices prescribed in subsections (b) and (e) shall be placed as follows: One (1) at a distance of approximately two hundred (200) feet from the vehicle in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane; one (1) at a distance of approximately one hundred (100) feet from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching in that lane; one (1) at the traffic side of the vehicle and approximately ten (10) feet from the vehicle in the direction of the nearest approaching traffic.

(e) Whenever any motor vehicle used in the transportation of explosives or any cargo tank truck used for the transportation of any flammable liquid or compressed gas is disabled, or stopped for more than ten (10) minutes, at any time and place mentioned in subsection (b), (c) or (d), the driver of such vehicle shall immediately display red electric lanterns or portable red emergency reflectors in the same number and manner specified therein. Flares, fusees or signals produced by flame shall not be used as warning devices for vehicles of the type mentioned in this subsection nor for vehicles using compressed gas as a fuel.

(f) The warning devices described in subsections (b) to (e) need not be displayed where there is sufficient light to reveal persons and vehicles within a distance of one thousand (1,000) feet.

(g) Whenever any vehicle described in this section is disabled, or stopped for more than ten (10) minutes, upon a roadway outside of an urban district or upon the roadway of a divided highway at any time when lighted lamps are not required by K.S.A. 8-1703, the driver of the vehicle shall display two (2) red flags as follows:

(1) If traffic on the roadway moves in two (2) directions, one (1) flag shall be placed approximately one hundred (100) feet to the rear and one (1) flag approximately one hundred (100) feet in advance of the vehicle in the center of the lane occupied by such vehicle.

(2) Upon a one-way roadway, one (1) flag shall be placed approximately one hundred (100) feet and one (1) flag approximately two hundred (200) feet to the rear of the vehicle in the center of the lane occupied by such vehicle.

(h) When any vehicle described in this section is stopped entirely off the roadway and on an adjacent shoulder at any time and place hereinbefore mentioned, the warning devices shall be placed, as nearly as practicable, on the shoulder near the edge of the roadway.

(i) The flares, fusees, red electric lanterns, portable red emergency reflectors and flags to be displayed as required in this section shall conform with the requirements of K.S.A. 8-1744 applicable thereto. (K.S.A. 8-1745)

Sec. 163. Additional Lighting Equipment.

(a) Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare.

(b) Any motor vehicle may be equipped with not more than one running-board courtesy lamp on each side which shall emit a white or amber light without glare.

(c) Any motor vehicle may be equipped with one or more back-up lamps, either separately or in combination with other lamps, but any such back-up lamp or lamps shall not be lighted when the motor vehicle is in forward motion.

(d) Any vehicle 80 inches or more in overall width, if not otherwise required by Section 151, may be equipped with not more than three identification lamps showing to the front which shall emit an amber light without glare and not more than three identification lamps showing to the rear which shall emit a red light without glare. Such lamps shall be mounted as specified in subsection (g) of Section 151.

(e) Any vehicle may be equipped with one or more side marker lamps and any such lamp may be flashed in conjunction with turn or vehicular hazard warning signals. Side marker lamps located toward the front of a vehicle shall be amber and side marker lamps located toward the rear shall be red.

(f) Any motor vehicle may be equipped with neon ground effect lighting, except that such lighting shall not flash, be any shade of red nor shall any portion of the neon tubes be visible. **Neon ground effect lighting** means neon tubes placed underneath the motor vehicle for the purpose of illuminating the ground below the motor vehicle creating a halo light effect.

(g) Any motor vehicle may be equipped with head lamps which alternately flash or simultaneously flash when such motor vehicle is being used as the lead motor vehicle of a funeral procession. A funeral hearse may serve as a funeral lead vehicle. (K.S.A. 8-1723)

Sec. 164. Multiple-Beam Road-Lighting Equipment.

(a) Except as hereinafter provided, the head lamps, or the auxiliary driving lamps or the auxiliary passing lamp or combination thereof, on motor vehicles other than motorcycles shall be so arranged that the driver may select at will between distribution of light projected to different elevations, and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:

(1) There shall be an uppermost distribution of light or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 450 feet ahead for all conditions of loading.
(2) There shall be a lowermost distribution of light,

or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 150 feet ahead; and on a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

(b) Every new motor vehicle registered in this state which has multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped. (K.S.A. 8-1724)

Sec. 165. Use of Multiple-beam Road-lighting Equipment. When a motor vehicle is being operated on a highway or shoulder adjacent thereto during the times specified in Section 144 of this ordinance the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

(a) When the driver of a vehicle approaches an oncoming vehicle within 500 feet, such driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, or composite beam, specified in subsection (a)(2) of Section 164 or subsection (b) of Section 187, shall be dimmed to avoid glare at all times, regardless of road contour and loading.

(b) When the driver of a vehicle approaches another vehicle from the rear, within 300 feet, except when engaged in the act of overtaking and passing, such driver shall use a distribution of light permissible under this article other than the uppermost distribution of light specified in subsection (a)(1) of Section 164 or subsection (b) of Section 187.

(c) The requirements in subsections (a) and (b) shall not apply to:

(1) Authorized emergency vehicles displaying alternately flashing or simultaneously flashing head lamps as provided in Section 160; or

(2) School buses displaying alternately flashing or simultaneously flashing head lamps as provided in Section 170. (K.S.A. 8-1725)

Sec. 166. Single-beam Road-lighting Equipment Permitted on Certain Vehicles. Head lamp systems which provide only a single distribution of light shall be permitted on all farm tractors, regardless of date of manufacture, and on other motor vehicles manufactured and sold prior to July 1, 1938, in lieu of multiple-beam road-lighting equipment herein specified, if the single distribution of light complies with the following requirements and limitations:

(a) The head lamps shall be so aimed that when the vehicle is not loaded none of the high intensity portion of the light at a distance of 25 feet ahead shall project higher than a level of five inches below the level of the center of the lamp from which it comes, and in no case higher than 42 inches above the level on which the vehicle stands at a distance of 75 feet ahead.

(b) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least 200 feet. (K.S.A. 8-1726)

Sec. 167. Alternate Road-lighting Equipment on Certain Vehicles; Limitations on Speed. Any motor vehicle may be operated under the conditions specified in Sec. 144 when equipped with two lighted lamps upon the front thereof capable of revealing persons and vehicles 100 feet ahead in lieu of lamps required in Sec. 164 or Sec. 166: Provided, that at no time shall it be operated at a speed in excess of 25 miles per hour. (K.S.A. 8-1727)

Sec. 168. Number of Driving Lamps Required or Permitted.

(a) At all times specified in Section 144 of this ordinance, at least two lighted head lamps shall be displayed, one on each side at the front of every motor vehicle, except when such vehicle is parked, subject to the regulations governing lights on parked vehicles.

(b) Whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of an intensity greater than 300 candlepower, not more than a total of four of any

such lamps on the front of a vehicle shall be lighted at any one time when upon a highway. (K.S.A. 8-1728)

Sec. 169. Special Restrictions on Lamps.

(a) During the time specified in Section 144, any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, and school bus warning lamps, that project a beam of light of an intensity greater than 300 candlepower shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

(b) Except as required or permitted in Sections 160, 169.1 and 170, no person shall drive or move any vehicle or equipment upon any highway with any lamp or device capable of displaying a red light visible from directly in front of the center thereof, nor shall any vehicle or equipment upon any highway have any lamp or device displaying any color of light visible from directly in front of the center thereof except white or amber or any shade of color between white and amber.

(c) Flashing lights are prohibited except as authorized or required in Sections 158,1, 160, 161, 162, 163, 170, 171, and 172.

(d) The flashing lights described in Sections 160, 170, and 171 shall not be used on any vehicle other than a school bus, church bus or day program bus, as defined in Section 171, or an authorized emergency vehicle.

(e) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop light or other signal device, which may be red, amber or yellow, and except that the light illuminating the license plate shall be white and the light emitted by a back-up lamp shall be white or amber. (K.S.A. 8-1729)

Sec. 169.1. Transportation Network Lighting Device.

(a) A driver for a transportation network company, who is logged on to the transportation network company's digital network, may equip the vehicle with a lighting device capable of displaying light visible from directly in front of the center of the vehicle. Such lighting device may

display:

(1) Steady light; and
(2) Light of any color, except red.

The words and phrase used in this section have the meanings respectively ascribed thereto in Section 1 and K.S.A. 8-2702, and amendments thereto, unless a different meaning is plainly required by the context.
(2019 Kansas Laws Ch. 61 SB 63).

Sec. 170. School Buses.

(a) Every school bus, in addition to any other equipment and distinctive markings required by this act:

(1) Shall be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall display to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level, and these lights shall be visible at 500 feet in normal sunlight; and
(2) Every new school bus put into initial service after July 1, 2007, shall be equipped with a white flashing strobe light mounted on the roof of such bus to afford optimum visibility.

(b) Any school bus, in addition to the lights required by subsection (a), may be equipped with:

(1) Yellow signal lamps mounted near each of the four red lamps and at the same level but closer to the vertical centerline of the bus, which shall display two alternately flashing yellow lights to the front and two alternately flashing yellow lights to the rear, and these lights shall be visible at 500 feet in normal sunlight. These lights shall be displayed by the school bus driver at least 200 feet, but not more than 1,000 feet, before every stop at which the alternately flashing red lights required by subsection (a) will be actuated; or

(2) Head lamps which alternately flash on low beam or simultaneously flash on low beam, except such head lamps shall only be activated during daylight hours.

(c) The provisions of this section shall be subject to the provisions contained in K.S.A. 8-2009a, and amendments thereto. (K.S.A. 8-1730)

Sec. 171. Lighting Equipment and Warning Devices on Church Buses and Day Care Program Buses. Any church bus, or day care program bus, in addition to any other equipment and distinctive markings required by law, may be equipped with:

(a) Signal lamps which conform to the requirements of Section 170, and rules and regulations adopted pursuant thereto; and

(b) A stop signal arm which conforms to requirements therefor applicable to school buses which have been adopted by rules and regulations of the state board of education. (K.S.A. 8-1730a)

Sec. 172. Highway Construction and Maintenance Vehicles. It shall be unlawful to operate any snow removal and other highway maintenance and service equipment on any highway unless the lamps thereon comply with and are lighted when and as required by the standards and specifications adopted by the Secretary of Transportation. (K.S.A. 8-1731)

Sec. 173. Brakes; Performance Requirements.

(a) Every motor vehicle and every combination of vehicles shall have a service braking system which will stop such vehicle or combination within 40 feet from an initial speed of 20 miles per hour on a level, dry, smooth, hard surface.

(b) Every motor vehicle and combination of vehicles shall have a parking brake system adequate to hold such vehicle or combination on any grade on which it is operated under all conditions of loading, on a surface free from snow, ice or loose material.

(c) When necessary for the safe operation of any vehicle or class of vehicles, the secretary of transportation may require additional braking systems. Every vehicle must comply with any additional requirements.

(d) The provisions of this section shall not apply to vehicles registered pursuant to K.S.A. 8-166 *et seq.* and any amendments thereto. (K.S.A. 8-1734)

Sec. 174. Horns and Warning Devices.

(a) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation shall give audible warning with his horn, but shall not otherwise use such horn when upon a highway.

(b) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle or bell, except as otherwise permitted in this section.

(c) Any vehicle may be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal. Such a theft alarm signal may use a whistle, bell, horn or other audible signal but shall not use a siren.

(d) Every authorized emergency vehicle shall be equipped with a siren, whistle, or bell, capable of emitting sound audible under normal conditions from a distance of not less than 500 feet and of a type approved by the secretary of transportation, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when reasonably necessary to warn pedestrians and other drivers of the approach thereof.

(e) Every truck specifically designed and equipped and used exclusively for garbage, refuse, or solid waste disposal operations shall be equipped with a whistle, bell, or other audible signal. Such whistle, bell, or other audible signal shall be used only when the driver of the truck is backing such truck. Notwithstanding the provisions of this section, a city may adopt an ordinance prohibiting the activation of such whistle, bell, or other audible signal during specific periods of time during the day. (K.S.A. 8-1738)

(f) Every truck designed and used for collection and disposal of domestic or commercial waste or trash shall be equipped with vehicular hazard warning signal lamps for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing. Hazard warning signal lamps used to display such warning to the front shall be mounted at the same level and as widely space laterally as practicable and shall display simultaneously flashing amber lights. On any vehicle manufactured prior to January 1, 1969, the lamps showing to the front may display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. Such warning lights shall be visible from a distance of not less than 500 feet in normal sunlight. (K.S.A. 8-1722)

Sec. 175. Noise Prevention; Mufflers.

(a) Every vehicle shall be equipped, maintained and operated so as to prevent excessive or unusual noise. Every motor vehicle at all times shall be equipped with a muffler or other effective noise suppressing system in good working order and in constant operation, and no person shall use a muffler cutout, bypass or similar device.

(b) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke. (K.S.A. 8-1739)

Sec. 175.1. Compression Release Engine Braking System.

It shall be unlawful for the driver of any motor vehicle to use or cause to be used or operated any compression release engine braking system without such motor vehicle being equipped with a muffler in accordance with Section 175.

As used in this section, “compression release engine braking system” means a hydraulically operated device that converts a power producing diesel engine into a power absorbing retarding mechanism. (K.S.A. 8-1761)

Sec. 176. Mirrors.

(a) Every motor vehicle shall be equipped with a mirror mounted on the left side of the vehicle and so located as to reflect to the driver a view of the highway to the rear of the vehicle.

(b) Every motor vehicle, except a motorcycle, shall be equipped with an additional mirror mounted either inside the vehicle approximately in the center or outside the vehicle on the right side and so located as to reflect to the driver a view of the highway to the rear of the vehicle.

(c) All mirrors required by regulations of the United States department of transportation shall be maintained in good condition. (K.S.A. 8-1740)

Sec. 177. Windshields Must Be Unobstructed and Equipped with Wipers; Eye Protection.

(a) No person shall drive any motor vehicle with any sign, poster or other nontransparent material upon the front windshield, side wings, side or rear windows of such vehicle which substantially obstructs, obscures or impairs the driver's clear view of the highway or any intersecting highway.

(b) No person shall drive any motor vehicle with a damaged front windshield or side or rear windows which substantially obstructs the driver's clear view of the highway or any intersecting highway.

(c) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

(d) Every windshield wiper upon a motor vehicle shall be maintained in good working order. (K.S.A. 8-1741)

Sec. 178. Restrictions as to Tire Equipment.

(a) Every solid rubber tire on a vehicle shall have rubber on

its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.

(b) No person shall operate or move on any highway any motor vehicle, trailer, or semitrailer having any metal tire in contact with the roadway.

(c) No tire on a vehicle moved on a highway shall have on its periphery any protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that it shall be permissible to use:

(1) Farm machinery with tires having protuberances which will not injure the highway;
(2) Tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid;
(3) Studded traction equipment upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid; or
(4) Pneumatic tires having metallic or nonmetallic studs designed to improve traction without materially injuring the surface of the highway. To qualify under paragraph (3) or (4), such tires or studded traction equipment shall be approved by the secretary of transportation by adoption of rules and regulations, and their use may be limited to certain months or types of vehicles by such rules and regulations.

(d) The governing body may issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this ordinance.

(e) It is unlawful for any person to operate a motor vehicle or combination of vehicles having one or more tires in an unsafe condition. A solid rubber tire is in an unsafe condition if it does not comply with the provisions of subsection (a). A pneumatic tire is in an unsafe condition if it has:

(1) Any part of the ply or cord exposed;
(2) Any bump, bulge or separation;
(3) A tread design depth of less than one-sixteenth (1/16) inch measured in any two or more adjacent tread grooves, exclusive of tie bars, or, for those tires with tread wear indicators worn to the level of the tread wear indicators in any two tread grooves;
(4) A marking "not for highway use" or "for racing purposes only" or "unsafe for highway use";
(5) Tread or sidewall cracks, cuts or snags deep enough to expose the body cord;
(6) Been regrooved or recut below the original tread design depth, excepting special taxi tires which have extra undertread rubber and are identified as such; or
(7) Such other conditions as may be reasonably demonstrated to render it unsafe.

(f) The provisions of subsection (e) shall not apply to a vehicle or combination of vehicles being transported by a wrecker or tow truck.

(g) It shall be unlawful for any person to operate a vehicle with a single tire on any hubs configured for a dual tire assembly. The provisions of this subsection shall not apply:

(1) To any truck registered for a gross weight of 20,000 pounds or less;
(2) To any vehicle or combination of vehicles operating with wide-base single tires, as defined in K.S.A. 8-1742b, and amendments thereto, on any hubs configured for a dual tire assembly;
(3) To any single axle with hubs configured for a dual tire assembly when such single axle does not exceed 9,000 pounds and is a part of a triple-axle combination; or
(4) In cases of emergency.

(h) No person in the business of selling tires shall sell or offer for sale for highway use any tire which is in unsafe condition or which has tread depth of less than one-sixteenth (1/16) inch measured as specified in subsection (e). (K.S.A. 8-1742; K.S.A. 8-1742a)

Sec. 178.1. Wide-Base Single Tires.

(a) The following shall apply where wide-base single tires are used in the operation of any vehicle or combination of vehicles:

(1) The maximum load for a wide-base single tire on a steering axle shall not exceed 600 pounds per inch of tire section width. The maximum load for a wide-base single tire on any other axle shall not exceed 575 pounds per inch of tire section width;
(2) No wide-base single tire shall exceed the load designated by the manufacturer; and
(3) The maximum tire inflation pressures shall be as designated by the manufacturer.

(b) The provisions of paragraph (1) of subsection (a) shall apply to all wide-based single tires purchased after July 1, 1993.
(c) Any conviction or forfeiture of bail or bond for any violation of this section shall not be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto. (K.S.A. 8-1742b)

Sec. 179. Spilling Loads on Highways Prohibited.

(a) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that:
(1) This section shall not prohibit the necessary spreading of any substance in highway maintenance or construction operations; and
(2) Subsections (a) and (c) shall not apply to trailers or semitrailers when hauling livestock if such trailers or semitrailers are properly equipped with a cleanout trap and such trap is operated in a closed position unless material is intentionally spilled when the trap is in a closed position. Paragraph (2) shall not apply to trailers or semitrailers used for hauling livestock when livestock are not being hauled in such trailers or semitrailers.

(b) All trailers or semitrailers used for hauling livestock shall be cleaned out periodically.

(c) No person shall operate on any highway any vehicle with any load unless such load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway. (K.S.A. 8-1906)

Sec. 180. Trailers and Towed Vehicles; Drawbar Connections and Safety Hitch.

(a) When one vehicle is towing another, the drawbar, tow bar or other connections shall be of sufficient strength to pull, stop and hold all weight towed thereby, and so designed, constructed and installed as to insure that any vehicle or motor vehicle towed on a level, smooth, paved surface will follow in the path of the towing vehicle when it is moving in a straight line. In addition to the drawbar connections between any two such vehicles, there shall be provided an adequate safety hitch.

(b) When one vehicle is towing another and the connection consists of a chain, rope or cable, there shall be displayed upon such connection a white flag or cloth not less than 12 inches square.

(c) Motor vehicles in transit may be transported in combination by means of tow bar, saddle-mount or full-mount mechanisms, utilizing the motive power of one of the motor vehicles in such combination, except that not more than two vehicles in any such combination of motor vehicles in transit may be connected by means of a tow bar mechanism. Whenever motor vehicles are transported as authorized in this subsection, such motor vehicles shall be connected securely in combination in accordance with rules and regulations adopted by the secretary of transportation, and any combination of such motor vehicles shall comply with the limitations prescribed by K.S.A. 8-1904, and amendments thereto.

(d) Except as otherwise provided in subsection (c), not more than three vehicles, including the towing vehicle, in any combination of vehicles may be connected by means of a tow bar mechanism, and if the three such vehicles are connected by tow bar mechanisms, the tow bar mechanism between the towing vehicle and the first towed vehicle shall be equipped with an anti-sway mechanism. In addition, the second towed vehicle of every combination of vehicles so connected shall be

equipped with service brakes acting on the wheels of at least one axle, and which are of a type approved by the secretary of transportation and of such character as to be applied automatically and promptly. (K.S.A. 8-1907)

Sec. 181. One-Way Glass and Sun Screening Devices.

(a) No motor vehicle required to be registered in this state and that is operated on the highways of this city shall be equipped with one-way glass or any sun screening device, as defined in Section 1, and used in conjunction with windshields, side wings, side windows or rear windows that do not meet the following requirements:

(1) A sun screening device when used in conjunction with the windshield shall be nonreflective and shall not be red, yellow or amber in color. A sun screening device shall be used only along the top of the windshield and shall not extend downward beyond the AS1 line which is clearly defined and marked;
(2) A sun screening device when used in conjunction with the side wings or side windows located at the immediate right and left of the driver, the side windows behind the driver and the rear most window shall be nonreflective; and
(3) The total light transmission shall not be less than 35% when a sun screening device is used in conjunction with other existing sun screening devices.

(b) Subsection (a) (3) shall not apply to a window of a law enforcement motor vehicle.

(c) The provisions of subsection (a) shall not apply to the installation, affixation or application of a clear, colorless and transparent material that may be installed, affixed or applied to the windshields, side wings, side windows or rear windows of a motor vehicle if the following conditions are met:

(1) The material has a minimum visible light transmittance of 78%;

(2) The window glazing with the material applied meets all requirements of federal motor vehicle safety standard no. 205, including the specified minimum light transmittance of 70% and the abrasion resistance of AS-14 glazing, as specified in that federal standard;
(3) The material is designed and manufactured to enhance the ability of the existing window glass to block the sun's harmful ultraviolet A or B rays;
(4) The driver or occupant of the vehicle possesses a signed statement from a licensed physician or licensed optometrist that:

(A). Identifies with reasonable specificity the driver or occupant of the vehicle; and
(B). States that, in the physician's or optometrist's professional opinion, the equipping of the vehicle with the material is necessary to safeguard the health of the driver or occupant of the vehicle; and
(C). If the material described in this subsection tears or bubbles, or is otherwise worn to prohibit clear vision, it shall be removed or replaced.

(d) Any driver who is issued a citation for failure to possess a signed statement pursuant to subsection (c)(4) shall have 60 days to either produce in court a signed statement or remove the material described in subsection (c). If such driver produces the signed statement or submits proof to the satisfaction of the court that the material described in subsection (c) has been removed, then the court shall dismiss the citation.

(e) This section shall not prohibit labels, stickers or other informational signs that are required or permitted by law.

(f) No motor vehicle required to be registered in this state that is operated on the highways of this city shall be equipped with head lamps that are covered with any sun screening device, adhesive film or other glaze or application which, when such lamps are not in operation, is highly reflective or otherwise nontransparent.

(g) Any person violating the provisions of (a) or (f) of this section shall be in violation of this ordinance and punished as provided in Section 201.

(h) Any person who installs a sun screening device on a motor vehicle which is not in compliance with the provisions of this section, upon conviction, shall be guilty of a violation of this ordinance and shall be punished by a fine of not more than $500 or by imprisonment for not more than one month or by both such fine and imprisonment. (K.S.A. 8-1749a; K.S.A. 8-1749c)

Sec. 182. Child Passenger Safety Restraining System.

(a) Every driver who transports a child under the age of 14 years in a passenger car or an autocycle on a highway shall provide for the protection of such child by properly using:

(1) For a child under the age of four years an appropriate child passenger safety restraining system that meets or exceeds the standards and specifications contained in federal motor vehicle safety standard no. 213;
(2) For a child four years of age, but under the age of eight years and who weighs less than 80 pounds or is less than 4 feet 9 inches in height, an appropriate child passenger safety restraining system that meets or exceeds the standards and specifications contained in federal motor vehicle safety standard no. 213; or
(3) For a child 8 years of age but under the age of 14 years or who weighs more than 80 pounds or is more than 4 feet 9 inches in height, a safety belt manufactured in compliance with federal motor vehicle safety standard no. 208.

(b) If the number of children subject to the requirements of subsection (a) exceeds the number of passenger securing locations available for use by children affected by such requirements, and all of these securing locations are in use by children, then there is not a violation of this section.

(c) If a securing location only has a lap safety belt available, the provisions of subsection (a)(2) shall not apply and the child shall be secured in accordance with the provisions of subsection (a)(3).

(d) It shall be unlawful for any driver to violate the provisions

of subsection (a) and upon conviction such driver shall be punished by a fine of $60. The failure to provide a child safety restraining system or safety belt for more than one child in the same passenger car or autocycle at the same time shall be treated as a single violation. Any conviction under the provisions of this subsection shall not be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto.

(e) The $60 fine provided for in subsection (d) shall be waived if the driver convicted of violating subsection (a)(1) or (a)(2) provides proof to the court that such driver has purchased or acquired the appropriate and approved child passenger safety restraining system. At the time of issuing the citation for a violation of subsection (a)(1) or (a)(2), the law enforcement officer shall notify the driver of the waiver provisions of this subsection.

(f) No driver charged with violating the provisions of this section shall be convicted if such driver produces in the office of the arresting officer or in court proof that the child was 14 years of age or older at the time the violation was alleged to have occurred.

(g) Evidence of failure to secure a child in a child passenger safety restraining system or a safety belt under the provisions of this section shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

(h) As used in this section **passenger car** means a motor vehicle, manufactured or assembled after January 1, 1968, or a motor vehicle manufactured or assembled prior to 1968 which was manufactured or assembled with safety belts, with motive power designed for carrying 10 passengers or fewer, including vans, but does not include a motorcycle, a trailer or a vehicle constructed either on a truck chassis registered for a gross weight of more than 12,000 pounds or a farm truck registered for a gross weight of more than 16,000 pounds. (K.S.A. 8-1343a-8-1345)

Sec. 182.1. Seat Belts.

(a) Except as provided in subsection (b):

(1) Each occupant of either a passenger car manufactured with safety belts in compliance with

federal motor vehicle safety standard no. 208 or an autocycle, who is 18 years of age or older, shall have a safety belt properly fastened about such person's body at all times when the passenger car is in motion; and

(2) Each occupant of either a passenger car manufactured with safety belts in compliance with federal motor vehicle safety standard no. 208 or an autocycle, who is at least 14 years of age but less than 18 years of age, shall have a safety belt properly fastened about such person's body at all times when the passenger car is in motion.

(b) This section does not apply to:

(1) An occupant of a passenger car who possesses a written statement from a licensed physician that such person is unable for medical reasons to wear a safety belt system;
(2) Carriers of United States mail while actually engaged in delivery and collection of mail along their specified routes; or
(3) Newspaper delivery persons while actually engaged in delivery of newspapers along their specified routes.

(c) Law enforcement officers shall not stop drivers for violations of subsection (a)(1) by a backseat occupant in the absence of another violation of law. A citation for violation of subsection (a)(1) by a backseat occupant shall not be issued without citing the violation that initially caused the officer to effect the enforcement stop.

(d) (1) Persons convicted of violating subsection (a)(1) shall be guilty of a traffic infraction and fined $30 and no court costs; and
(2) Persons convicted of violating subsection (a)(2) shall be guilty of a traffic infraction and fined $60 and no court costs.

(e) As used in this section, **passenger car** means a motor vehicle, manufactured or assembled after January 1, 1968, or a motor vehicle manufactured or assembled prior to 1968 which was manufactured or assembled with safety belts, with motive power designed for carrying 10 passengers or fewer, including vans, but does not

include a motorcycle or a motor-driven cycle. (K.S.A. 8-2502 - 8-2504; K.S.A. 8-2116)

Sec. 182.1.2. Safety Belts and Shoulder Harnesses.

(a) Every passenger car manufactured or assembled after January 1, 1965, shall be equipped with at least two (2) lap-type safety belt assemblies for use in the front seating positions.

(b) Every passenger car manufactured or assembled after January 1, 1968, shall be equipped with a lap-type safety belt assembly for each permanent passenger seating position. This requirement shall not apply to police vehicles.

(c) Every passenger car manufactured or assembled after January 1, 1968, shall be equipped with at least two (2) shoulder harness-type safety belt assemblies for use in the front seating positions.

(d) The secretary of transportation shall except specified types of motor vehicles or seating positions within any motor vehicle from the requirements imposed by subsections (a) to (c) when compliance would be impractical.

(e) No person shall distribute, have for sale, offer for sale or sell any safety belt or shoulder harness for use in motor vehicles unless it meets current minimum standards and specifications approved by the secretary of transportation. (K.S.A. 8-1749)

Sec. 182.2. Unlawful Riding on Vehicles; Persons Under Age 14.

(a) It shall be unlawful for any person under the age of 14 years to ride on any vehicle or upon any portion thereof not designed or intended for use of passengers when the vehicle is in motion.

(b) It shall be unlawful for the operator of any vehicle to allow any person under the age of 14 years to ride on any vehicle or upon any portion thereof not designed or intended for the use of passengers when the vehicle is in motion.

(c) This section shall not apply to:

(1) An employee under the age of 14 years engaged in the necessary discharge of the employee's duty within truck bodies in space intended for merchandise or cargo; or
(2) When the vehicle is being operated in parades, caravans or exhibitions which are officially authorized or otherwise permitted by law.

(d) The provisions of subsections (a) and (b) shall apply only when a vehicle is being operated within the corporate limits of the city. (K.S.A. 8-1578a)

Ref.: For Persons 14 Years of Age and Older see Sec. 115.

Article 18. Equipment on Motorcycles and Motor-Driven Cycles

Sec. 183. Head Lamps.

(a) Every motorcycle and every motor-driven cycle shall be equipped with at least one head lamp which shall comply with the requirements and limitations of this article.
(b) Every head lamp upon every motorcycle and motor-driven cycle shall be located at a height of not more than 54 inches nor less than 24 inches to be measured as set forth in subsection (b) of Section 145.

(c) Any headlamp, required by this section, may be wired with a headlamp modulation system provided the headlamp modulation system complies with federal standards established by 49 C.F.R. § 571.108. (K.S.A. 8-1801)

Ref.: Sec. 35.

Sec. 184. Tail Lamps.

(a) Every motorcycle and motor-driven cycle shall have at least one tail lamp which shall be located at a height of not more than 72 nor less than 15 inches.

(b) Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light

the rear registration plate and render it clearly legible from a distance of 50 feet to the rear. Any tail lamp or tail lamps, together with any separate lamp or lamps for illuminating the rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted. (K.S.A. 8-1802)

Sec. 185. Reflectors. Every motorcycle and motor-driven cycle shall carry on the rear, either as part of the tail lamp or separately, at least one red reflector meeting the requirements of subsection (b) of Section 140. (K.S.A. 8-1803)

Sec. 186. Stop Lamps.

(a) Every motorcycle and motor-driven cycle shall be equipped with at least one stop lamp meeting the requirements of subsection (a) of Section 161.

(b) Every motorcycle manufactured after January 1, 1973, shall be equipped with electric turn signals meeting the requirements of subsection (b) of Section 161. Motor-driven cycles may, but need not, be equipped with electric turn signals.

(c) In addition to the lamps otherwise permitted by this article, a motorcycle may be equipped with lamps on the sides thereof, visible from the side of the motorcycle but not from the front or the rear thereof, which lamps, together with mountings or receptacles, shall be set into depressions or recesses in the body or wheel of the motorcycle and shall not protrude beyond or outside the body or the wheel of the motorcycle. The light source may emit only white, amber or red light without glare. (K.S.A. 8-1804)

Sec. 187. Multiple-beam Road-lighting Equipment. Every motorcycle, other than a motor-driven cycle, shall be equipped with multiple-beam road-lighting equipment. Such equipment shall:

(a) Reveal persons and vehicles at a distance of at least 300 feet ahead when the uppermost distribution of light is selected; and

(b) Reveal persons and vehicles at a distance of at least 150 feet ahead when the lowermost distribution of light is selected, and on a straight, level road under any condition of loading, none of the high intensity portion

of the beam shall be directed to strike the eyes of an approaching driver. (K.S.A. 8-1805)

Sec. 188. Lighting Equipment for Motor-Driven Cycles. The head lamp or head lamps upon every motor-driven cycle may be of the single-beam or multiple-beam type, but in either event shall comply with the requirements and limitations as follows:

(a) Every such head lamp or head lamps on a motor-driven cycle shall be of sufficient intensity to reveal persons and vehicles at a distance of not less than 100 feet when the motor-driven cycle is operated at any speed less than 25 miles per hour, and at a distance of not less than 200 feet when the motor-driven cycle is operated at a speed of 25 or more miles per hour, and at a distance of not less than 300 feet when the motor-driven cycle is operated at a speed of 35 or more miles per hour.

(b) In the event the motor-driven cycle is equipped with a multiple-beam head lamp or head lamps, such equipment shall comply with the requirements of Section 187.

(c) In the event the motor-driven cycle is equipped with a single-beam lamp or lamps, such lamp or lamps shall be so aimed that when the vehicle is loaded none of the high-intensity portion of light, at a distance of 25 feet ahead, shall project higher than the level of the center of the lamp from which it comes. (K.S.A. 8-1806)

Ref.: Sec. 35.

Sec. 189. Brake Equipment Required. Every motorcycle and motor-driven cycle shall comply with the provisions of subsection (a) of Section 173, except that the wheel of a sidecar attached to a motorcycle or to a motor-driven cycle, and the front wheel of a motor-driven cycle need not be equipped with brakes: provided, that such motorcycle or motor-driven cycle is capable of complying with the performance requirements of this article. (K.S.A. 8-1807)

Sec. 190. Performance Ability of Brakes. Upon application of the service brake, every motorcycle and motor-driven cycle, at all times and under all conditions of loading, shall be capable

of stopping from a speed of 20 miles per hour in not more than 30 feet, such distance to be measured from the point at which movement of the service brake pedal or control begins.

Tests for stopping distance shall be made on a dry smooth, hard and substantially level surface, not to exceed 1% grade, that is free from loose material. (K.S.A. 8-1808)

Sec. 190.1. Approval of Braking Systems on Motor-driven Cycles; Suspension or Revocation of Registration; Prohibited.

(a) The secretary of transportation is authorized to require an inspection of the braking system on any motor-driven cycle and to disapprove the braking system on any such vehicle which it finds will not comply with the performance ability standard set forth in K.S.A. 8-1808, or which in the opinion of the secretary is equipped with a braking system that is not so designed or constructed as to insure reasonable and reliable performance in actual use.

(b) The director may refuse to register or may suspend or revoke the registration of any vehicle referred to in this section when the secretary of transportation determines that the braking system thereon does not comply with the provisions of this section.

(c) No person shall operate on any highway any vehicle referred to in this section in the event the secretary of transportation has disapproved the braking system upon such vehicle. (K.S.A. 8-1809)

Sec. 191. Other Equipment.

(a) Every motorcycle and every motor-driven cycle shall comply with the requirements and limitations of Section 174 on horns and warning devices, Section 175 on noise prevention and mufflers, Section 176 on mirrors and Section 178 on tires.

(b) Every motorcycle and every motor-driven cycle shall comply with the requirements and limitations contained in this article, and unless otherwise specifically made applicable, motorcycles and motor-driven cycles shall

not be subject to the requirements and limitations imposed elsewhere in this ordinance with respect to equipment on vehicles. (K.S.A. 8-1810)

Article 19. Driver's License and Vehicle Tags

Sec. 192. Driver's License.

(a) No person, except those expressly exempted, shall drive any motor vehicle or motorized bicycle upon any highway in this city unless such person has a valid driver's license.

(b) Any person operating in this city a motor vehicle, shall be the holder of a driver's license that is classified for the operation of such motor vehicle, and any person operating in this city a motorcycle that is registered in the state of Kansas shall be the holder of a class M driver's license.

(c) No person shall drive any motorized bicycle upon a highway of this state unless such person: (1) Has a valid driver's license, that entitles the licensee to drive a motor vehicle in any class or classes; (2) is at least 15 years of age and has passed the written and visual examinations required for obtaining a class C driver's license, in which case the division shall issue to such person a class C license, which shall clearly indicate that such license is valid only for the operation of motorized bicycles; (3) has had their driving privileges suspended, for a violation other than a violation of K.S.A. 8-2,144, and amendments thereto, or a second or subsequent violation of K.S.A. 8-1567 or 8-1567a, and amendments thereto, and such person: (A) Has completed the mandatory period of suspension as provided in K.S.A. 8-1014, and amendments thereto; and (B) has made application and submitted a $40 nonrefundable application fee to the division for the issuance of a class C license for the operation of motorized bicycles, in accordance with paragraph (2), in which case the division shall issue to such person a class C license, which shall clearly indicate that such license is valid only for the operation of motorized bicycles; or (4) has had their driving privileges revoked under K.S.A. 8-286, and amendments thereto, has not had a test refusal or test failure or alcohol or drug-related conviction, as those terms are defined in

K.S.A. 8-1013, and amendments thereto, in the last five years, has not been convicted of a violation of K.S.A. 8-1568(b), and amendments thereto, in the last five years and has made application to the division for issuance of a class C license for the operation of motorized bicycles, in accordance with paragraph (2), in which case the division shall issue such person a class C license, which shall clearly indicate that such license is valid only for the operation of motorized bicycles. As used in this subsection, "motorized bicycle" shall have the meaning ascribed to it in K.S.A. 8-126, and amendments thereto.

(d) Violation of this section is punishable by a fine of not more than $1,000 or by imprisonment for not more than six months or by both such fine and imprisonment. (K.S.A. 8-235)

Sec. 193. Driver's License in Possession.

(a) Every licensee shall have such person's driver's license in such person's immediate possession at all times when operating a motor vehicle. However, no person charged with violating this subsection shall be convicted if such person produces in court or the office of the arresting officer a driver's license theretofore issued to such person and valid at the time of arrest.

(b) Every licensee operating a motor vehicle shall promptly deliver such person's driver's license upon demand of any law enforcement officer when the license is in such person's immediate possession at the time of the demand. (K.S.A. 8-244)

Sec. 194. Driving While License Canceled, Suspended or Revoked; Penalty.

(a) (1) Any person who drives a motor vehicle on any street or highway at a time when such person's privilege so to do is canceled, suspended or revoked or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to K.S.A. 8-252a and amendments thereto, shall upon a first conviction be punished by imprisonment for not more than six months or fined not to exceed $1,000, or both such fine and imprisonment. On a second or subsequent conviction of a violation of this section such person shall be punished by imprisonment for not more

than one year or fined not to exceed $2,500, or both such fine and imprisonment.

(2) No person shall be convicted under this section if such person was entitled at the time of arrest under K.S.A. 8-257 and amendments thereto, to the return of such person's driver's license.

(3) Except as otherwise provided by subsection (a)(4) or (b), every person convicted under this section shall be sentenced to at least five days' imprisonment and fined at least $100 and upon a second conviction shall not be eligible for parole until completion of five days' imprisonment.

(4) Except as otherwise provided by subsection (b), if a person:

(A) Is convicted of a violation of this section, committed while the person's privilege to drive or privilege to obtain a driver's license was suspended or revoked for a violation of K.S.A. 8-2,144 or K.S.A. 8-1567, and amendments thereto, or any ordinance of any city or resolution of any county or a law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes; and

(B) Is or has been also convicted of a violation of K.S.A. 8-2,144 or K.S.A. 8-1567, and amendments thereto, or any ordinance of any city or resolution of any county or law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes, committed while the person's privilege to drive or privilege to obtain a driver's license was so suspended or revoked, the person shall not be eligible for suspension of sentence, probation or parole until the person has served at least 90 days' imprisonment, and any fine imposed on such person shall be in addition to such a term of imprisonment.

(b) A person on a third or subsequent conviction of this section shall be sentenced to not less than 90 days' imprisonment and fined not less than $1,500 if such person's privilege to drive a motor vehicle is canceled, suspended, or revoked because such person:

(1) Refused to submit and complete any test of blood,

breath, or urine requested by law enforcement excluding the preliminary screening test as set forth in K.S.A. 8-1012, and amendments thereto;

(2) Was convicted of violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage;

(3) Was convicted of vehicular homicide, K.S.A. 21-3405, prior to its repeal or K.S.A. 21-5406, and amendments thereto, involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal or K.S.A. 21-5405(a)(3) and (a)(5), and amendments thereto, or any other murder or manslaughter crime resulting from the operation of a motor vehicle; or

(4) Was convicted of being a habitual violator, K.S.A. 8-287, and amendments thereto.

(c) The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The court may place the person convicted under a house arrest program or any municipal ordinance to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment.

(d) For the purposes of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section, **conviction** includes a conviction of a violation of any ordinance of any city or resolution of any county or a law of any state which is in substantial conformity with this section. (K.S.A. 8-262)

Sec. 195. Driving in Violation of Restrictions.

(a) No person shall operate a motor vehicle in violation of the restrictions on any driver's license or permit imposed pursuant to any statute.

(b) Except as provided in subsection (c):

(1) Any person guilty of violating this section, upon the

first conviction, shall be fined not to exceed $250, and the court shall suspend such person's privilege to operate a motor vehicle for not less than 30 days and not more than two years.

(2) Any person guilty of violating this section, upon a second or subsequent conviction, shall be fined not to exceed $500, and the court shall suspend such person's privilege to operate a motor vehicle for not less than 90 days and not more than two years.

(c) Any person guilty of violating this section, for violating restrictions on a driver's license or permit imposed pursuant to K.S.A. 8-237, 8-296, 8-2,100, or 8-2,101, and amendments thereto:

(1) Upon first conviction, the court shall suspend such person's privilege to operate a motor vehicle for 30 days;

(2) Upon a second conviction, the court shall suspend such person's privilege to operate a motor vehicle for 90 days; and

(3) Upon a third or subsequent conviction, the court shall suspend such person's privilege to operate a motor vehicle for one year.

(d) Nothing in this section shall limit the court in imposing penalties, conditions or restrictions authorized by any other ordinance arising from the same occurrence in addition to penalties and suspensions imposed under this section. (K.S.A. 8-291)

Ref.: Procedure for Imposing Restrictions, K.S.A. 8-292.

Sec. 195.1. Operation of a Motor Vehicle When a Habitual Violator. Except as allowed under subsection (d)(4) of K.S.A. 8-235, and amendments thereto, operation of a motor vehicle in this state when one's driving privileges are revoked pursuant to K.S.A. 8-286, and amendments thereto shall be punished by imprisonment for not more than one year or fined not to exceed $2,500, or both such fine and imprisonment. The person found guilty of a third or subsequent conviction of this section shall be sentenced to not less than 90 days' imprisonment and fined not less than $1,500. The person convicted shall not be eligible for release on probation, suspension, or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this

subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The court may place the person convicted under a house arrest program or any municipal ordinance to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment. (K.S.A. 8-287)

Sec. 196. Unauthorized Operator. No person shall authorize or knowingly permit a motor vehicle owned by him or her or under such person's control to be driven upon any highway by any person who has no legal right to do so, or who does not have a valid driver's license. (K.S.A. 8-264)

Sec. 197. Unauthorized Minors. No person shall cause or knowingly permit his or her child or ward under the age of 18 years to drive a motor vehicle upon any highway when such minor person is not authorized under the laws of Kansas to drive a vehicle. (K.S.A. 8-263)

Sec. 198. Vehicle License; Illegal Tag.

(a) It shall be unlawful for any person to:

(1) Operate, or for the owner thereof knowingly to permit the operation, upon a highway of any vehicle which is not registered, or for which a certificate of title has not been issued or which does not have attached thereto and displayed thereon the license plate or plates assigned thereto by the division for the current registration year, including any registration decal required to be affixed to any such license plate pursuant to K.S.A. 8-134, and amendments thereto, subject to the exemptions allowed in K.S.A. 8-135 and 8-198, and amendments thereto. A violation of this subsection (1) by a person unlawfully claiming that a motor vehicle is exempt from registration as a self-propelled crane under K.S.A. 8-128(b) and amendments thereto, shall constitute a violation punishable by a fine of not less than $500. A person shall not be charged with a violation of this subsection (1) for failing to display a registration decal on any vehicle except those included under K.S.A. 8-1,101 and K.S.A. 8-143m and 8-1,152,

and amendments thereto, up to and including the 10th day following the expiration of the registration if the person is able to produce a printed payment receipt or electronic payment receipt from an online electronic payment processing system for the current 12-month registration period. Any charge for failing to display a registration decal up to and including the 10th day following the expiration of the registration shall be dismissed if the person produces in court a registration receipt for the current 12-month registration period which was valid at the time of arrest.

(2) Display or cause or permit to be displayed, or to have in possession, any registration receipt, certificate of title, registration license plate, registration decal, accessible parking placard or accessible parking identification card knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this subsection (2) shall constitute an ordinance violation punishable by a fine of not less than $100 and forfeiture of the item. A mandatory court appearance shall be required of any person violating this subsection (2). This subsection (2) shall not apply to the possession of:

(A) Model year license plates displayed on antique vehicles as allowed under K.S.A. 8-172, and amendments thereto; or

(B) Distinctive license plates allowed under K.S.A. 8-1,147, and amendments thereto.

(3) Lend to, or knowingly permit the use by, one not entitled thereto any registration receipt, certificate of title, registration license plate or registration decal issued to the person so lending or permitting the use thereof.

(4) Remove, conceal, alter, mark or deface the license number plate or plates or any other mark of identification upon any vehicle. License plates shall be kept clean and they shall be placed on all vehicles within the city as required by law so as to be plainly legible.

(5) Carry or display a registered number plate or plates or registration decal upon any vehicle not lawfully issued for such vehicle.

(b) Any person violating subsections (1), (2) or (3) shall be punished by a fine not exceeding $2,500, or by imprisonment for not less than 30 days nor more than

six months, or by both such fine and imprisonment. Any person violating subsections (4) or (5) shall be punished as provided in section 201(d) of this ordinance. (K.S.A. 8-142; K.S.A. 8-149)

Sec. 199. Unlawful Use of License.

(a) It shall be unlawful for any person, for any purpose, to:

(1) Display or cause or permit to be displayed or have in possession any fictitious or fraudulently altered driver's license.
(2) Lend any driver's license to any other person or knowingly permit the use thereof by another.
(3) Display or represent as the person's own, any driver's license not issued to the person.
(4) Fail or refuse to surrender to any police officer upon lawful demand any driver's license which has been suspended, revoked or canceled.
(5) Permit any unlawful use of driver's license issued to the person.
(6) Photograph, photostat, duplicate or in any way reproduce any driver's license or facsimile thereof in such a manner that it could be mistaken for a valid driver's license or display or have in possession any such photograph, photostat, duplicate, reproduction or facsimile unless authorized by law.
(7) Display or possess any photograph, photostat, duplicate or facsimile of a driver's license unless authorized by law.
(8) Display or cause or permit to be displayed any canceled, revoked or suspended driver's license.

(b) Violation of paragraphs (1) or (8) of subsection (a) is punishable by a fine of not more than $1,000 or by imprisonment for not more than six months or by both such fine and imprisonment. Violation of paragraphs (2), (3), (4), (5), (6) or (7) of subsection (a) is punishable by a fine of not more than $2,500 or by imprisonment for not more than one year or by both such fine and imprisonment.

(c) It shall be unlawful for any person to:

(1) Lend any driver's license to, or knowingly permit

the use of, any driver's license by any person under 21 years of age for use in the purchase of any alcoholic liquor.

(2) Lend any driver's license to, or knowingly permit the use of, any driver's license by a person under the legal age for consumption of cereal malt beverage for use in the purchase of any cereal malt beverage.

(3) Display, or cause to be displayed, or have in possession any fictitious or fraudulently altered driver's license by any person under 21 years of age for use in the purchase of any alcoholic liquor or cereal malt beverage.

(d) (1) Upon a first conviction of a violation of any provision of subsection (c) a person shall be sentenced to not less than 100 hours of public service and fined not less than $200 nor more than $500.

(2) On a second or subsequent conviction of a violation of any provision of subsection (c), a person shall be punished by a fine of not more than $2,500 or by imprisonment for not more than one year or by both such fine and imprisonment.

(e) The provisions of this section shall apply to any driver's license, whether issued under the laws of this state or issued under the laws of another state or jurisdiction. (K.S.A. 8-260)

Sec. 200. Motor Vehicle Liability Insurance.

(a) Every owner shall provide motor vehicle liability insurance coverage in accordance with the provisions of the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq*., for every motor vehicle owned by such person, unless such motor vehicle: (1) Is included under an approved self-insurance plan as provided in K.S.A. 40-3104 (f); (2) is used as a driver training motor vehicle, as defined in K.S.A. 72-5015, and amendments thereto, in an approved driver training course by a school district or an accredited nonpublic school under an agreement with a motor vehicle dealer, and such motor vehicle liability insurance coverage is provided by the school district or accredited nonpublic school; (3) is included under a qualified plan of self-insurance approved by an agency of the state in which such motor vehicle is registered and the form prescribed in subsection (b) of

K.S.A. 40-3106, and amendments thereto, has been filed; or (4) is expressly exempted from the provisions of the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq*.

(b) An owner of an uninsured motor vehicle shall not permit the operation thereof upon a highway or upon property open to use by the public, unless such motor vehicle is expressly exempted from the provisions of the Kansas Automobile Injury Reparations Act.

(c) No person shall knowingly drive an uninsured motor vehicle upon a highway or upon property open to use by the public, unless such motor vehicle is expressly exempted from the provisions of the Kansas Automobile Injury Reparations Act.

(d) (1) Any person operating a motor vehicle upon a highway or upon property open to use by the public shall display, upon demand, evidence of financial security to a law enforcement officer. Such evidence of financial security which meets the requirements of subsection (e) may be displayed on a cellular phone or any other type of portable electronic device. The law enforcement officer to whom such evidence of financial security is displayed shall view only such evidence of financial responsibility. Such law enforcement officer shall be prohibited from viewing any other content or information stored on such cellular phone or other type of portable electronic device. The law enforcement officer shall issue a citation to any person who fails to display evidence of financial security upon such demand. The law enforcement officer shall transmit a copy of the insurance verification form prescribed by the secretary of revenue with the copy of the citation transmitted to the court.

(2) No citation shall be issued to any person for failure to provide proof of financial security when evidence of financial security meeting the standards of subsection (e) is displayed upon demand of a law enforcement officer. Whenever the authenticity of such evidence is questionable, the law enforcement officer may initiate the preparation of the insurance verification form prescribed by the secretary of revenue by recording information from the evidence of financial security displayed. The

officer shall immediately forward the form to the department of revenue, and the department shall proceed with verification in the manner prescribed in the following paragraph. Upon return of a form indicating that insurance was not in force on the date indicated on the form, the department shall immediately forward a copy of the form to the law enforcement officer initiating preparation of the form.

(e) Unless the insurance company subsequently submits an insurance verification form indicating that insurance was not in force, no person charged with violating subsections (b), (c) or (d) shall be convicted if such person produces in court, within 10 days of the date of arrest or of issuance of the citation, evidence of financial security for the motor vehicle operated, which was valid at the time of arrest or of issuance of the citation. Such evidence of financial security may be produced by displaying such information on a cellular phone or any other type of portable electronic device. Any person to whom such evidence of financial security is displayed on a cellular phone or any other type of portable electronic device shall be prohibited from viewing any other content or information stored on such cellular phone or other type of portable electronic device. For the purpose of this subsection, evidence of financial security shall be provided by a policy of motor vehicle liability insurance, an identification card or certificate of insurance issued to the policyholder by the insurer which provides the name of the insurer, the policy number, make and year of the vehicle, and the effective and expiration dates of the policy, or a certificate of self-insurance signed by the commissioner of insurance.

(f) Any person violating any provision of this section shall be guilty of a violation of this ordinance and subject to a fine of not less than $300 nor more than $1,000 or by imprisonment for a term of not more than six months, or both such fine and imprisonment, except that any person convicted of violating any provision of this section within three years of any such prior conviction shall be guilty of a violation of this ordinance and subject to a fine of not less than $800 nor more than $2,500 or by imprisonment for a term not to exceed one year, or both such fine and imprisonment. (K.S.A. 40-3104)

Article 20. Penalties Generally

Sec. 201. Penalties.

(a) It is unlawful for any person to violate any of the provisions of this ordinance.

(b) The judge of the Municipal Court shall in the manner prescribed by K.S.A. 12-4305 and amendments thereto establish a schedule of fines for violation of any section of this ordinance classified as an ordinance traffic infraction by K.S.A. 8-2503, and amendments thereto, or K.S.A. 8-2118 and amendments thereto. Such fines shall be imposed upon a voluntary entry of appearance and upon a plea of guilty or no contest to a complaint alleging such violation and payment of the fine and any court costs.

(c) A person who has been convicted of a traffic infraction may be sentenced to pay a fine which shall be fixed by the court, not exceeding $500.

(d) Every person convicted of a violation of any of the provisions of this ordinance for which another penalty is not provided by this ordinance or by the schedule of fines established by the judge of the municipal court shall be punished for first conviction thereof by a fine of not more than $500 or by imprisonment for not more than one month or by both such fine and imprisonment; for a second such conviction within one year thereafter such person shall be punished by a fine of not more than $1,000 or by imprisonment for not more than six months or by both such fine and imprisonment; upon a third or subsequent conviction within one year after the first conviction such person shall be punished by a fine of not more than $2,500 or by imprisonment for not more than one year or by both such fine and imprisonment. (K.S.A. 8-2116; K.S.A. 21-6611)

Sec. 201.1. Failure to Comply with a Traffic Citation.

(a) It shall be unlawful to fail to comply with a traffic citation. Failure to comply with a traffic citation means failure either to:

(1) Appear before the municipal court in response to

a traffic citation and pay in full any fine and court costs imposed; or

(2) Otherwise comply with a traffic citation issued for an ordinance traffic infraction. Failure to comply with a traffic citation shall be unlawful regardless of the disposition of the charge for which such citation was originally issued.

(b) (1) In addition to penalties of law applicable under subsection (a), when a person fails to comply with a traffic citation, except for illegal parking, standing, or stopping, the municipal court in which the person should have complied with the citation shall mail notice to the person that if the person does not appear in municipal court or pay all fines, court costs and any penalties within 30 days from the date of mailing notice, the division of vehicles will be notified to suspend the person's driving privileges. The municipal court may charge an additional fee of $5 for mailing such notice. Upon the person's failure to comply within such 30 days of mailing notice, the municipal court shall electronically notify the division of vehicles. Upon receipt of a report of a failure to comply with a traffic citation under this subsection, pursuant to K.S.A. 8-255, and amendments thereto, the division of vehicles shall notify the violator and suspend the license of the violator until satisfactory evidence of compliance with the terms of the traffic citation has been furnished to the informing court. When the court determines the person has complied with the terms of the traffic citation, the court shall immediately electronically notify the division of vehicles of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension or suspension action.

(2) (A) In lieu of suspension under paragraph (1), the driver may submit to the division of vehicles a written request for restricted driving privileges, with a non-refundable $25 applicable fee, to be applied by the division of vehicles for additional administrative costs to implement restricted driving privileges.

(B) A person whose driver's license has expired during the period when such person's driver's license has been suspended for failure to

pay fines for traffic citations, the driver may submit to the division of vehicles a written request for restricted driving privileges, with a non-refundable $25 application fee, to be applied by the division of vehicles for additional administrative costs to implement restricted driving privileges. The division shall remit all restricted driving privilege application fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the division of vehicles operating fund. An individual shall not qualify for restricted driving privileges pursuant to this section unless the following conditions are met:

(i) The suspended license that expired was issued by the division of vehicles;

(ii) the suspended license resulted from the individual's failure to comply with a traffic citation pursuant to subsection (b) (1);

(iii) the traffic citation that resulted in the failure to comply pursuant to subsection (b)(1) was issued in this state; and

(iv) the individual has not previously received a stayed suspension as a result of driving while suspended conviction.

(C) Upon review and approval of the driver's eligibility, the driving privileges will be restricted by the division of vehicles for a period up to one year or until the terms of the traffic citation have been complied with and the court shall immediately electronically notify the division of vehicles of such compliance. If the driver fails to comply with the traffic citation within the one year restricted period, the driving privileges will be suspended by the division of vehicles until the court determines the person has complied with the terms of the traffic citation and the court shall immediately electronically notify the division of vehicles

of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension action. When restricted driving privileges are approved pursuant to this section, the person's driving privileges shall be restricted to driving only under the following circumstances:

(i) In going to or returning from the person's place of employment or schooling;

(ii) In the course of the person's employment;

(iii) In going to or returning from an appointment with a health care provider or during a medical emergency;

(iv) In going to and returning from probation or parole meetings, drug or alcohol counseling or any place the person is required to go by a court.

(c) On and after July 1, 2018, except as provided in subsection (d), when the municipal court notifies the division of vehicles of a failure to comply with a traffic citation pursuant to subsection (b), the court shall assess a reinstatement fee of $100 for each charge on which the person failed to make satisfaction regardless of the disposition of the charge for which such citation was originally issued and regardless of any application for restricted driving privileges. Such reinstatement fee shall be in addition to any fine, restricted driving privilege application fee, district or municipal court costs and other penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75–4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit the first $15 of such reinstatement fee to the judicial branch nonjudicial salary adjustment fund and of the remaining amount, 29.41% of such moneys to the division of vehicles operating fund, 22.06% to the community alcoholism and intoxication programs fund created by K.S.A. 41–1126, and amendments thereto, 7.36% to the juvenile alternatives to detention fund created by K.S.A. 79–4803, and amendments thereto, and 41.17% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 2018 Supp. 20–1a15, and amendments thereto.

(d) The municipal court shall waive the reinstatement fee provided for in subsection (c), if the failure to comply with a traffic citation was the result of such person enlisting in or being drafted into the armed services of the United States, being called into service as a member of a reserve component of the military service of the United States, or volunteering for such active duty, or being called into service as a member of the State of Kansas national guard, or volunteering for such active duty, and being absent from Kansas because of such military service. In any case of a failure to comply with a traffic citation which occurred on or after August 1, 1990, and prior to the effective date of this act, in which a person was assessed and paid a reinstatement fee and the person failed to comply with a traffic citation because the person was absent from Kansas because of any such military service, the reinstatement fee shall be reimbursed to such person upon application therefor.

(e) A person who is assessed a reinstatement fee pursuant to subsection (c) may petition the court that assessed the fee at any time to waive payment of the fee, any additional charge imposed pursuant to subsection (f), or any portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the person or the person's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(f) Except as provided further, the reinstatement fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2019, through June 30, 2025 the supreme court may impose an additional charge, not to exceed $22 per reinstatement fee, to fund the costs of non-judicial personnel. (K.S.A. 8-2110, as amended)

Sec. 202. Parties to a Violation. Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of, any act declared herein to be unlawful, whether individually or in connection with one or more other persons or as a principal, agent or accessory, shall be guilty of such offense,

and every person who falsely, fraudulently, forcibly, or willfully induces, causes, coerces, requires, permits or directs another to violate any provision of this ordinance is likewise guilty of such offense. (K.S.A. 8-2101)

Sec. 203. Offenses by Persons Owning or Controlling Vehicles. It is unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle, to require or knowingly to permit the operation of such vehicle upon a highway in any manner contrary to this ordinance. (K.S.A. 8-2102)

Sec. 204. Fines Doubled in Road Construction and School Zones.

(a) Fines listed in the schedule of fines, as established by the municipal court judge, shall be doubled if a person is convicted of an ordinance traffic infraction, which is defined as a moving violation in accordance with rules and regulations adopted pursuant to K.S.A. 8-249, and amendments thereto, committed within any road construction zone.

(b) Fines listed in the schedule of fines, as established by the municipal court judge relating to exceeding the maximum speed limit, shall be doubled if a person is convicted of exceeding the maximum speed limit in a school zone authorized under subsection (a)(4) of K.S.A. 8-1560, and amendments thereto. (K.S.A. 8-2118)

Article 21. Severability

Sec. 205. Severability. If any provision of this code is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the code and the applicability thereof to other persons and circumstances shall not be affected thereby.

APPENDIX A

Statutes Affecting or Limiting Powers of Cities

K.S.A. 8-136, 8-198, 66-1109.
Wrecker or Tow Trucks, Licensing.

K.S.A. 8-235.
Licenses Required; City License, When. Provides that cities may require licenses of persons driving taxicabs or municipally franchised transit systems.

K.S.A. 8-253.
Duty of Municipal Court to Report Convictions; Forms to Be Used; Conviction Defined; Notice of Disposition of Appeals.

K.S.A. 8-254, 8-288, 8-1567.
Drivers' Licenses; Restrictions and Suspensions; Penalties for Violation.

K.S.A. 8-284 *et seq.*
Habitual Traffic Violator.

K.S.A. 8-1102.
Abandoned Vehicles; Removal, Storage; Notice; Sale at Auction.

K.S.A. 8-1338.
Speed Limits—Change from Statutory Limits. City may on basis of engineering and traffic investigation decrease speed limit at intersections, increase limit within an urban district not to exceed 55 m.p.h., decrease limit outside an urban district and in school zones within an urban district but not to less than 20 m.p.h. and declare maximum speed for arterial streets.

K.S.A. 8-1525.
Restrictions on Use of Controlled Access Facilities. Cities may by ordinance prohibit the use of such facilities by class or kind of traffic found to be incompatible with normal and safe flow of traffic.

K.S.A. 8-1911.

Permits for Excess Size and Weight. City may in its discretion upon proper application issue permit to operate or move vehicle over city streets of a size or weight exceeding maximum specified in state act. State connecting link not included.

K.S.A. 8-1912.

Use of Street or Bridge—City Authority to Restrict. City authorized by ordinance to prohibit operation of vehicles or impose restrictions as to weight of vehicles upon designated street for not to exceed 90 days. City may by ordinance prohibit operation of trucks or other commercial vehicles or limit weight on designated streets (except connecting link unless approved alternate route provided). City may fix limit on weight of vehicles which may use bridges.

K.S.A. 8-1914.

Issuance of Special Permits for Operation of Vehicles from Kansas Turnpike Authority Toll Booths and Motor-freight Truck Terminals. The secretary of transportation with respect to highways under the secretary's jurisdiction and local authorities with respect to highways under their jurisdiction may issue permits authorized under the provisions of K.S.A. 8-1911, and amendments thereto, for the operation of combinations of vehicles operating on a route designated by the secretary or local authority between a Kansas turnpike authority toll booth and a motor-freight truck terminal located within a ten-mile radius of any such toll booth, except at the northeastern end of the turnpike at which location a twenty-mile radius shall apply**.**

K.S.A. 8-2001.

Provisions of Traffic Act Uniform. Provides that no city shall enact or enforce any rule or regulation in conflict with provisions of the State Act.

K.S.A. 8-2002.

Powers of Cities Generally. Section lists a number of specific areas in which cities may regulate traffic and vehicles.

K.S.A. 8-2005.

Traffic Control Devices—Placing and Maintenance. Provides for the placing and maintenance of traffic control devices on city streets. Approval of secretary of transportation required upon highway connecting links.

K.S.A. 8-2006.

Restrictions on Pedestrian Crossings. Local authorities, by ordinance or resolution, and the secretary of transportation, by erecting appropriate official traffic-control devices, are hereby empowered within their respective jurisdictions to prohibit pedestrians from crossing any roadway in a business district or any designated highways except in a crosswalk.

K.S.A. 8-2007.

Same; Unmarked Crosswalks. The secretary of transportation and local authorities in their respective jurisdictions, after an engineering and traffic investigation, may designate unmarked crosswalk locations where pedestrian crossing is prohibited or where pedestrians must yield the right-of-way to vehicles. Such restrictions shall be effective only when official traffic-control devices indicating the restrictions are in place.

K.S.A. 8-2115.

Duty to Report Conviction or Forfeiture of Bail or Appearance Bond; Forms To Be Used.

K.S.A. 8-2117.

Prosecution of Certain Juvenile Traffic Offenses; Disposition.

K.S.A. 8-2118.

Traffic Infractions.

K.S.A. 72-9101 *et seq.*

Regulation of Traffic on School Grounds.

APPENDIX B

Ordinance Traffic Infractions

The following sections of the Standard Traffic Ordinance (STO) are classified as Ordinance Traffic Infractions by state law (K.S.A. 8-2118). The fine for violation of these sections must be established by the municipal judge in a schedule of fines. (K.S.A. 12-4305) The sections of the STO shown prohibit the same offense prohibited by state statute. The description of offense is for reference only and is not a legal description.

STO Section	Statute	Description of Offense
6.1	8-1531a	Failure to comply with restrictions in road construction zone
12	8-1507	Disobeying traffic control device
13	8-1508	Violating traffic control signal
14	8-1509	Violating pedestrian control signals
15	8-1510	Violating flashing traffic signals
16	8-1511	Violating lane-control signal
17	8-1512	Unauthorized sign, signal, marking or device
26.1	8-15,107	Failure to Remove Vehicles in Accidents
32	8-1557	Unsafe speed for prevailing conditions
33	8-1558	to exceeding maximum speed limit; or
	8-1559	establishing speed limits in road construction zones; or
	8-1560	speeding in posted zone
33.1	8-1563	Speeding in certain vehicles or on posted bridge
34	8-1561	Impeding normal traffic by slow speed
35	8-1562	Speeding on motor-driven cycle
38	8-1514	Driving on left side of roadway
38.1	8-1579	Improper driving in defiles, canyons, or on grades
39	8-1515	Failure to keep right to pass oncoming vehicle
40	8-1516	Improper passing; increasing speed when passed
40.1	8-15,112	Passing a stationary waste collection vehicle
41	8-1517	Improper passing on right
42	8-1518	Passing on left with insufficient clearance
43	8-1519	Driving on left side where curve, grade, intersection railroad crossing, or obstructed view
44	8-1520	Driving on left in no passing zone
45	8-1521	Driving wrong direction on one-way road
46	8-1522	Improper driving on laned roadway
47	8-1523	Following too close
48	8-1524	Improper crossover on divided highway
49	8-1545	Improper turn or approach
51	8-1546	Improper “U” turn
53	8-1547	Unsafe starting of stopped vehicle

STO Section	Statute	Description of Offense
54	8-1548	Unsafe turning or stopping, failure to give proper signal; using turn signal unlawfully
55	8-1549	Improper method of giving notice of intention to turn
56	8-1550	Improper hand signal
57	8-1526	Failure to yield right-of-way at uncontrolled intersection
58	8-1527	Failure to yield to approaching vehicle when turning left
59	8-1528	Failure to yield at stop or yield sign
60	8-1529	Failure to yield from private road or driveway
61	8-1530	Failure to yield to emergency vehicle
61.1	8-1520a	Unlawful passing of stopped emergency vehicle
62	8-1531	Failure to yield to pedestrian or vehicle working on roadway
62	8-1531	Failure to comply with restrictions in road construction zone
63	8-1532	Disobeying pedestrian traffic control device
64	8-1533	Failure to yield to pedestrian in crosswalk; pedestrian suddenly entering roadway; passing vehicle stopped for pedestrian at crosswalk
64.1	8-15,103	School crossing guard; disobeying
65	8-1534	Improper pedestrian crossing
66	8-1535	Failure to exercise due care in regard to pedestrian
67	8-1536	Improper pedestrian movement in crosswalk
68	8-1537	Improper use of roadway by pedestrian
69	8-1538	Soliciting ride or business on roadway
70	8-1539	Driving through safety zone
71	8-1540	Failure to yield to pedestrian on sidewalk
72	8-1541	Failure of pedestrian to yield to emergency vehicle
73	8-1542	Failure to yield to blind pedestrian
75	8-1544	Pedestrian disobeying bridge or railroad signal
76	8-1551	Failure to stop or obey railroad crossing signal
77	8-1552	Failure to stop at railroad crossing stop sign

STO Section	Statute	Description of Offense
78	8-1553	Certain hazardous vehicles failure to stop at railroad crossing
79	8-1554	Improper moving of heavy equipment at railroad crossing
80	8-1555	Vehicle emerging from alley, private roadway, building or driveway
81	8-1556	Improper passing of school bus; improper use of school bus signals
82	8-1556a	Improper passing of church or day-care bus; improper use of signals
83	8-1569	Improper stopping, standing or parking on roadway
85	8-1571	Parking, standing or stopping in prohibited area
86	8-1572	Improper parking
107	8-1573	Unattended vehicle
108	8-1576	Driving with view or driving mechanism obstructed
109	8-1580	Coasting
110	8-1581	Following fire apparatus too closely
111	8-1582	Driving over fire hose
112	8-1583	Putting glass, etc., on highway
112.1	8-15,102	Littering from a Motor Vehicle
113	8-1584	Driving into intersection, crosswalk, or crossing without sufficient space on other side
114	8-1585	Improper operation of snowmobile on highway
114.1	8-15,100	Unlawful operation of all-terrain vehicle
114.2	8-15,106	Unlawful operation of a micro utility truck
114.3	8-15,101	Unlawful operation of low-speed vehicle
114.4	8-15,108	Unlawful operation of golf cart
114.5	8-15,109	Unlawful operation of work-site utility vehicle
116	8-1575	Driving on sidewalk
117	8-1574	Improper backing
123	8-1577	Unsafe opening of vehicle door
124	8-1578	Riding in house trailer or mobile or manufactured home
126.1	8-15,110	Unlawful obstructing of license plate
126.2	8-15,111	Unlawful use of wireless communication devices
127	8-1586	Parental responsibility of child riding bicycle
129	8-1588	Not riding on bicycle seat; too many persons on bicycle

STO Section	Statute	Description of Offense
130	8-1589	Clinging to other vehicle
131	8-1590	Improper riding of bicycle on roadway
132	8-1591	Carrying articles on bicycle; one hand on handlebars
133	8-1592	Improper bicycle lamps, brakes or reflectors
135.1	2019 SB 63 Sec. 8	Unlawful operation of electric-assisted scooter
138	8-1594	Improper operation of motorcycle; seats; passengers, bundles
139	8-1595	Improper operation of motorcycle on laned roadway
140	8-1596	Motorcycle clinging to other vehicle
141	8-1597	Improper motorcycle handlebars or passenger equipment
142	8-1598	Motorcycle helmet and eye protection requirements
143	8-1701	Equipment offenses that are not misdemeanors
144	8-1703	Driving without lights when needed
146	8-1705	Defective headlamps
147	8-1706	Defective tail lamp
148	8-1707	Defective reflector
149	8-1708	Improper stop lamp or turn signal
151	8-1710	Improper lighting equipment on certain vehicles
151.1	8-1747	Improper air-conditioning equipment
152	8-1711	Improper lamp color on certain vehicles
153	8-1712	Improper mounting of reflectors and lamps on certain vehicles
154	8-1713	Improper visibility of reflectors and lamps on certain vehicles
156	8-1715	No lamp or flag on projecting load
157	8-1716	Improper lamps on parked vehicle
158	8-1718	Improper lamps and equipment on implements of husbandry, road machinery or animal-drawn vehicles
158.1	8-1717	Improper lights, lamps, reflectors and emblems on farm tractors or slow-moving vehicles
159	8-1719	Unlawful use of spot, fog, or auxiliary lamp
160	8-1720	Improper lamps or lights on emergency vehicle
161	8-1721	Improper stop or turn signal

STO Section	Statute	Description of Offense
162	8-1722	Improper vehicular hazard warning lamp
162.1	8-1745	Improper use of vehicular hazard warning lamps and devices
163	8-1723	Unauthorized additional lighting equipment
164	8-1724	Improper multiple-beam lights
165	8-1725	Failure to dim headlights
166	8-1726	Improper single-beam headlights
167	8-1727	Improper speed with alternate lighting
168	8-1728	Improper number of driving lamps
169	8-1729	Unauthorized lights and signals
170	8-1730	Improper school bus lighting equipment and warning devices
171	8-1730a	Unauthorized lights and devices on church or day-care bus
172	8-1731	Improper lights on highway construction or maintenance vehicles
173	8-1734	Defective brakes
174	8-1738	Defective or improper use of horn or warning device
175	8-1739	Defective muffler
175.1	8-1761	Improper compression release engine braking system
176	8-1740	Defective mirror
177	8-1741	Defective wipers; obstructed windshield or windows
178	8-1742	Improper tires
178.1	8-1742b	Improper wide-based single tires
182.1.2	8-1749	Improper safety belt or shoulder harness
182.2	8-1578a	Unlawful riding on vehicles; persons under age 14
183	8-1801	Defective motorcycle headlamps
184	8-1802	Defective motorcycle tail lamp
185	8-1803	Defective motorcycle reflector
186	8-1804	Defective motorcycle stop lamps and turn signals
187	8-1805	Defective multiple-beam lighting
188	8-1806	Improper road-lighting equipment on motor-driven cycles
189	8-1807	Defective motorcycle or motor-driven cycle brakes
190	8-1808	Improper performance ability of brakes
190.1	8-1809	Operating motorcycle with disapproved braking system
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CHANGES IN STANDARD TRAFFIC ORDINANCE FOR 2019

The following represent the changes in the Standard Traffic Ordinance from the 2018 edition to the 2019 edition.

Section 1. Definitions.

Added: Electric-Assisted Scooter.
Digital Network
Habitual Violator
Identifying Numbers
Lien Holder
Light Weight Roadable Vehicle
Local Authorities
Manufacturer
Transportation Network Company
Transportation Network Co. Driver

Amended: Farm Tractor
Governing Body
Implement of Hubandry
Owner
Passenger Car
Pole Trailer
Semi-Trailer
Specially Constructed Vehicle
Trailer
Truck

Section 6.1. Road Construction Zone.

Section 30.2. Preliminary Breath Test.

Section 33.1. Special Speed Limitations Applicable to Certain Vehicles and Portions of Highways; Powers of Secretary and Local Authorities; Violations, Evidence of Safe Speed.

Section 38.1. Driving in Defiles or Canyons.

Section 76. Obedience to Signal Indicating Approaching of Train.

Section 105.1. Criminal Penalties for Violation of Size and Weight Laws; Exceptions.

Section 105.2. **Width of Vehicles and Loads Thereon**

Section 105.3. **Projecting Loads to the Front and Rear**

Section 114.1. **Unlawful Operation of All-Terrain Vehicle.**

Section 114.5. **Unlawful Operation of a Work-Site Utility Vehicle.**

Section 115. **Unlawful Riding on Vehicles.**

Section 135.1. **Electric-Assisted Scooters, Traffic Law Application.**

Section 151.1. **Air Conditioning Equipment.**

Section 156. **Lamps or Flags on Projecting Loads.**

Section 158. **Lamps on Other Vehicles and Equipment.**

Section 158.1. **Lights; Lamps and Reflectors on Farm Tractors; Slow-moving Vehicle and Slow-moving Vehicle Emblem Defined; Requirements for Slow-moving Vehicles; Unlawful Acts; Exception.**

Section 160.1. **Wreckers, Tow Trucks or Car Carriers; Operation of Emergency Lights; When.**

Section 162.1. **Display of Vehicular Hazard Warning Signal Lamps and Warning Devices by Certain Stopped or Disabled Vehicles.**

Section 169. **Special Restrictions on Lamps.**

Section 169.1. **Transportation Network Lighting Device.**

Section 173. **Brakes; Performance Requirements.**

Section 177. **Windshields Must Be Unobstructed and Equipped with Wipers; Eye Protection.**

Section 181. **One-Way Glass and Sun Screening Devices.**

Section 182.1. **Seat Belts.**

Section 182.1.2. **Safety Belts and Shoulder Harnesses.**

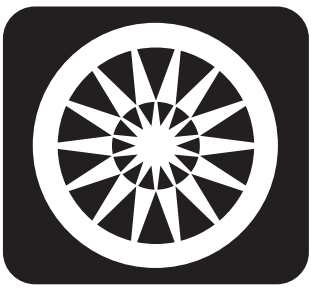
Section 190.1. Approval of Braking Systems on Motor-driven Cycles; Suspension or Revocation of Registration; Prohibited.

Section 192. Driver's License.

Section 193. Driver's License in Possession.

Section 201. Penalties

Section 201.1. Failure to Comply with a Traffic Citation.



THE
LEAGUE
OF KANSAS MUNICIPALITIES

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City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Karan Thadini, Chief of Prosecution**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**2019 Uniform Public Offense Code**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**013 Ordinances - Codified / 054 Criminal Code**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

ORDINANCE introduced by City Manager Brent Trout, adopting the 2019 Uniform Public Offense Code (UPOC) and local amendments thereto, amending TMC 9.05.080.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(*Approval will adopt the 2019 UPOC and local amendments.)*

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body.

POLICY ISSUE:

Whether or not to adopt the 2019 UPOC (local amendments remain the same as currently adopted).

STAFF RECOMMENDATION:

Staff is requesting the Governing Body to move to adopt the ordinance

BACKGROUND:

The League of Kansas Municipalities (LKM) prepares and publishes the Uniform Public Offense Code on an annual basis in July of each year and the City now practices adopting them as soon as possible after publication.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Cover Memo - 2019 UPOC
Ordinance
2019 Edition of the UPOC

CITY OF TOPEKA
Legal Department -- Criminal Prosecution
215 SE 7th Street, Room 260
Topeka, KS 66603
Tel: (785) 368-3910
Fax: (785) 368-3104
www.topeka.org

MEMORANDUM

To: Governing Body Members
From: Karan Thadani, Chief of Prosecution
Re: 2019 Edition of the Uniform Public Offense Code
Date: August 21, 2019

The purpose of this memo is to explain the proposed adoption of the 2019 edition of the Uniform Public Offense Code (UPOC).

The UPOC is a codification of state laws that is published in book format by the League of Kansas Municipalities. The publication is revised annually to remain consistent with the changes in state law, with the 2019 edition being the most current version. Currently, the City of Topeka is operating under the 2018 edition of the UPOC, as adopted by the governing body in January 2019.

As you may recall, in January 2019, the legal department approached this body to recommend adoption of the 2018 version of the UPOC. At that time, the City was operating under the 2015 version of the ordinance. Our request to this body was based on notification to the Topeka Police Department that the US Department of Justice was retiring its current crime reporting system used by the FBI and replacing it with a new system. The new system required all state and local law enforcement agencies to update their record management systems to the most current version of the ordinance in order to function correctly. As such, this body approved the request and adopted the 2018 version of the ordinance.

At this time, the 2019 edition of the UPOC is available and we are recommending adoption of the ordinance. Moving forward, we will continue to recommend adoption of the most recent version of the ordinance annually as it is published by the League of Kansas Municipalities.

CHANGES IN UNIFORM PUBLIC OFFENSE CODE FOR 2019

The following represent the changes in the Uniform Public Offense Code from the 2018 edition to the 2019 edition.

Article 7A. Crimes Affecting Public Trust
8. Crimes Involving Violation of Personal Rights (formerly Denial of Civil Rights)

Section 1.1 Definitions.

Added: Cannabidiol Treatment Preparation, Debilitating Medical Condition, Federal Law Enforcement Officer, State of Nudity, Transmission, Visual Depiction

Amended**:** Alcoholic Liquor, Nonferrous Metal, Public Employee

Section 3.1.1 Domestic Battery

Section 3.2.1 Sexual Battery

Section 3.4 Unlawful Interference with an Emergency Medical Services Attendant

Section. 3.7.1 Interference with Custody of a Committed Person

Section 3.10 Hazing

Section 3.13 Stalking

Section 5.1.2 Unlawful Possession of a Visual Depiction of a Child

Section 5.1.3 Unlawful Transmission of a Visual Depiction of a Child

Section 5.3 Unlawfully Hosting Minors Consuming Alcoholic Liquor or Cereal Malt Beverages

Section 6.1 Theft

Section 6.6 Criminal Damage to Property

Section 6.7.1 Trespassing on Railroad Property

Section 6.16 Giving a Worthless Check

Section 6.23.1 Unlawful Use of Recordings

Section 6.24 Commercial Fossil Hunting

Section 6.25 Counterfeiting

Section 6.26 Automobile Master Key Violation

Section 7.4 Interference with the Judicial Process

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Brent Trout, adopting the 2019 Uniform Public Offense Code (UPOC) and local amendments thereto, amending TMC 9.05.080.

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

Section 1. That section 9.05.080, Uniform Public Offense Code, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Uniform Public Offense Code.

(a) Adoption. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the city of Topeka, Kansas, the Uniform Public Offense Code for Kansas Cities, ~~34th~~35th Edition (~~2018~~2019), prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, (hereinafter referred to as "UPOC ~~2018~~2019") except for 10.24 ("Smoking Prohibited"), 10.25 ("Smoking; Posting Premises"), 10.26 ("Smoking Prohibited; Penalties") and 11.11 ("Cruelty to Animals"), which are specifically deleted and omitted. One copy of said Uniform Public Offense Code shall be marked or stamped "Official Copy as adopted by Ordinance No. ~~20171~~_____," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of said ordinance and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The Uniform Public Offense Ordinance, as amended, shall also be posted on the City's website.

(b) Amendments.

(1) Section 10.6, relating to bows and arrows, is hereby amended by adding the following exception:

Exception: Operation of a bow and arrow is permitted in accordance with the provisions set forth in TMC 6.05.110.

(2) Section 5.7, relating to selling, giving or furnishing cigarettes or tobacco products to a minor, is hereby deleted and the following language is substituted therefor:

(a) It shall be unlawful for any person to:

(1) Sell, furnish or distribute cigarettes, electronic cigarettes, tobacco products or liquid nicotine to any person under 21 years of age; or

(2) Buy any cigarettes, electronic cigarettes, tobacco products or liquid nicotine for any person under 21 years of age.

(b) It shall be a defense to a prosecution under this section if:

(1) The defendant is a licensed retail dealer, or employee thereof, or a person authorized by law to distribute samples;

(2) The defendant sold, furnished or distributed the cigarettes, electronic cigarettes, tobacco products, or liquid nicotine to the person under 21 years of age with reasonable cause to believe the person was of legal age to purchase or receive cigarettes, electronic cigarettes, tobacco products or liquid nicotine; and

(3) To purchase or receive the cigarettes, electronic cigarettes, tobacco products or liquid nicotine, the person under 21 years of age exhibited to the defendant a driver's license, Kansas non driver's identification card or other official or apparently official document containing a photograph of the person and purporting to establish that

the person was of legal age to purchase or receive cigarettes, electronic cigarettes, tobacco products or liquid nicotine.

(4) For purposes of this section the person who violates this section shall be the individual directly selling, furnishing or distributing the cigarettes, electronic cigarettes, tobacco products or liquid nicotine to any person under 21 years of age or the retail dealer who has actual knowledge of such selling, furnishing or distributing by such individual or both.

(c) It shall be a defense to a prosecution under this subsection if:

(1) The defendant engages in the lawful sale, furnishing or distribution of cigarettes, electronic cigarettes, tobacco products or liquid nicotine by mail; and

(2) The defendant sold, furnished or distributed the cigarettes, electronic cigarettes, tobacco products or liquid nicotine to the person by mail only after the person had provided to the defendant an unsworn declaration, conforming to K.S.A. 53-601 and amendments thereto, that the person was 21 or more years of age.

(d) The words and phrases in Section 5.7 of UPOC 2015 shall have the same meanings as defined in K.S.A. 79-3301, and amendments thereto. “Liquid nicotine” shall mean the active ingredient of the tobacco plant (nicotine) in liquefied form suitable for the induction of nicotine, whether by nasal spray, ingestion, smoking or other means, into the human body. “Sale” shall mean any transfer of title or possession or both, exchange,

barter, distribution or gift of cigarettes, electronic cigarettes, tobacco products or liquid nicotine with or without consideration.

(f) Violation of this section shall constitute a Class B violation punishable by a minimum fine of $200.

Section 2. That original § 9.05.080 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 4. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 5. 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



2019

Uniform Public Offense Code For Kansas Cities

35th Edition
Edited By Amanda Stanley
General Counsel

Ordinance Incorporated by Reference
Under the Provisions of K.S.A. 12-3009 through 12-3012, and K.S.A. 12-3301 and 12-3302

by Ordinance No._____

City of _____, Kansas

2019

Uniform Public Offense Code For Kansas Cities

35th Edition
Edited By Amanda L. Stanley
General Counsel

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UNIFORM PUBLIC OFFENSE CODE
FOR
KANSAS CITIES

The League of Kansas Municipalities has published the *Uniform Public Offense Code* since 1980. The *Uniform Public Offense Code* is designed to provide a comprehensive public offense ordinance for Kansas cities. It does not take effect in a city until the governing body has passed and published an ordinance incorporating it by reference under the authority of and by the procedure prescribed by K.S.A. 12-3009 through 12-3012 and K.S.A. 12-3301 and 12-3302. All citations refer to the Kansas Statutes in effect 7/1/19 unless otherwise noted.

It is not necessary to publish the *Uniform Public Offense Code* in a newspaper if it is properly incorporated by reference. It is only necessary to publish the incorporating ordinance. The incorporating ordinance may delete articles or sections that the governing body considers unnecessary. The incorporating ordinance may also change sections. The League advises, however, that cities changing sections with a statutory citation should exercise care to ensure the changes do not conflict with state law.

The *Uniform Public Offense Code*, in large part, parallels the state criminal code. Additional provisions for local regulations, if any, may be included in the incorporating ordinance. Previous ordinances relating to public offenses in conflict with provisions of the *Uniform Public Offense Code* and ordinances incorporating earlier editions of the *Uniform Public Offense Code* should be repealed by the incorporating ordinance.

There must be at least one official copy of the *Uniform Public Offense Code* on file with the city clerk. Enforcing officers should also have copies. The blanks on the first page should be filled in on all copies.

There are several blank pages at the end of this book. Newspaper clippings of the incorporating ordinance and subsequent ordinances on public offenses may be pasted on these pages. Extra copies of the newspaper should be procured, or reprints made so that copies may be pasted in all copies of the *Uniform Public Offense Code*.

A listing of changes made to the *Uniform Public Offense Code* for 2019 can be found on page 161 of this edition.

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Changes in UPOC for 2019 161

Article 1. General Provisions

Sec. 1.1 Definitions. The following definitions shall apply when the words and phrases defined are used in this code, except when a particular context clearly requires a different meaning.

Act. Includes a failure or omission to take action. (K.S.A. 21-5111(a))

Advance Voting Site. The central county election office or satellite advance voting sites designated as such pursuant to subsection (c) of K.S.A. 25-1122, and amendments thereto, and adult care homes and hospital based care units at the time of an election participating in the voting procedures prescribed in K.S.A. 25-2812. (K.S.A. 25-2430(b))

Air Gun or Air Rifle. Any device whether or not in the shape and form commonly associated with the terms pistol, sidearm, small arm, rifle, shotgun, or any other type of gun designed to forcibly expel from an opening therein any pellet or BB shot, and whether operating from and upon compressed air or mechanical or elastic spring work or otherwise. (K.S.A. 72-6181(i))

Alcohol Concentration. The number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath. (K.S.A. 8-1013(a))

Alcohol Without Liquid Machine. A device designed or marketed for the purpose of mixing alcohol with oxygen or another gas to produce a mist for inhalation for recreational purposes. (K.S.A. 21-6321(c))

Alcoholic Liquor. Alcohol, spirits, wine, beer, alcoholic candy and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed by a human being, but shall not include any cereal malt beverage. (K.S.A 41-102(c))

Animal. Every living vertebrate except a human being. (K.S.A. 21-6411(a))

Animal Shelter. The same as such term is defined in K.S.A. 47-1701, and amendments thereto. (K.S.A. 21-6412(i)(1))

Another. A person or persons as defined in this code other than the person whose act is claimed to be an offense. (K.S.A. 21-5111(b))

Auction Motor Vehicle Dealer. Any person who for commission, money or other thing of value is engaged in an auction of motor vehicles except that the sales of such motor vehicles shall involve only motor vehicles owned by licensed motor vehicle dealers and sold to licensed motor vehicle dealers, except that any auction motor vehicle dealer, registered as such and lawfully operating prior to June 30, 1980, shall be deemed to be and have been properly licensed under this act from and after July 1, 1980. For the purposes of this subsection, an auction is a private sale of motor vehicles where any and all licensed motor vehicle dealers who choose to do so are permitted to attend and offer bids and the private sale of such motor vehicles is to the highest bidder. (K.S.A. 8-2401(bb))

Audiovisual Recording Function. The capability of a device to record or transmit a motion picture or any part thereof by means of any technology now known or later developed. (K.S.A. 51-301(d)(1))

Beer. A beverage, containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation of an infusion or concoction of barley, or other grain, malt and hops in water and includes beer, ale, stout, lager beer, porter and similar beverages having such alcoholic content. (K.S.A. 41-102(d))

Body Piercing. Puncturing the skin of a person by aid of needles designed or used to puncture the skin for the purpose of inserting removable jewelry through the human body, except puncturing the external part of the human earlobe shall not be included in this definition. (K.S.A. 65-1940)

Cannabidiol Treatment Preparation. An oil containing cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol)) and tetrahydrocannabinol, as described in K.S.A. 65-4105, and amendments thereto, and having a tetrahydrocannabinol concentration of on more than 5% relative to the cannabidiol concentration in the preparation, verified through testing by a third-party, independent laboratory. (K.S.A. 65-4101(aa)(3))

Cardholder. The person or entity to whom or for whose benefit a financial card is issued. (K.S.A 21-5828(c)(2))

Caterer. An individual, partnership or corporation which sells alcoholic liquor by the individual drink, and provides services related to the serving thereof, on unlicensed premises which may be open to the public, but does not include a holder of a temporary permit, selling alcoholic liquor in accordance with the terms of such permit. (K.S.A. 41-2601(c))

Cereal Malt Beverage. Any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute or any flavored malt beverage, as defined in K.S.A. 41-2729, and amendments thereto, but does not include any such liquor which is more than 3.2% alcohol by weight. (K.S.A 41-2701(a))

Cigarette. Any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape, and irrespective of tobacco being flavored, adulterated or mixed with any other ingredient if the wrapper is in greater part made of any material except tobacco. (K.S.A. 79-3301(d))

City or This City. All land and water either within or outside the boundary of the city over which the city has either exclusive or concurrent jurisdiction, and the air space above such land and water.

City or County Correctional Officer or Employee. Any correctional officer or employee of the city or county or any independent contractor, or any employee of such contractor, working at a city holding facility or county jail facility. (K.S.A 21-5413(h)(4))

Club. Class A or Class B club. (K.S.A. 41-2601(a))

Class A Club. A premise which is owned or leased by a corporation, partnership, business trust or association and which is operated thereby as a bona fide nonprofit social, fraternal or war veterans' club, as determined by the director, for the exclusive use of the corporate stockholders, partners, trust beneficiaries or associates (hereinafter referred to as members) and their families and guests accompanying them. (K.S.A. 41-2601(e))

Class B Club. A premise operated for profit by a corporation, partnership or individual, to which members of such club may resort for the consumption of food or alcoholic beverages and for entertainment. (K.S.A. 41-2601(f))

Conduct. An act or series of acts, and the accompanying mental state. (K.S.A. 21-5111(c))

Controlled Substance. Any drug or substance included in the Uniform Controlled Substances Act found in Chapter 21 of the Kansas Statutes Annotated, and amendments thereto.

Conviction. A judgment of guilt entered upon a plea of guilt. (K.S.A. 21-5111(d))

Cosmetic Tattooing. The process by which the skin is marked or colored by insertion of nontoxic dyes or pigments into or under the subcutaneous portion of the skin, by use of a needle, so as to form indelible marks for cosmetic or figurative purposes. (K.S.A. 65-1940(l))

Court Appointed Guardian. One who is appointed by a court and has legal authority and duty to care for another person, especially because of the other's infancy, incapacity or disability. (K.S.A. 65-1940(n))

Debilitating Medical Condition. A medically diagnosed chronic disease or medical condition causing a serious impairment of strength or ability to function, including one that produces seizures, for which the patient is under current and active treatment by a physician licensed to practice medicine and surgery in Kansas. (K.S.A. 21-5706(b)(2))

Deception. Knowingly creating or reinforcing a false impression, including false impressions as to law, value, intention or other state of mind. Deception as to a person's intention to perform a promise shall not be inferred from the fact alone that such person did not subsequently perform the promise. Falsity as to matters having no pecuniary significance, or puffing by statements unlikely to deceive reasonable persons, is not deception. (K.S.A. 21-5111(e))

Deprive Permanently.

(a) Take from the owner the possession, use or benefit of property, without an intent to restore the same;

(b) Retain property without intent to restore the same or with intent to restore it to the owner only if the owner purchases or leases it back, or pays a reward or other compensation for its return; or

(c) Sell, give, pledge or otherwise dispose of any interest in property or subject it to the claim of a person other than the owner. (K.S.A. 21-5111(f))

Distribute. The actual or constructive transfer from one person to another of some item whether or not there is an agency relationship. **Distribute** includes, but is not limited to, sale, offer for sale, furnishing, buying for, delivering, giving, or any act that causes or is intended to cause some item to be transferred from one person to another. **Distribute** does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act, or otherwise authorized by law. (K.S.A. 21-5111(g))

Domestic Pet. Any domesticated animal which is kept for pleasure rather than utility. (K.S.A. 21-6411(e))

Drinking Establishment. Premises which may be open to the general public, where alcoholic liquor by the individual drink is sold. **Drinking establishment** includes a railway car. (K.S.A. 41-2601(n))

Dwelling. A building or portion thereof, a tent, a vehicle, or other enclosed space which is used or intended for use as a human habitation, home or residence. (K.S.A. 21-5111(k))

Dwelling Unit. A single-family residence, multiple-family residence and each living unit in a mixed-use building. (K.S.A. 21-5111(k))

Electronic Cigarette. A battery-powered device, whether or not such device is shaped like a cigarette, that can provide inhaled doses of nicotine by delivering a vaporized solution by means of cartridges or other chemical delivery systems. (K.S.A. 79-3301(m))

Equine. A horse, pony, mule, jenny, donkey or hinny. (K.S.A. 21-6412(i)(2))

Farm Animal. An animal raised on a farm or ranch and used or intended for use as food or fiber. (K.S.A. 21-6411(b))

Federal Law Enforcement Officer. A law enforcement officer employed by the United States federal government who, as part of such officer's duties, is permitted to make arrests and to be armed. (K.S.A. 21-5413(h)(11))

Fighting Words. Words that by their very utterance inflict injury or tend to incite the listener to an immediate breach of the peace. (K.S.A. 21-6203(c))

Financial Card. An identification card, plate, instrument, device or number issued by a business organization authorizing the cardholder to purchase, lease or otherwise obtain money, goods, property or services or to conduct other financial transactions. (K.S.A. 21-5828(c)(1))

Firearm. Any weapon designed or having the capacity to propel a projectile by force of an explosion or combustion. (K.S.A.21-5111(m))

Fire Department. A public fire department under the control of the governing body of a city, township, county, fire district or benefit district or a private fire department operated by a nonprofit corporation providing fire protection services for a city, township, county, fire district or benefit district under contract with the governing body of the city, township, county or district.

Fish. As a verb, means take, in any manner, any fish.

Funeral. The ceremonies, processions, and memorial services held in connection with the burial or cremation of a person. (K.S.A. 21-6106(c)(1))

Furbearing Animal. Any badger, beaver, bobcat, grey fox, lynx, marten, mink, muskrat, opossum, otter, raccoon, red fox, spotted skunk, striped skunk, swift fox or weasel. (K.S.A 32-701(e))

Furharvest.
(a) Take, in any manner, any furbearing animal; or
(b) Trap or attempt to trap any coyote.
(K.S.A. 32-701(f))

Game Animal. Any big game animal, wild turkey or small game animal. (K.S.A. 32-701(g))

Gamecock. A domesticated fowl that is bred, reared or trained for the purpose of fighting with other fowl. (K.S.A. 21-6417(e))

Health Care Facility. Any licensed medical care facility, certificated health maintenance organization, licensed mental health center, or mental health clinic, licensed psychiatric hospital or other facility or office where services of a health care provider are provided directly to patients. (K.S.A. 21-5808(c)(1))

Health Care Provider. Any person:
(a) Licensed to practice a branch of the healing arts;
(b) Licensed to practice psychology;
(c) Licensed to practice professional or practical nursing;
(d) Licensed to practice dentistry;
(e) Licensed to practice optometry;
(f) Licensed to practice pharmacy;
(g) Registered to practice podiatry;
(h) Licensed as a social worker; or
(i) Registered to practice physical therapy
(K.S.A. 21-5808(c)(2))

Hunt.
(a) Take, in any manner, any wildlife other than a fish, bullfrog, furbearing animal or coyote; or
(b) Take, in any manner other than by trapping, any coyote. (K.S.A. 32-701(i))

Intent to Defraud. An intention to deceive another person, and to induce such other person, in reliance upon such deception, to assume, create, transfer, alter or terminate a right, obligation or power with reference to property. (K.S.A. 21-5111(o))

Juvenile Detention Facility Officer or Employee. Any officer or employee of a juvenile detention facility as defined in K.S.A. 38-2302, and amendments thereto.

Law Enforcement Officer.

(a) Any person who by virtue of such person's office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses.

(b) Any university police officer or campus police officer, as defined in K.S.A. 22-2401a, and amendments thereto.

(K.S.A. 21-5111(p))

Maliciously. A state of mind characterized by actual evil-mindedness or specific intent to do a harmful act without a reasonable justification or excuse.

Motion Picture Theater. A movie theater, screening room or other venue when used primarily for the exhibition of a motion picture. (K.S.A. 51-301(d)(2))

Motorboat. Any vessel propelled by machinery, whether or not such machinery is the principal source of propulsion. (K.S.A. 32-1102(b))

Motor Vehicle. Every vehicle, other than a motorized bicycle or a motorized wheelchair, which is self-propelled.

Needle. A sharp, pointed implement used for the purpose of tattooing, cosmetic tattooing or body piercing. The term **needle** does not include any implements or object altered to be used as needles. (K.S.A. 65-1948(o))

Nonferrous Metal. A metal that does not contain iron or steel. (K.S.A. 50-6,109(b)(5))

Obtain. To bring about a transfer of interest in or possession of property, whether to the offender or to another. (K.S.A 21-5111(a))

Obtains or Exerts Control Over Property. Includes but is not limited to, the taking, carrying away, sale, conveyance, transfer of title to, interest in, or possession of property. (K.S.A. 21-5111(r))

Ordinance Cigarette or Tobacco Infraction. A violation of an ordinance that proscribes the same behavior as proscribed by subsection (m) or (n) of K.S.A. 79-3321 and amendments thereto.

Owner. A person who has any interest in property. (K.S.A 21-5111(s))

Paint Ball Gun. Any device whether or not in the shape and form commonly associated with the terms pistol, sidearm, small arm, rifle, shotgun, or any other type of gun designed to forcibly expel from an opening therein any paint ball, and whether operating from and upon compressed air or mechanical or elastic springwork or otherwise.

Person. An individual, public or private corporation, government, partnership or unincorporated association. (K.S.A. 21-5111(t))

Personal Property. Goods, chattels, effects, evidences of rights in action and all written instruments by which any pecuniary obligation, or any right or title to property, real or personal, shall be created, acknowledged, assigned, transferred, increased, defeated, discharged, or dismissed. (K.S.A. 21-5111(u))

Police Dog. Any dog which is owned, or the service of which is employed, by a law enforcement agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws or apprehension of offenders.

Possession. Having joint or exclusive control over an item with knowledge of or intent to have such control or knowingly keeping some item in a place where the person has some measure of access and right of control. (K.S.A. 21-5111(v))

Private Place. A place where one may reasonably expect to be safe from uninvited intrusion or surveillance. (K.S.A. 21-6101(f))

Property. Anything of value, tangible or intangible, real or personal. (K.S.A. 21-5111(w))

Prosecution. All legal proceedings by which a person's liability for an offense is determined. (K.S.A. 21-5111(x))

Public Demonstration.
(a) Any picketing or similar conduct; or
(b) Any oration, speech, use of sound amplification

equipment or device, or similar conduct that is not part of a funeral. (K.S.A. 21-6106(c)(2))

Public Employee. A person employed by or acting for the city for the purpose of exercising the city's respective power and performing their respective duties and who is not a public officer. (K.S.A. 21-5111(z))

Public Offense or Offense. An act or omission defined by this code which, upon conviction, is punishable by fine, confinement or both fine and confinement.

Public Officer. Includes the following, whether elected or appointed.

(a) An executive or administrative officer of the city;
(b) A member of the governing body of the city;
(c) A judicial officer, which shall include a judge, municipal judge, magistrate, juror, master or any other person appointed by a judge or court to hear or determine a cause of controversy;
(d) A hearing officer, which shall include any person authorized by law or private agreement, to hear or determine a cause or controversy and who is not a judicial officer;
(e) A law enforcement officer; and
(f) Any other person exercising the functions of a public officer under color of right.

(K.S.A. 21-5111(aa))

Railroad Property. Includes, but is not limited to, any train, locomotive, railroad car, caboose, rail-mounted work equipment, rolling stock, work equipment, safety device, switch, electronic signal, microwave communication equipment, connection, railroad track, rail, bridge, trestle, right-of-way or other property that is owned, leased, operated or possessed by a railroad company. (K.S.A. 21-5809(e))

Real Property or Real Estate. Every estate, interest and right in lands, tenements and hereditaments. (K.S.A. 21-5111(bb))

Rebuilder. A person who is engaged in the business of rebuilding salvage vehicles, as defined in K.S.A. 8-196, and amendments thereto, and selling such rebuilt salvage vehicles. (K.S.A. 8-2401(oo))

Retail Dealer. A person, other than a vending machine operator, in possession of cigarettes or electronic cigarettes for the purpose of sale to a consumer. (K.S.A. 79-3301(v))

Runaway. A child under 18 years of age who is voluntarily absent from:

(a) The child's home without the consent of the child's parent or other custodian; or

(b) A court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee.

(K.S.A. 21-5603(d))

Sail Board. A surfboard using for propulsion a free sail system comprising one or more swivel-mounted rigs (mast, sail and booms) supported in an upright position by the crew and the wind. (K.S.A. 32-1102(p))

Sailboat. Any vessel, other than a sail board, that is designed to be propelled by wind action upon a sail for navigation on the water. (K.S.A. 32-1102(s))

Salvage Vehicle Dealer. Any person engaged in the business of buying, selling or exchanging used vehicles and primarily engaged in the business of the distribution at wholesale or retail of used motor vehicle parts and includes establishments primarily engaged in dismantling motor vehicles for the purpose of selling parts. (K.S.A. 8-2401(y))

Salvage Vehicle Pool. Any person who as an agent for a third party is primarily engaged in the business of storing, displaying and offering for sale salvage vehicles. (K.S.A. 8-2401(hh))

Sample. Cigarettes or tobacco products distributed to members of the general public at no cost for purposes of promoting the product. (K.S.A. 79-3301(x))

School Employee. Any employee of a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of

pupils enrolled in kindergarten or any of the grades one through 12. (K.S.A. 21-5413(h)(5))

Scrap Metal Recycler. A person who engages in the business of shredding or otherwise processing nonrepairable vehicles or other scrap metal into prepared grades and whose principal product is scrap iron, scrap steel or nonferrous metallic scrap for sale for remelting purposes. (K.S.A. 8-2401(mm))

Sexual Intercourse. Any penetration of the female sex organ by a finger, the male sex organ or any object. Any penetration, however slight, is sufficient to constitute sexual intercourse. **Sexual Intercourse** does not include penetration of the female sex organ by a finger or object in the course of the performance of:

(a) Generally recognized health care practices; or
(b) A body cavity search conducted in accordance with K.S.A. 22-2520 through 22-2524, and amendments thereto.

(K.S.A. 21-5501(a))

Smoke Detector. A device or combination of devices which operate from a power supply in the dwelling unit or at the point of installation for the purpose of detecting visible or invisible particles of combustion. Such term shall include smoke detectors approved or listed for the purpose for which they are intended by an approved independent testing laboratory. (K.S.A. 31-161(b))

Smoking; Definitions.

(a) **Access Point** means the area within a 10 foot radius outside of any doorway, open window or air intake leading into a building or facility that is not exempted pursuant to subsection (d) of section 10.24.
(b) **Bar** means any indoor area that is operated and licensed for the sale and service of alcoholic beverages, including alcoholic liquor as defined in K.S.A. 41-102, and amendments thereto, or cereal malt beverages as defined in K.S.A. 41-2701, and amendments thereto, for on premises consumption.
(c) **Employee** means any person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and any person who volunteers their services for a nonprofit entity.
(d) **Employer** means any person, partnership, corporation, association or organization, including

municipal or nonprofit entities, which employs one or more individual persons.

(e) **Enclosed Area** means all space between a floor and ceiling which is enclosed on all sides by solid walls, windows or doorways which extend from the floor to the ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid or similar structures. For purposes of this section, the following shall not be considered an enclosed area:

(1) Rooms or areas, enclosed by walls, windows or doorways, having neither a ceiling nor a roof and which are completely open to the elements and weather at all times; and

(2) Rooms or areas, enclosed by walls, fences, windows or doorways and a roof or ceiling, having openings that are permanently open to the elements and weather and which comprise an area that is at least 30% of the total perimeter wall area of such room or area.

(f) **Food Service Establishment** means any place in which food is served or is prepared for sale or service on the premises. Such term shall include, but not be limited to, fixed or mobile restaurants, coffee shops, cafeterias, short-order cafes, luncheonettes, grills, tea rooms, sandwich shops, soda fountains, taverns, private clubs, roadside kitchens, commissaries and any other private, public or nonprofit organization or institution routinely serving food and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

(g) **Gaming Floor** means the area of a lottery gaming facility or racetrack gaming facility, as those terms are defined in K.S.A. 74-8702, and amendments thereto, where patrons engage in Class III gaming. The gaming floor shall not include any areas used for accounting, maintenance, surveillance, security, administrative offices, storage, cash or cash counting, records, food service, lodging or entertainment, except that the gaming floor may include a bar where alcoholic beverages are served so long as the bar is located entirely within the area where Class III gaming is conducted.

(h) **Medical Care Facility** means a physician's office, general hospital, special hospital, ambulatory surgery center or recuperation center, as defined by K.S.A. 65-425, and amendments thereto.

(i) **Outdoor Recreational Facility** means a hunting, fishing, shooting or golf club, business or enterprise operated primarily for the benefit of its owners, members and their guests and not normally open to the general public.

(j) **Place of Employment** means any enclosed area under the control of a public or private employer, including, but not limited to, work areas, auditoriums, elevators, private offices, employee lounges and restrooms, conference and meeting rooms, classrooms, employee cafeterias, stairwells and hallways, that is used by employees during the course of employment. For purposes of this section, a private residence shall not be considered a place of employment unless such residence is used as a day care home, as defined in K.S.A. 65-530, and amendments thereto.

(k) **Private Club** means an outdoor recreational facility operated primarily for the use of its owners, members and their guests that in its ordinary course of business is not open to the general public for which use of its facilities has substantial dues or membership fee requirements for its members.

(l) **Public Building** means any building owned or operated by:

(1) The state, including any branch, department, agency, bureau, commission, authority or other instrumentality thereof;

(2) Any county, city, township, other political subdivision, including any commission, authority, agency or instrumentality thereof; or

(3) Any other separate corporate instrumentality or unit of the state or any municipality.

(m) **Public Meeting** means any meeting open to the public pursuant to K.S.A. 75-4317 et seq., and amendments thereto, or any other law of this state.

(n) **Public Place** means any enclosed areas open to the public or used by the general public including, but not limited to: Banks, bars, food service establishments, retail service establishments, retail stores, public means of mass transportation, passenger elevators, health care institutions or any other place where health care services are provided to the public, medical care facilities, educational facilities, libraries, courtrooms, public buildings, restrooms, grocery stores, school buses, museums, theaters, auditoriums, arenas and recreational facilities. For purposes of this section, a private residence shall not

be considered a public place unless such residence is used as a day care home, as defined in K.S.A. 65-530, and amendments thereto.

(o) **Smoking** means possession of a lighted cigarette, cigar, pipe or burning tobacco in any other form or device designed for the use of tobacco.

(p) **Tobacco Shop** means any indoor area operated primarily for the retail sale of tobacco, tobacco products or smoking devices or accessories, and which derives not less than 65% of its gross receipts from the sale of tobacco.

(q) **Substantial Dues or Membership Fee Requirements** means initiation costs, dues or fees proportional to the cost of membership in similarly situated outdoor recreational facilities that are not considered nominal and implemented to otherwise avoid or evade restrictions of a statewide ban on smoking.

(K.S.A. 21-6109)

Sodomy. Oral contact or oral penetration of the female genitalia or oral contact of the male genitalia; anal penetration, however slight, of a male or female by any body part or object; or oral or anal copulation or sexual intercourse between a person and an animal. **Sodomy** does not include penetration of the anal opening by a finger or object in the course of the performance of:

(a) Generally recognized health care practices; or

(b) A body cavity search conducted in accordance with K.S.A. 22-2520 through 22-2524, and amendments thereto.

(K.S.A. 21-5501(b))

Solicit or Solicitation. To command, authorize, urge, incite, request or advise another to commit an offense. (K.S.A. 21-5111(cc))

State of Nudity. Any state of undress in which the human genitals, pubic region, buttock or female breast, at a point below the top of the areola, is less than completely and opaquely covered. (K.S.A. 21-5611(g)(2))

State or This State. Means the state of Kansas and all land and water in respect to which the state of Kansas has either exclusive or concurrent jurisdiction or the air space above such land and water. (K.S.A. 21-5111(dd))

State Correctional Officer or Employee. Any officer or employee of the Kansas department of corrections or any independent contractor, or any employee of such contractor, working at a correctional institution. (K.S.A. 21-5413(n)(2))

Spirits. Any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances. (K.S.A. 41-102(hh))

Spouse. A lawful husband or wife, unless the couple is living apart in separate residences or either spouse has filed an action for annulment, separate maintenance or divorce or for relief under the protection from abuse act. (K.S.A. 21-5501(c))

Stolen Property. Property over which control has been obtained by theft. (K.S.A. 21-5111(ee))

Tattooing. The process by which the skin is marked or colored by insertion of nontoxic dyes or pigments by use of a needle into or under the subcutaneous portion of the skin so as to form indelible marks for cosmetic or figurative purposes. (K.S.A 65-1040(i))

Telecommunications Device. Includes telephones, cellular telephones, telefacsimile machines and any other electronic device which makes use of an electronic communication service, as defined in K.S.A. 22-2514, and amendments thereto. (K.S.A. 21-6206(d))

Telefacsimile Communication. The use of electronic equipment to send or transmit a copy of a document via telephone line.

Temporary Permit. A temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto. (K.S.A. 41-102(jj))

Threat. A communicated intent to inflict physical or other harm on any person or on property. (K.S.A. 21-5111(ff))

Throwing Star. Any instrument, without handles,

consisting of a metal plate having three or more radiating points with one or more sharp edges and designed in the shape of a polygon, trefoil, cross, star, diamond, or other geometric shape, manufactured for use as a weapon for throwing. (K.S.A. 21-6301(m)(4))

Tobacco Products. Cigars, cheroots, stogies, periques; granulated, plug cut, crimp cut, ready rubbed and other smoking tobacco; snuff, snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking. Tobacco products do not include cigarettes. (K.S.A. 79-3301(bb))

Toxic Vapors. The following substances or products containing such substances:

(a) Alcohols, including methyl, isopropyl, propyl, or butyl;
(b) Aliphatic acetates, including ethyl, methyl, propyl, or methyl cellosolve acetate;
(c) Acetone;
(d) Benzene;
(e) Carbon tetrachloride;
(f) Cyclohexane;
(g) Freons, including freon 11, freon 12, and other halogenated hydrocarbons;
(h) Hexane;
(i) Methyl ethyl ketone;
(j) Methyl isobutyl ketone;
(k) Naptha;
(l) Perchlorethylene;
(m) Toluene;
(n) Trichloroethane; or
(o) Xylene.

(K.S.A. 21-5712(e))

Transmission. Any form of communication, including, but not limited to, physical transmission of paper and electronic transmission that creates a record that may be retained and reviewed by a recipient thereof, and that may be directly reproduced in paper form by such a recipient through an automated process. Transmission also includes a request to receive a transmission of a visual depiction; (K.S.A. 21-5611(g)(3))

Unlawful Sexual Act. Any lewd and lascivious behavior or sexual battery as defined in this code. (K.S.A. 21-5501(d))

Vehicle Crusher. Any person, other than a vehicle recycler or a scrap metal recycler, who engages in the business of flattening, crushing or otherwise processing nonrepairable vehicles for recycling. Vehicle crushers include, but are not limited to, persons who use fixed or mobile equipment to flatten or crush nonrepairable vehicles for a vehicle recycler or a scrap metal recycler. (K.S.A. 8-2401(kk))

Vehicle Dealer. Any person who:

(a) For commission, money or other thing of value is engaged in the business of buying, selling or offering or attempting to negotiate a sale of an interest in vehicles; or

(b) For commission, money or other thing of value is engaged in the business of buying, selling or offering or attempting to negotiate a sale of an interest in motor vehicles as an auction motor vehicle dealer as defined below; but does not include:
    (1) Receivers, trustees, administrators, executors, guardians, or other persons appointed by or acting under the judgment or order of any court, or any bank, trustee or lending company or institution which is subject to state or federal regulations as such, with regard to its disposition of repossessed vehicles;
    (2) Public officers while performing their official duties;
    (3) Employees of persons enumerated provisions (1) and (2), when engaged in the specific performance of their duties as such employees;
    (4) Auctioneers conducting auctions for persons enumerated in provisions (1), (2), or (3); or
    (5) Auctioneers who, while engaged in conducting an auction of tangible person property for others, offer for sale:
        (A) Vehicles which have been used primarily in a farm or business operation by the owner offering the vehicle for sale, including all vehicles which qualified for a farm vehicle tag at the time of sale except vehicles owned by a business engaged primarily in the business of leasing or renting passenger cars;

(B) Vehicles which meet the statutory definition of antique vehicles; or

(C) Vehicles for no more than four principals or households per auction. All sales of vehicles exempted pursuant to provision (5), except truck, truck tractors, pole trailers, trailers and semitrailers as defined by K.S.A. 8-126, and amendments thereto, shall be registered in Kansas prior to the sale. (K.S.A. 8-2401(a))

Vehicle Recycler. A person who engages in the business of acquiring, dismantling, removing parts from or destroying nonrepairable vehicles for the primary purpose of reselling the vehicle parts. (K.S.A. 8-2401(11))

Vessel. Any watercraft designed to be propelled by machinery, oars, paddles or wind action upon a sail for navigation on the water. (K.S.A. 32-1102)

Visual Depiction. Any photograph, film, video picture, digital or computer-generated image or picture made or produced by electronic, mechanical or other means. (K.S.A. 21-5611(g)(4))

Wildlife. Any member of the animal kingdom, including, without limitation, any mammal, fish, bird, amphibian, reptile, mollusk, crustacean, arthropod or other invertebrate, and includes any part, product, egg or offspring thereof, or the dead body or parts thereof. Wildlife does not include agricultural livestock (cattle, swine, sheep, goats, horses, mules and other equines) and poultry (domestic chickens, turkeys and guinea fowl). (K.S.A. 32-701(u))

Wine. Any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products, including such beverages containing added alcohol or spirits or containing sugar added for the purpose of correcting natural deficiencies. (K.S.A. 41-102(kk))

Written Instrument. Any paper, document or other instrument containing written or printed matter or the equivalent thereof, used for purposes of reciting, embodying, conveying or recording information, and any money, tokens, stamp, seal, badge, trademark, or other evidence or symbol of value, right, privilege

or identification, which is capable of being used to the advantage or disadvantage of some person. (K.S.A. 21-5111(gg))

Sec. 1.2 Liability for Offenses of Another.

(a) A person is criminally responsible for an offense committed by another if such person, acting with the mental culpability required for the commission thereof, advises, hires, counsels or procures the other to commit the offense or intentionally aids the other in committing the conduct constituting the offense.

(b) A person liable under subsection (a) is also liable for any other offense committed in pursuance of the intended offense if reasonably foreseeable by such person as a probable consequence of committing or attempting to commit the crime intended.

(c) A person liable under this section may be charged with and convicted of the offense although the person alleged to have directly committed the act constituting the offense.

(1) Lacked criminal or legal capacity;
(2) Has not been convicted;
(3) Has been acquitted; or
(4) Has been convicted of some other degree of the offense or of some other offense based on the same act. (K.S.A. 21-5210)

Sec. 1.3. Corporations: Criminal Responsibility; Individual Liability.

(a) **Corporations; Criminal Responsibility.**

(1) A corporation is criminally responsible for acts committed by its agents when acting within the scope of their authority.
(2) Agent means any director, officer, servant, employee or other person who is authorized to act on behalf of the corporation.

(b) **Individual Liability for Corporate Offenses.**

(1) An individual who performs public offenses, or causes such acts to be performed, in the

name of or on behalf of a corporation is legally responsible to the same extent as if such acts were in the person's own name or on the person's own behalf.

(2) An individual who has been convicted of an offense based on conduct performed by such individual for and on behalf of a corporation is subject to punishment as an individual upon conviction of such offense, although a lesser or different punishment is authorized for the corporation. (K.S.A. 21-5211;5212)

Article 2. Anticipatory Offenses

Sec. 2.1. Attempt.

(a) An attempt is any overt act toward the perpetration of an offense done by a person who intends to commit such offense but fails in the perpetration thereof or is prevented or intercepted in executing such offense.

(b) It shall not be a defense to a charge of attempt that the circumstances under which the act was performed, or the means employed or the act itself were such that the commission of the offense was not possible.

(c) An attempt to commit a Class A violation is a Class B violation.

(d) An attempt to commit a Class B or C violation is a Class C violation. (K.S.A. 21-5301)

Sec. 2.2. Conspiracy.

(a) A conspiracy is an agreement with another person to commit an offense or to assist in committing an offense. No person may be convicted of a conspiracy unless an overt act in furtherance of such conspiracy is alleged and proved to have been committed by such person or by a co-conspirator.

(b) It is immaterial to the criminal liability of a person charged with conspiracy that any other person with whom the defendant conspired lacked the actual intent to commit the underlying crime provided that the defendant believed the other person did have the actual intent to commit the underlying crime.

(c) It shall be a defense to a charge of conspiracy that the accused voluntarily and in good faith withdrew from the conspiracy, and communicated the fact of such withdrawal to one or more of the accused person's co-conspirators, before any overt act in furtherance of the conspiracy was committed by the accused or by a co-conspirator.

(d) A conspiracy to commit a violation is a Class C violation. (K.S.A. 21-5302)

Article 3. Offenses Against Persons

Sec. 3.1. Battery.

(a) Battery is:

(1) Knowingly or recklessly causing bodily harm to another person; or
(2) Knowingly causing physical contact with another person when done in a rude, insulting or angry manner.

(b) Battery is a Class B violation. (K.S.A. 21-5413)

Sec. 3.1.1. Domestic Battery.

(a) Domestic battery is:

(1) Knowingly or recklessly causing bodily harm to a person with whom the offender is involved or has been involved in a dating relationship or a family or household member; or
(2) Knowingly causing physical contact with a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner.

(b) (1) Upon a first conviction of a violation of domestic battery, an offender shall be guilty of a Class B violation and sentenced to not less than 48 consecutive hours nor more than six months' imprisonment and fined not less than $200, nor more than $500 or in the court's discretion the court may enter an order which requires

the offender to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program;

(2) If, within five years immediately preceding commission of the crime, an offender is convicted of a violation of domestic battery a second time, the offender shall be guilty of a Class A violation and sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than $500 nor more than $1,000. The five days' imprisonment mandated by this subsection may be served in a work release program only after such offender has served 48 consecutive hours' imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program. The offender shall serve at least five consecutive days' imprisonment before the offender is granted probation, suspension or reduction of sentence or parole or is otherwise released. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, unless otherwise ordered by the court or department of corrections; and

(c) In determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offense under this section, a court shall consider information presented to the court relating to any current or prior protective order issued against such person.

(d) As used in this section:

(1) **Dating relationship** means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since

the termination of the relationship, if applicable;

(2) **Family or household member** means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or who have lived together at any time. **Family or household member** also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and

(3) **Protective Order** means:

(A) A protection from abuse order issued pursuant to K.S.A. 60-3105, 60-3106 or 60-3107, and amendments thereto;

(B) A protective order issued by a court or tribunal of any state or Indian tribe that is consistent with the provisions of 18 U.S.C. § 2265;

(C) A restraining order issued pursuant to K.S.A. 23-2707, 38-2243, 38-2244 or 38-2255, and amendments thereto, or K.S.A. 60-1607, prior to its transfer;

(D) An order issued in this or any other state as a condition of pretrial release, diversion, probation, suspended sentence, postrelease supervision or at any other time during the criminal case or upon appeal that orders the person to refrain from having any direct or indirect contact with a family or household member;

(E) An order issued in this or any other state as a condition of release after conviction or as a condition of a supersedeas bond pending disposition of an appeal, that orders the person to refrain from having any direct or indirect contact with another person; or

(F) A protection from stalking order issued pursuant to K.S.A. 60-31a05 or 60-31a06, and amendments thereto.

(e) For the purpose of determining whether a conviction is a first or second conviction in sentencing under this section:

(1) **Conviction** includes being convicted of a violation of this section or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;

(2) **Conviction** includes being convicted of a violation of a law of another state, or an ordinance of any city, or resolution of any county, which prohibits the acts that this section prohibits or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings in a case alleging a violation of such law, ordinance or resolution;

(3) Only convictions occurring in the immediately preceding five years including prior to the effective date of this act shall be taken into account, but the court may consider other prior convictions in determining the sentence to be imposed within the limits provided for a first or second offender, whichever is applicable; and

(4) It is irrelevant whether an offense occurred before or after conviction for a previous offense.

(f) A person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this section or an ordinance of any city or resolution of any county which prohibits the acts that this section prohibits only twice during any five-year period. (K.S.A. 21-5414)

Sec. 3.2. Battery Against a Law Enforcement Officer.

(a) Battery against a law enforcement officer is a battery, as defined in Section 3.1(a)(2) of this article, committed against a:

(1) Uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty;

(2) Uniformed or properly identified state, county, or city law enforcement officer, other than a state correctional officer or employee, a city or county correctional officer or employee, or a juvenile detention facility officer, or employee, while such officer is engaged in the performance of such officer's duty;

(3) Uniformed or properly identified federal law enforcement officer while such officer is engaged in the performance of such officer's duty;
(4) Judge, while such judge is engaged in the performance of such judge's duty;
(5) Attorney, while such attorney is engaged in the performance of such attorney's duty; or
(6) Community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty.

(b) As used in this section:

(1) **Judge** means a duly elected or appointed justice of the supreme court, judge of the court of appeals, judge of any district court of Kansas, district magistrate judge or municipal court judge;
(2) **Attorney** means a (A) City attorney, assistant city attorney, city prosecutor, assistant city prosecutor, county attorney, assistant county attorney, special assistant county attorney, district attorney, assistant district attorney, special assistant district attorney, attorney general, assistant attorney general or special assistant attorney general; and (B) public defender, assistant public defender, contract counsel for the state board of indigents' defense services or an attorney who is appointed by the court to perform services for an indigent person as provided by article 45 of chapter 22 of the Kansas Statutes Annotated and amendments thereto;
(3) **Community Corrections Officer** means an employee of a community correctional services program responsible for supervision of adults or juveniles as assigned by the court to community corrections supervision and any other employee of a community correctional services program that provides enhanced supervision of offenders such as house arrest and surveillance programs;
(4) **Court Services Officer** means an employee of the Kansas judicial branch or local judicial district responsible for supervising, monitoring or writing reports relating to adults or juveniles as assigned by the court, or performing related duties as assigned by the court.

(c) Battery against a law enforcement officer is a Class A violation. (K.S.A. 21-5413)

Sec. 3.2.1. Sexual Battery.

(a) Sexual battery is the touching of a victim who is not the spouse of the offender, who is 16 or more years of age and who does not consent thereto, with the intent to arouse or satisfy the sexual desires of the offender or another.

(b) Sexual battery is a Class A violation. (K.S.A. 21-5505)

{**Editor's note**: Municipal courts are not a court of record and therefore, a conviction for this section in municipal court will not subject the defendant to registering as a sexual offender pursuant to K.S.A. 22-4902(b)(5). See State v. Adams, No. 114,276, (Kan. App. August 26, 2016) Unpublished opinion.}

Sec. 3.2.2. Battery Against a School Employee.

(a) Battery against a school employee is a battery, as defined in Section 3.1, committed against a school employee in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12 or at any regularly scheduled school sponsored activity or event, while such employee is engaged in the performance of such employee's duty.

(b) Battery against a school employee is a Class A violation. (K.S.A. 21-5413)

Sec. 3.3. Assault and Assault of a Law Enforcement Officer.

(a) Assault is knowingly placing another person in reasonable apprehension of immediate bodily harm.

(b) Assault of a law enforcement officer is assault, as defined in subsection (a), committed against:

(1) A uniformed or properly identified state, county

or city law enforcement officer while such officer is engaged in the performance of such officer's duty;

(2) A uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty; or

(3) A uniformed or properly identified federal law enforcement officer as defined in K.S.A. . 21-5413, and amendments thereto, while such officer is engaged in the performance of such officer's duty.

(c) Assault is a Class C violation.

(d) Assault of a law enforcement officer is a Class A violation. (K.S.A. 21-5412)

Sec. 3.4. Unlawful Interference with an Emergency Medical Services Attendant.

(a) Unlawful interference with an emergency medical service provider is knowingly:

(1) Interfering with any emergency medical service provider while engaged in the performance of such emergency medical service provider's duties; or

(2) Obstructing, interfering with or impeding the efforts of any emergency medical service provider to reach the location of an emergency.

(b) Unlawful interference with an emergency medical service provider is a Class B person violation.

(c) As used in this section, "emergency medical service provider" means the same as in K.S.A. 65-6112, and amendments thereto.

(d) A person who violates the provisions of this section may also be prosecuted for, convicted of and punished for assault or battery (K.S.A. 21-6326)

Sec. 3.5. Unlawful Interference with Firefighter.

(a) Unlawful interference with a firefighter is knowingly:

(1) Interfering with any firefighter while engaged in the performance of such firefighter's duties; or
(2) Obstructing, interfering with or impeding the efforts of any firefighter to reach the location of a fire or other emergency.

(b) Unlawful interference with a firefighter is a Class B person violation.

(c) A person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for assault or battery. (K.S.A. 21-6325)

Sec. 3.6. Unlawful Restraint.

(a) Unlawful restraint is knowingly and without legal authority restraining another person so as to interfere substantially with such person's liberty.

(b) This section shall not apply to acts done in the performance of duty by any law enforcement officer of the city.

(c) Any merchant, or a merchant's agent or employee, who has probable cause to believe that a person has actual possession of and has wrongfully taken, or is about to wrongfully take merchandise from a mercantile establishment, may detain such person on the premises or in the immediate vicinity thereof, in a reasonable manner and for a reasonable period of time for the purpose of investigating the circumstances of such possession. Such reasonable detention shall not constitute an arrest nor unlawful restraint.

(d) Unlawful restraint is a Class A violation.
(K.S.A. 21-5411)

Sec. 3.7. Mistreatment of a Confined Person.

(a) Mistreatment of a confined person is knowingly abusing, neglecting or ill-treating any person, who is detained or confined by any law enforcement officer or by any person in charge of or employed by the owner or operator of any correctional institution.

(b) Mistreatment of a confined person is a Class A violation. (K.S.A. 21-5416)

Sec. 3.7.1. Interference with Custody of a Committed Person.

(a) Interference with custody of a committed person is knowingly taking or enticing any committed person away from the control of such person' s lawful custodian without privilege to do so.

(b) Interference with custody of a committed person is a class A nonperson violation.

(c) As used in this section, "committed person" means any person committed other than by criminal process to any institution or other custodian by a court, officer or agency authorized by law to make such commitment. (K.S.A. 21-5416)

Sec. 3.8. Violation of Protection from Abuse Order.

(a) If a person enters or remains on premises or property violating an order issued pursuant to K.S.A. 60-3107(a)(2), and amendments thereto, such violation shall constitute criminal trespass and violation of a protective order.

(b) If a person abuses, molests or interferes with the privacy or rights of another violating an order issued pursuant to K.S.A. 60-3107(a)(1), and amendments thereto, such violation may constitute assault, battery, or domestic battery and violation of a protective order. (K.S.A. 60-3107)

Sec. 3.8.1. Violation of a Protective Order.

(a) Violation of a protective order is knowingly violating:

(1) A protection from abuse order issued pursuant to K.S.A. 60-3105, 60-3106 or 60-3107, and amendments thereto;
(2) A protective order issued by a court or tribunal of any state or Indian tribe that is consistent with the provisions of 18 U.S.C. Section 2265, and amendments thereto;
(3) A restraining order issued pursuant to K.S.A. 23-2707, 38-2243, 38-2244 or 38-2255, and amendments thereto, or K.S.A. 60-1607, prior to its transfer;

(4) An order issued in this or any other state as a condition of pretrial release, diversion, probation, suspended sentence, post release supervision or at any other time during the criminal case that orders the person to refrain from having any direct or indirect contact with another person;

(5) An order issued in this or any other state as a condition of release after conviction or as a condition of a supersedeas bond pending disposition of an appeal, that orders the person to refrain from having any direct or indirect contact with another person;

(6) A protection from stalking or sexual assault order issued pursuant to K.S.A. 60-31a05 or 60-31a06, and amendments thereto.

(b) Order includes any order issued by a municipal or district court.

(c) No protective order, as set forth in this section, shall be construed to prohibit an attorney, or any person acting on the attorney's behalf, who is representing the defendant in any civil or criminal proceeding, from contacting the protected party for a legitimate purpose within the scope of the civil or criminal proceeding. The attorney, or person acting on the attorney's behalf, shall be identified in any such contact. (K.S.A. 21-5924)

(d) Violation of a protective order is a Class A violation. (K.S.A. 21-5924)

Sec. 3.9. Criminal False Communication.

(a) Criminal false communication is:

(1) Communicating to any person, by any means, information that the person communicating such information knows to be false will tend to:

(A) Expose another living person to public hatred, contempt or ridicule;

(B) Deprive such person of the benefits of public confidence and social acceptance; or

(C) Degrade and vilify the memory of one who is dead and to scandalize or provoke surviving relatives and friends; or

(2) Recklessly making, circulating or causing to be circulated any false report, statement or rumor with intent to injure the financial standing or reputation of any bank, financial or business institution or the financial standing of any individual in this state.

(b) In all prosecutions under this section the truth of the information communicated shall be admitted as evidence. It shall be a defense to a charge of criminal false communication if it is found that such matter was true.

(c) Criminal false communication is a Class A violation. (K.S.A. 21-6103)

Sec. 3.10. Hazing.

(a) Hazing is recklessly coercing, demanding or encouraging another person to perform, as a condition of membership in a social or fraternal organization, any act which could reasonably be expected to result in great bodily harm, disfigurement or death or which is done in a manner whereby great bodily harm, disfigurement or death could be inflicted.

(b) Hazing is a Class B nonperson violation. (K.S.A. 21-5418)

Sec. 3.11. Unlawful Administration of a Substance.

(a) Unlawful administration of a substance is the administration of a substance to another person without consent with the intent to impair such other person's physical or mental ability to appraise or control such person's conduct.

(b) As used in this section, **administration of a substance** means any method of causing the ingestion by another person of a controlled substance, including gamma hydroxybutyric acid or any controlled substance analog, as defined in K.S.A. 65-4101, and amendments

thereto, of gamma hydroxybutyric acid, including gamma butyrolactone; butyrolactone; butyrolactone gamma; 4-butyrolactone; 2(3H)-furanone dihydro; dihydro-2(3H)-furanone; tetrahydro-2-furanone; 1,2-butanolide; 1,4-butanolide; 4-butanolide; gamma-hydroxybutyric acid lactone; 3-hydroxybutyric acid lactone and 4-hydroxybutanoic acid lactone with CAS No. 96-48-0; 1,4 butanediol; butanediol; butane-1,4-diol; 1,4-butylene glycol; butylene glycol; 1,4-dihydroxybutane; 1,4-tetramethylene glycol, tetramethylene glycol; tetramethylene 1,4-diol.

(c) This section shall not prohibit administration of any substance described in subsection (b) for lawful medical or therapeutic treatment. (K.S.A. 21-5425)

(d) Unlawful administration of a substance is a Class A violation. (K.S.A. 21-5425)

Sec. 3.12. Breach of Privacy.

(a) Breach of privacy is knowingly and without lawful authority:

(1) Intercepting, without the consent of the sender or receiver, a message by telephone, telegraph, letter or other means of private communication;
(2) Divulging, without the consent of the sender or receiver, the existence or contents of such message if such person knows that the message was illegally intercepted, or if such person illegally learned of the message in the course of employment with an agency in transmitting it;
(3) Entering with intent to listen surreptitiously to private conversations in a private place or to observe the personal conduct of any other person or persons entitled to privacy therein;
(4) Installing or using outside or inside a private place any device for hearing, recording, amplifying or broadcasting sounds originating in such place, which sounds would not ordinarily be audible or comprehensible without the use of such device, without the consent of the person or persons entitled to privacy therein; or
(5) Installing or using any device or equipment for the interception of any telephone, telegraph or

other wire or wireless communication without the consent of the person in possession or control of the facilities for such communication.

(b) Subsection (a)(1) shall not apply to messages overheard through a regularly installed instrument on a telephone party line or on an extension.

(c) The provisions of this section shall not apply to: (1) an operator of a switchboard, or any officer, employee or agent of any public utility providing telephone communications service, whose facilities are used in the transmission of a communication, to intercept, disclose or use that communication in the normal course of employment while engaged in any activity which is incident to the rendition of public utility service or to the protection of the rights of property of such public utility; (2) a provider of an interactive computer service, as defined in 47 U.S.C. § 230, for content provided by another person; (3) a radio common carrier, as defined in K.S.A. 66-1,143, and amendments thereto; and (4) a local exchange carrier or telecommunications carrier as defined in K.S. A. 66-1,187, and amendments thereto.

(d) Breach of privacy, as defined in this section, is a Class A violation. (K.S.A 21-6101)

Sec. 3.13. Stalking.

(a) Stalking is:

(1) Recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear;
(2) Engaging in a course of conduct targeted at a specific person with knowledge that the course of conduct will place the targeted person in fear for such person's safety or the safety of a member of such person's immediate family.

(b) For the purposes of this section, a person served with a protective order as defined by K.S.A. 21-3843, prior

to its repeal or K.S.A. 21-5924, and amendments thereto, or a person who engaged in acts which would constitute stalking, after having been advised by a law enforcement officer, that such person's actions were in violation of this section, shall be presumed to have acted knowingly as to any like future act targeted at the specific person or persons named in the order or as advised by the officer.

(c) In a criminal proceeding under this section, a person claiming an exemption, exception, or exclusion has the burden of going forward with evidence of the claim.

(d) The present incarceration of a person alleged to be violating this section shall not be a bar to prosecution under this section.

(e) As used in this section:

(1) **Course of Conduct** means two or more acts over a period of time, however short, which evidence a continuity of purpose. A course of conduct shall not include constitutionally protected activity nor conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person. A course of conduct shall include, but not be limited to, any of the following acts or a combination thereof:

(A) Threatening the safety of the targeted person or a member of such person's immediate family;

(B) Following, approaching, or confronting the targeted person or a member of such person's immediate family;

(C) Appearing in close proximity to, or entering the targeted person's residence, place of employment, school, or other place where such person can be found, or the residence, place of employment, or school of a member of such person's immediate family;

(D) Causing damage to the targeted person's residence or property or that of a member of such person's immediate family;

(E) Placing an object on the targeted person's property or the property of a member of such person's immediate family, either directly or through a third person;

(F) Causing injury to the targeted person's pet or a pet belonging to a member of such person's immediate family;

(G) Any act of communication.

(2) **Communication** means to impart a message by any method of transmission, including, but not limited to: Telephoning, personally delivering, sending or having delivered, any information or material by written or printed note or letter, package, mail, courier service or electronic transmission, including electronic transmissions generated or communicated via a computer.

(3) **Computer** means a programmable, electronic device capable of accepting and processing data.

(4) **Conviction** includes being convicted of a violation of this section or being convicted of a law of another state which prohibits the acts that this section prohibits.

(5) **Immediate Family** means father, mother, stepparent, child, stepchild, sibling, spouse, or grandparent of the targeted person; any person residing in the household of the targeted person; or any person involved in an intimate relationship with the targeted person.

(f) Upon a first conviction, stalking as described in subsection (a) is a Class A violation. Subsequent violations are considered felonies under state law and will be referred to the appropriate prosecuting authority. (K.S.A. 21-5427)

Article 4. Sex Offenses

Sec. 4.1. Lewd, Lascivious Behavior.

(a) Lewd and lascivious behavior is:

(1) Publicly engaging in otherwise lawful sexual intercourse or sodomy with knowledge or reasonable anticipation that the participants are being viewed by others; or

(2) Publicly exposing a sex organ or exposing a sex organ in the presence of a person who is not the spouse of the offender and who has not consented thereto, with intent to arouse or gratify the sexual desires of the offender or another. (K.S.A. 21-5513)

(b) Lewd and lascivious behavior if committed in the presence of a person 16 or more years of age is a Class B violation. (K.S.A. 21-5513)

Sec. 4.2. Reserved for Future Use.

Sec. 4.3. Selling Sexual Relations.

(a) Selling Sexual Relations is performing for hire, or offering or agreeing to perform for hire where there is an exchange of value, any of the following acts:

(1) Sexual intercourse;
(2) Sodomy; or
(3) Manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another.

(b) It shall be an affirmative defense to any prosecution under this section that the defendant committed the violation of this section because such defendant was subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 21-6422, and amendments thereto. (K.S.A. 21-6419)

(c) Selling Sexual Relations is a Class B violation. (K.S.A. 21-6421)

Sec. 4.4. Reserved for Future Use.

Sec. 4.5. Buying Sexual Relations.

(a) Buying sexual relations is knowingly:

(1) Entering or remaining in a place where sexual relations are being sold or offered for sale with

intent to engage in manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another, sexual intercourse, sodomy or any unlawful sexual act with a person selling sexual relations who is 18 years of age or older; or

(2) Hiring a person selling sexual relations who is 18 years of age or older to engage in manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another, sexual intercourse, sodomy or any unlawful sexual act. (K.S.A. 21-6421)

(b) Buying Sexual Relations is a Class A violation on conviction of a first offense. In addition to any other sentence imposed, a person convicted under this section shall be fined not less than $1,200 nor more than $2,500. One-half of each fine collected pursuant to this subsection shall be remitted to the human trafficking victim assistance fund and the remainder shall be remitted as otherwise provided by law. (K.S.A. 21-6421)

Sec. 4.5.1. Unlawful use of a Communication Facility.

(a) It shall be unlawful for any person to knowingly or intentionally use any communication facility in committing, causing, or facilitating the commission of any violation under Section 4.5, or in any attempt to commit, any conspiracy to commit, or any criminal solicitation of any violation under Section 4.5.

(b) Violation of this section is a class A violation.

(c) As used in this section, communication facility means any and all public and private instrumentalities used or useful in the transmission of writing, signs, signals, pictures or sounds of all kinds and includes telephone, wire, radio, computer, computer networks, beepers, pagers and all other means of communication.

(d) It shall be an affirmative defense to any prosecution under this section that the defendant committed the violation of this section because such defendant was subject to human trafficking or aggravated human trafficking, as defined by K.S.A. 21-5426,

and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 21-6422, and amendments thereto.

(e) Each separate use of a communication facility may be charged as a separate offense under this section. (K.S.A. 21-6424)

Article 5. Offenses Affecting Children

Sec. 5.1. Contributing to a Child's Misconduct or Deprivation.

(a) Contributing to a child's misconduct or deprivation is:

(1) Knowingly causing or encouraging a child under 18 years of age to become or remain a child in need of care as defined by the revised Kansas code for care of children;
(2) Knowingly causing or encouraging a child under 18 years of age to commit a traffic infraction or an act which, if committed by an adult, would be a misdemeanor or to violate the provisions of K.S.A. 41-727 or subsection (j) of K.S.A. 74-8810, and amendments thereto;
(3) Failure to reveal, upon inquiry by a uniformed or properly identified law enforcement officer engaged in the performance of such officer's duty, any information one has regarding a runaway, with intent to aid the runaway in avoiding detection or apprehension;
(4) Knowingly causing or encouraging a child to violate the terms or conditions of the child's probation or conditional release pursuant to subsection (a)(1) of K.S.A. 38-2361, and amendments thereto.

(b) A person may be found guilty of contributing to a child's misconduct or deprivation even though no prosecution of the child whose misconduct or deprivation the defendant caused or encouraged has been commenced pursuant to the revised Kansas code for care of children, revised Kansas juvenile justice code or Kansas criminal code.

(c) Contributing to a child's misconduct or deprivation is a Class A violation. (K.S.A. 21-5603)

Sec. 5.1.2. Unlawful Possession of a Visual Depiction of a Child.

(a) Unlawful possession of a visual depiction of a child is knowingly possessing a visual depiction of a child 12 years of age or older but less than 16 years of age in a state of nudity, if committed by a person less than 19 years of age, and the possessor of such visual depiction received such visual depiction directly and exclusively from the child who is the subject of such visual depiction.

(b) It shall be an affirmative defense to any prosecution under this section that the recipient of a visual depiction of a child in a state of nudity:

(1) Received such visual depiction without requesting, coercing or otherwise attempting to obtain such visual depiction;
(2) Did not transmit, exhibit or disseminate such visual depiction; and
(3) Made a good faith effort to erase, delete or otherwise destroy such visual depiction.

(c) The provisions of this section shall not apply to possession of a visual depiction of a child in a state of nudity if the person possessing such visual depiction is the child who is the subject of such visual depiction.

(d) The provisions of this section shall not apply to a visual depiction of a child engaged in sexually explicit conduct or a visual depiction that constitutes obscenity as defined in K.S.A. 21-6401(f)(1), and amendments thereto.

(e) It shall not be unlawful for a person who is less than 19 years of age to possess a visual depiction of a child in a state of nudity who is 16 years of age or older.

(f) Unlawful possession of a visual depiction of a child is a Class B person violation. (K.S.A. 21-5610)

Sec. 5.1.3. Unlawful Transmission of a Visual Depiction of a Child.

(a) Unlawful transmission of a visual depiction of a child is knowingly transmitting a visual depiction of a child 12 or more years of age but less than 18 years of age in a state of nudity when the offender is less than 19 years of age.

(b) It shall be a rebuttable presumption that an offender had the intent to harass, embarrass, intimidate, defame or otherwise inflict emotional, psychological or physical harm if the offender transmitted a visual depiction of a person other than such child in a state of nudity to more than one person.

(c) The provisions of this section shall not apply to transmission of a visual depiction of a child in a state of nudity by the child who is the subject of such visual depiction.

(d) The provisions of this section shall not apply to a visual depiction of a child engaged in sexually explicit conduct or a visual depiction that constitutes obscenity as defined in K.S.A. 21-6401(f)(1), and amendments thereto.

(e) Upon a first conviction, unlawful transmission of a visual depiction of a child is a Class A person violation. (K.S.A. 21-6511)

Sec. 5.2. Furnishing Alcoholic Liquor or Cereal Malt Beverage to a Minor.

(a) Furnishing alcoholic liquor or cereal malt beverage to a minor is recklessly, directly or indirectly, buying for or distributing any alcoholic liquor or cereal malt beverage to any minor.

(b) This section shall not apply to wine intended for use and used by any church or religious organization for sacramental purposes.

(c) It shall be a defense to a prosecution under this section if:

(1) The defendant is a licensed retailer, club, drinking establishment or caterer or holds a temporary permit, or an employee thereof;
(2) The defendant sold the alcoholic liquor or cereal malt beverage to the minor with reasonable cause to believe that the minor was 21 or more years of age or of legal age for the consumption of alcoholic liquor or cereal malt beverage; and
(3) To purchase the alcoholic liquor or cereal malt beverage, the person exhibited to the defendant a driver's license, Kansas non driver's identification card or other official or apparently official document, that reasonably appears to contain a photograph of the minor and purporting to establish that such minor was 21 or more years of age or of legal age for the consumption of alcoholic liquor or cereal malt beverage.

(d) This section shall not apply to the furnishing of cereal malt beverage by a parent or legal guardian to such parent's child or such guardian's ward when such furnishing is permitted and supervised by the child's or ward's parent or legal guardian.

(e) As used in this section, **minor** means a person under 21 years of age.

(f) Furnishing alcoholic liquor or cereal malt beverage to a minor is a Class B violation for which the minimum fine is $200. (K.S.A. 21-5607)

Sec. 5.3. Unlawfully Hosting Minors Consuming Alcoholic Liquor or Cereal Malt Beverage.

(a) Unlawfully hosting minors consuming alcoholic liquor or cereal malt beverage is recklessly permitting a person's residence or any land, building, structure or room owned, occupied, or procured by such person to be used by an invitee of such person or an invitee of such person's child or ward, in a manner that results in the unlawful possession or consumption therein of alcoholic liquor or cereal malt beverages by a minor.

(b) As used in this section, **minor** means a person under 21 years of age.

(c) The provisions of this section shall not be deemed to create any civil liability for any lodging establishment, as defined in K.S.A. 36-501, and amendments thereto.

(d) Unlawfully hosting minors consuming alcoholic liquor or cereal malt beverage is a Class A violation, for which the minimum fine is $1,000. If the court sentences the offender to perform community or public service work as a condition of probation, as described in subsection (b)(10) of K.S.A. 21-6607, and amendments thereto, the court shall consider ordering the offender to serve the community or public service at an alcohol treatment facility.
(K.S.A. 21-5608)

Sec. 5.4. Endangering a Child.

(a) Endangering a child is knowingly and unreasonably causing or permitting a child under the age of 18 years to be placed in a situation in which the child's life, body or health may be injured or endangered.

(b) Nothing in this section shall be construed to mean a child is endangered for the sole reason the child's parent or guardian, in good faith, selects and depends upon spiritual means alone through prayer, in accordance with the tenets and practice of a recognized church or religious denomination, for the treatment or cure of disease or remedial care of such child.

(c) Endangering a child is a Class A violation.
(K.S.A. 21-5601)

Sec. 5.5. Watercraft; Lifesaving Devices Required.

(a) The operator of every vessel shall require every person 12 years of age or under to wear a United States Coast Guard approved type I, type II or type III personal flotation device while aboard or being towed by such vessel. A life belt or ring shall not satisfy the requirement of this section.

(b) As used in this section, **operator** means the person who operates or has charge of the navigation or use of a motorboat or a vessel.

(c) Violation of this section shall constitute a Class C violation. (K.S.A. 32-1129)

Sec. 5.6. Purchase or Possession of Cigarettes or Tobacco Products by a Minor.

It shall be unlawful for any person:

(a) Who is under 18 years of age to purchase or attempt to purchase cigarettes, electronic cigarettes, or tobacco products; or

(b) Who is under 18 years of age to possess or attempt to possess cigarettes, electronic cigarettes, or tobacco products.

(c) Violation of this section shall be an ordinance cigarette or tobacco infraction for which the fine shall be $25. In addition, the judge may require the juvenile to appear in court with a parent or legal guardian. (K.S.A. 79-3321;3322)

Sec. 5.7. Selling, Giving or Furnishing Cigarettes or Tobacco Products to a Minor.

(a) It shall be unlawful for any person to:

(1) Sell, furnish or distribute cigarettes, electronic cigarettes, or tobacco products to any person under 18 years of age; or
(2) Buy any cigarettes, electronic cigarettes, or tobacco products for any person under 18 years of age.

(b) It shall be a defense to a prosecution under this section if:

(1) The defendant is a licensed retail dealer, or employee thereof, or a person authorized by law to distribute samples;
(2) The defendant sold, furnished or distributed the cigarettes, electronic cigarettes, or tobacco products to the person under 18 years of age

with reasonable cause to believe the person was of legal age to purchase or receive cigarettes, electronic cigarettes or tobacco products; and

(3) To purchase or receive the cigarettes, electronic cigarettes, or tobacco products, the person under 18 years of age exhibited to the defendant a driver's license, Kansas non driver's identification card or other official or apparently official document containing a photograph of the person and purporting to establish that the person was of legal age to purchase or receive cigarettes, electronic cigarettes, or tobacco products.

(4) For purposes of this section the person who violates this section shall be the individual directly selling, furnishing or distributing the cigarettes, electronic cigarettes, or tobacco products to any person under 18 years of age or the retail dealer who has actual knowledge of such selling, furnishing or distributing by such individual or both.

(c) It shall be a defense to a prosecution under this subsection if:

(1) The defendant engages in the lawful sale, furnishing or distribution of cigarettes, electronic cigarettes, or tobacco products by mail; and

(2) The defendant sold, furnished or distributed the cigarettes, electronic cigarettes, or tobacco products to the person by mail only after the person had provided to the defendant an unsworn declaration, conforming to K.S.A. 53-601 and amendments thereto, that the person was 18 or more years of age.

(d) As used in this section, **sale** means any transfer of title or possession or both, exchange, barter, distribution or gift of cigarettes or tobacco products, with or without consideration.

(e) Violation of this section shall constitute a Class B violation punishable by a minimum fine of $200. (K.S.A. 79-3302, 79-3321:79-3322)

Sec. 5.8. Purchase, Consumption or Possession of Alcoholic Liquor or Cereal Malt Beverage by a Minor; 18-21.

(a) Except with regard to serving of alcoholic liquor or cereal malt beverage as permitted by K.S.A. 41-308a, 41-308b, 41-727a, 41-2610, 41-2652, 41-2704, and 41-2727, and amendments thereto, and subject to any rules and regulations adopted pursuant to such statutes, no person under 21 years of age shall possess, consume, obtain, purchase or attempt to obtain or purchase alcoholic liquor or cereal malt beverage except as authorized by law.

(b) In addition to any other penalty provided for a violation of this section:

(1) The court may order the offender to do either or both of the following:

(A) Perform 40 hours of public service; or

(B) Attend and satisfactorily complete a suitable educational or training program dealing with the effects of alcohol or other chemical substances when ingested by humans.

(2) Upon a first conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for 30 days. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for 30 days whether or not that person has a driver's license.

(3) Upon a second conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for 90 days. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for 90 days whether or not that person has a driver's license.

(4) Upon a third or subsequent conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for one year. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for one year whether or not that person has a driver's license.

(c) This section shall not apply to the possession and consumption of cereal malt beverage by a person under the legal age for consumption of cereal malt beverage when such possession and consumption is permitted and supervised, and such beverage is furnished, by the person's parent or legal guardian.

(d) (1) A person and, if applicable, one or two other persons acting in concert with such person are immune from criminal prosecution for a violation of this section, if such person:

(A) (i) Initiated contact with law enforcement or emergency medical services and requested medical assistance on such person's behalf because such person reasonably believed such person was in need of medical assistance; and

(ii) Cooperated with emergency medical services personnel and law enforcement officers in providing such medical assistance;

(B) (i) Initiated contact with law enforcement or emergency medical services, or was one of one or two other persons who acted in concert with such person, and requested medical assistance for another person who reasonably appeared to be in need of medical assistance;

(ii) Provided their full name, the name of one or two other persons acting in concert with such person, if applicable, and any other relevant information requested by law enforcement or emergency medical services;

(iii) Remained at the scene with the person who reasonably appeared to be in need of medical assistance until emergency medical services personnel and law enforcement officers arrived; and

(iv) Cooperated with emergency medical services personnel and law enforcement officers in providing such medical assistance; or

(C) (i) Was the person who reasonably appeared to be in need of medical assistance as described in subsection (d)(1)(B), but did not initiate contact with law enforcement or emergency medical services; and

(ii) Cooperated with emergency medical services personnel and law enforcement officers in providing such medical assistance.

(2) A person shall not be allowed to initiate or maintain an action against a law enforcement officer, or such officer's employer, based on the officer's compliance or failure to comply with this subsection.

(e) Violation of this section by a person 18 or more years of age but less than 21 years of age is a Class C violation for which the minimum fine is $200. (K.S.A. 41-727)

Article 6. Offenses Against Property

Sec. 6.1. Theft.

(a) Theft is any of the following acts done with the intent to permanently deprive the owner of the possession, use or benefit of the owner's property or services.

(1) Obtaining or exerting unauthorized control over property or services;
(2) Obtaining control over property or services by deception;
(3) Obtaining control over property or services by threat;
(4) Obtaining control over stolen property or services knowing the property or services to have been stolen by another; or
(5) Knowingly dispensing motor fuel into a storage container or the fuel tank of a motor vehicle at an establishment in which motor fuel is offered for retail sale and leaving the premises of the establishment without making payment for the motor fuel.

(b) Theft of property or services of the value of less than $1,500 is a Class A violation.

(c) As used in this section:

(1) **Regulated scrap metal** means the same as in K.S.A. 50-6,109, and amendments thereto; and
(2) **Value** means the value of the property or, if the property is regulated scrap metal, the cost to restore the site of the theft of such regulated scrap metal to its condition at the time immediately prior to the theft of such regulated scrap metal, whichever is greater.
(K.S.A. 21-5801)

{**Editor's Note:** Under state law, theft of property or services of the value of less than $1,500 is a Class A violation, unless any one of the following is present:
(1) Property of the value of less than $1,500 from three separate mercantile establishments within a period of 72 hours as part of the same act or transaction or in two or more acts or transactions connected together or constituting parts of a common scheme or course of conduct is a severity level 9, nonperson felony;
(2) Property of the value of at least $50 but less than $1,500 is a severity level 9, nonperson felony if committed by a person who has, within five years immediately preceding commission of the crime, excluding any period of imprisonment, been convicted of theft two or more times; and
(3) Property which is a firearm of the value of less than $25,000 is a severity level 9, nonperson felony. Violations under these facts are considered felony violations over which municipal court has no jurisdiction and should be referred to the appropriate prosecuting authority}.

Sec. 6.2. Intent; Permanently Deprive.

(a) In any prosecution under this article, the following shall be prima facie evidence of intent to permanently deprive the owner or lessor of property of the possession, use or benefit thereof:

(1) The giving of a false identification or fictitious name, address or place of employment at the time of buying, selling, leasing, trading, gathering, collecting, soliciting, procuring, receiving, dealing or otherwise obtaining or exerting control over the property.
(2) The failure of a person who leases or rents personal property and fails to return the same within 10 days after the date set forth in the lease

or rental agreement for the return of the property, if notice is given to the person renting or leasing the property to return the property within seven days after receipt of the notice, in which case the subsequent return of the property within the seven-day period shall exempt such transaction from consideration as prima facie evidence as provided in this section;

(3) Destroying, breaking or opening a lock, chain, key switch, enclosure or other device used to secure the property in order to obtain control over the property;

(4) Destruction of or substantially damaging or altering the property so as to make the property unusable or unrecognizable in order to obtain control over the property;

(5) The failure of a person who leases or rents from a commercial renter a motor vehicle under a written agreement that provides for the return of the motor vehicle to a particular place at a particular time, if notice has been given to the person renting or leasing the motor vehicle to return such vehicle within three calendar days from the date of the receipt or refusal of the demand. In addition, if such vehicle has not been returned after demand, the lessor may notify the local law enforcement agency of the failure of the lessee to return such motor vehicle and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate state and local computer system listing stolen motor vehicles;

(6) The failure of a person who is provided with a use of a vehicle by the owner of the vehicle to return it to the owner pursuant to a written instruction specifying:

   (A) The time and place to return the vehicle; and

   (B) That failure to comply may be prosecuted as theft, and such instructions are delivered to the person by the owner at the time the person is provided with possession of the vehicle. In addition, if such vehicle has not been returned pursuant to the specifications in such instructions, the owner may notify the local law enforcement agency of the

failure of the person to return such motor vehicle and the local law enforcement agency shall cause such motor vehicle to be put into appropriate state and local computer system listing stolen motor vehicles;

(7) Removing a theft detection device, without authority, from merchandise or disabling such device prior to purchase; or

(8) Under the provisions of subsection (a)(5) of section 6.1 the failure to replace or reattach the nozzle and hose of the pump used for the dispensing of motor fuels or placing such nozzle and hose on the ground or pavement.

(b) In any prosecution in which the object of the alleged theft is a book or other material borrowed from a library, it shall be prima facie evidence of intent to permanently deprive the owner of the possession, use or benefit thereof if the defendant failed to return such book or material within 30 days after receiving notice from the library requesting its return, in which case the subsequent return of the book or material within the 30-day period shall exempt such transaction from consideration as prima facie evidence as provided in this section.

(c) In prosecution for theft as defined in Section 6.1, and such theft is of services, the existence of any of the connections of meters, alterations or use of unauthorized or unmeasured electricity, natural gas, water, telephone service or cable television service, caused by tampering, shall be prima facie evidence of intent to commit theft of services by the person or persons using or receiving the direct benefits from the use of the electricity, natural gas, water, telephone service or cable television service passing through such connections or meters, or using the electricity, natural gas, water, telephone service or cable television service which has not been authorized or measured.

(d) In prosecution for theft as defined in Section 6.1, and such theft is of regulated scrap metal as defined in K.S.A. 50-6,109, and amendments thereto, either in whole or in part, the failure to give information or the giving of false information to a scrap metal dealer pursuant to the requirements of the scrap metal theft

reduction act, the transportation of regulated scrap metal outside the county from where it was obtained, the transportation of regulated scrap metal across state lines or the alteration of any regulated scrap metal prior to any transaction with a scrap metal dealer shall be prima facie evidence of intent to permanently deprive the owner of the regulated scrap metal of the possession, use or benefit thereof.

(e) As used in this section:

(1) **Notice** means notice in writing and such notice in writing will be presumed to have been given three days following deposit of the notice as registered or certified matter in the United States mail, addressed to such person who has leased or rented the personal property or borrowed the library material at the address as it appears in the information supplied by such person at the time of such leasing, renting or borrowing, or to such person's last known address; and

(2) **Tampering** includes, but is not limited to:

(A) Making a connection of any wire, conduit or device, to any service or transmission line owned by a public or municipal utility, or by a cable television service provider;

(B) Defacing, puncturing, removing, reversing or altering any meter or any connections, for the purpose of securing unauthorized or unmeasured electricity, natural gas, water, telephone service or cable television service;

(C) Preventing any such meters from properly measuring or registering;

(D) Knowingly taking, receiving, using or converting to such person's own use, or the use of another, any electricity, water or natural gas which has not been measured; or any telephone or cable television service which has not been authorized; or

(E) Causing, procuring, permitting, aiding or abetting any person to do any of the preceding acts. (K.S.A. 21-5804)

Sec. 6.3. Theft of Property Lost, Mislaid or Delivered by Mistake.

(a) Theft of property lost, mislaid or delivered by mistake is obtaining control of property of another by a person who:

(1) Knows or learns the identity of the owner thereof;
(2) Fails to take reasonable measures to restore to the owner lost property, mislaid property or property delivered by a mistake; and
(3) Intends to permanently deprive the owner of the possession, use or benefit of the property.

(b) As used in this section, **property delivered by mistake** includes, but is not limited to, a mistake as to the:

(1) Nature or amount of the property; or
(2) Identity of the recipient of the property.

(c) Theft of property lost, mislaid or delivered by mistake of the value of less than $1,000 is a Class A violation. (K.S.A. 21-5802)

Sec. 6.4. Reserved for Future Use.

Sec. 6.5. Criminal Deprivation of Property.

(a) Criminal deprivation of property is obtaining or exerting unauthorized control over property, with intent to deprive the owner of temporary use thereof, without the owner's consent but not with the intent of depriving the owner permanently of the possession, use or benefit of such owner's property.

(b) Penalties.

(1) Criminal deprivation of property that is a motor vehicle upon a first or second conviction is a Class A violation. Upon a first conviction of this paragraph, a person shall be sentenced to not less than 30 days nor more than one year's imprisonment and fined not less than $100. Upon a second conviction of this paragraph, a person shall be sentenced to not less than 60 days nor more than one year's imprisonment and

fined not less than $200. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein. The mandatory provisions of this subsection shall not apply to any person where such application would result in a manifest injustice.

(2) Criminal deprivation of property other than a motor vehicle or a firearm is a Class A violation. Upon a second or subsequent conviction of this subsection, a person shall be sentenced to not less than 30 days imprisonment and fined not less than $100, except that the provisions of this subsection relating to a second or subsequent conviction shall not apply to any person where such application would result in a manifest injustice. (K.S.A. 21-5803)

Sec. 6.6. Criminal Damage to Property.

(a) Criminal damage to property is by means other than by fire or explosive:

(1) Knowingly damaging, destroying, defacing or substantially impairing the use of any property in which another has an interest without the consent of such other person; or

(2) Damaging, destroying, defacing or substantially impairing the use of any property with intent to injure or defraud an insurer or lienholder.

(b) Criminal damage to property is a Class B violation if the property damaged is of the value of less than $1,000 or is of the value of $1,000 or more and is damaged to the extent of less than $1,000.

(c) In determining the amount of damage to property, damages may include the cost of repair or replacement of the property that was damaged, the reasonable cost of the loss of production, crops and livestock, reasonable labor costs of any kind, reasonable material costs of any kind and any reasonable costs that are attributed to equipment that is used to abate or repair the damage to the property. (K.S.A. 21-5813)

Sec. 6.7. Criminal Trespass.

(a) Criminal trespass is entering or remaining upon or in any:

(1) Land, non-navigable body of water, structure, vehicle, aircraft or watercraft by a person who knows such person is not authorized or privileged to do so, and:

(A) Such person enters or remains therein in defiance of an order not to enter or to leave such premises or property personally communicated to such person by the owner thereof or other authorized person;

(B) Such premises or property are posted as provided in K.S.A. 32-1013, and amendments thereto, or in any other manner reasonably likely to come to the attention of intruders, or are locked or fenced or otherwise enclosed, or shut or secured against passage or entry; or

(C) Such person enters or remains therein in defiance of a restraining order issued by a court of competent jurisdiction and the restraining order has been personally served upon the person so restrained.

(2) Public or private land or structure in a manner that interferes with access to or from any health care facility by a person who knows such person is not authorized or privileged to do so and such person enters or remains thereon or therein in defiance of an order not to enter or to leave such land or structure personally communicated to such person by the owner of the health care facility or other authorized person.

(b) (1) This section shall not apply to a land surveyor, licensed pursuant to article 70 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto, and such surveyor's authorized agents and employees who enter upon lands, waters, and other premises in the making of a survey; or

(2) Railroad Property as defined in K.S.A. 21-5809, and amendments thereto, or nuclear generating facility as defined in K.S.A. 66-2302 and amendments thereto.

(c) Criminal trespass is a Class B violation. Upon a conviction of a violation of subsection (a)(1)(C), a person shall be sentenced to not less than 48 consecutive hours of imprisonment which shall be served either before or as a condition of any grant of probation or suspension, reduction of sentence or parole. (K.S.A. 21-5808)

Sec. 6.7.1. Trespassing on Railroad Property.

(a) Trespassing on railroad property is:

(1) Entering or remaining on railroad property, without consent of the owner or the owner's agent, knowing that it is railroad property; or
(2) Recklessly causing in any manner the derailment of a train, railroad car or rail-mounted work equipment.

(b) Subsection (a) shall not be construed to interfere with the lawful use of a public or private crossing.

(c) Nothing in this section shall be construed as limiting a representative or member of a labor organization which represents or is seeking to represent the employees of the railroad, from conducting such business as provided under the railway labor act (45 U.S.C. § 151 et seq.) and other federal labor laws.

(d) Trespassing on railroad property is a Class A nonperson violation. (K.S.A. 21-5809)

Sec. 6.8. Criminal Littering.

(a) Criminal littering is recklessly depositing or causing to be deposited any object or substance into, upon or about:

(1) Any public street, highway, alley, road, right-of-way, park or other public place, or any lake, stream, watercourse, or other body of water, except by direction of some public officer or employee authorized by law to direct or permit such acts; or
(2) Any private property without the consent of the owner or occupant of such property.

(b) Criminal littering is an unclassified offense punishable:

(1) Upon a first conviction by a fine of not less than $250 nor more than $1,000;
(2) Upon a second conviction by a fine of not less than $1,000 nor more than $2,000; and
(3) Upon a third or subsequent conviction by a fine of not less than $2,000 nor more than $4,000.

(c) The provisions of Standard Traffic Ordinance Section 112.1, Littering from a motor vehicle, are excepted from the application of this section.

(d) In addition to the fines in subsection (b), a person convicted of littering shall be required to pick up litter for a time prescribed by and at a place within the jurisdiction of the court. (K.S.A. 21-5815)

Sec. 6.9. Tampering with a Landmark.

(a) Tampering with a landmark is doing any of the following acts with intent to fraudulently alter a boundary:

(1) Removing any monument of stone or other durable material, established or created for the purpose of designating the corner of or any other point upon the boundary of any lot or tract of land, or of the state, or any legal subdivision thereof;
(2) Defacing or altering marks upon any tree, post or other monument, made for the purpose of designating any point on such boundary;
(3) Cutting down or removing any tree, post or other monument upon which any such marks have been made for such purpose, with intent to destroy such marks;
(4) Defacing or altering any inscription on any such marker or monument; or
(5) Altering, removing, damaging or destroying any public land survey corner or accessory without complying with the provisions of K.S.A. 58-2011.

(b) Tampering with a landmark is a Class C violation. (K.S.A. 21-5816)

Sec. 6.10. Tampering with a Traffic Signal.

(a) Tampering with a traffic signal is knowingly manipulating, altering, destroying or removing any light, sign, marker, railroad switching device, or other signal device erected or installed for the purpose of controlling or directing the movement of motor vehicles, railroad trains, aircraft or watercraft.

(b) A person who violates the provisions of the section may also be prosecuted for, convicted of, and punished for violating sections 6.1 (Theft) and 6.3 (Theft of Property Lost, Mislaid, or Delivered by Mistake).

(c) Tampering with a traffic signal is a Class C violation. (K.S.A. 21-5817)

Sec. 6.11. Unlawful Manufacture or Disposal of False Tokens.

(a) Unlawful manufacture or disposal of false tokens is manufacturing for sale, offering for sale or giving away any false token, slug, substance, false or spurious coin or other device intended or calculated to be placed or deposited in any automatic vending machine, coin-operated telephone, parking meter or other such receptacle with intent to cheat or defraud the owner, lessee, licensee or other person entitled to the contents of such automatic vending machine, coin-operated telephone, parking meter or other receptacle designed to receive coins or currency of the United States of America in connection with the sale, use or enjoyment of property or services.

(b) The manufacture for sale, advertising, offering for sale or distribution of any such false token, slug, substance, false or spurious coin or other device shall be prima facie evidence of an intent to cheat or defraud within the meaning of this section.

(c) Unlawful manufacture or disposal of false tokens is a Class B violation. (K.S.A. 21-5829)

Sec. 6.12. Serial Numbers.

(a) It shall be unlawful for any person to willfully

change, cover, alter, remove, obliterate or deface any serial number or other manufacturer's number or any identification letters, words, or numbers of any machine, apparatus, or article that carries a manufacturer's serial number or any other identification letters, words or numbers, with the intent to conceal the identify of such machine, apparatus, or article from the rightful owner thereof or from law enforcement personnel.

(b) It shall be unlawful for any person to knowingly buy, sell, receive, barter, trade, dispose of or have in his or her possession any articles, devices, apparatuses, or machines from which the manufacturer's number or identification letters, words or numbers have been changed, covered, altered, removed, obliterated, defaced or destroyed with the intent to conceal the identity thereof from the rightful owner or from law enforcement personnel.

(c) Possession of any of the a forenamed manufacturer's articles, devices, apparatuses or machines from which the manufacturer's serial number of other manufacturer's number or identification mark, or the name of the manufacturer or make or model, or any other identification letters, words or numbers have been changed, covered, altered, removed, obliterated, defaced, or destroyed shall be prima facie evidence that the possessor has changed, covered, altered, removed, obliterated, defaced, or destroyed the same with the intent to cancel, destroy or misrepresent the identity or type, or ownership of such machine, apparatus, or article.

(d) Violation of this section is a Class C violation.

Sec. 6.13. Withholding Possession of Public Property.

(a) It shall be unlawful for any person to unlawfully take possession of any property, real or personal belonging to the city, or to the possession of which the city shall be entitled or to commit any trespass thereon or to unlawfully withhold any property from the city.

The unlawful withholding of the possession of any property belonging to the city after demand therefor has been made under the direction of the governing body of the city shall be deemed a new and separate offense for each day the possession is withheld after such demand.

(b) Withholding possession of public property is a Class C violation.

Sec. 6.14. Unlawful Deposits in Sewers.

(a) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(1) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit;
(2) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease;
(3) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;
(4) Any garbage that has not been properly shredded;
(5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction of the flow in sewers or other interference with the proper operation of the sewage works;
(6) Any waters or wastes having a pH lower than 5.5 or higher than nine or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
(7) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant;
(8) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;

(9) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(b) Unlawful deposits in sewers is a Class C violation.

Sec. 6.15. Damaging Sewers.

(a) It shall be unlawful for any person willfully to injure or destroy, or attempt to injure or destroy any public sewer, or to molest any sewer or any part thereof by removing the cover of any flush tank, manhole or any part of the public sewer system of the city without authority.

(b) Violation of this section is a Class C violation.

Sec. 6.16. Giving a Worthless Check.

(a) Giving a worthless check is the making, drawing, issuing or delivering or causing or directing the making, drawing, issuing or delivering of any check on any financial institution for the payment of money or its equivalent with intent to defraud and knowing, at the time of the making, drawing, issuing or delivering of such check that the maker or drawer has no deposit in or credits with the financial institution or has not sufficient funds in, or credits with, the financial institution for the payment of such check in full upon its presentation.

(b) As used in this section:

(1) **Check** is any check, order or draft on a financial institution;
(2) **Financial institution** means any bank, credit union, savings and loan association or depository; and
(3) **Notice** includes oral or written notice to the person entitled thereto.

(c) In any prosecution against the maker or drawer of a check, payment of which has been refused by the financial institution on account of insufficient funds, the making, drawing, issuing or delivering of such check shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in, or on deposit with, the financial institution:

(1) Unless the maker or drawer pays the holder thereof the amount due thereon and a service charge not exceeding $30 for each check, within seven days after notice has been given to the maker or drawer that such check has not been paid by the financial institution. Written notice shall be presumed to have been given when deposited as restricted matter in the United States mail, addressed to the person to be given notice at such person's address as it appears on such check; or

(2) If a postdated date is placed on the check without the knowledge or consent of the payee.

(d) It shall not be a defense to a prosecution under this section that the check upon which such prosecution is based was:

(1) Postdated, unless such check was presented for payment prior to the postdated date; or

(2) Given to a payee who had knowledge or had been informed, when the payee accepted such check that the maker did not have sufficient funds in the hands of the financial institution to pay such check upon presentation, unless such check was presented for payment prior to the date the maker informed the payee there would be sufficient funds.

(e) In addition to all other costs and fees allowed by law, each prosecutor who takes any action under the provisions of this section may collect from the issuer in such action an administrative handling cost, except in cases filed in a court of appropriate jurisdiction. The cost shall not exceed $10 for each check.

(f) Giving a worthless check is a Class A violation if the check, draft or order is drawn for less than $1,000 except when the person has, within five years immediately preceding commission of the offense, been convicted of giving a worthless check two or more times, in which case it is a felony under state statute and will be referred to the appropriate prosecuting authority. (K.S.A. 21-5821)

Sec. 6.17. Criminal Use of a Financial Card.

(a) Criminal use of a financial card is any of the following acts done with intent to defraud and to obtain money, goods, property or services:

(1) Using a financial card without the consent of the cardholder;
(2) Using a financial card, or the number or description thereof, which has been revoked or canceled; or
(3) Using a falsified, mutilated, altered or nonexistent financial card or a number or description thereof.

(b) For the purposes of subsection (a)(2), a financial card shall be deemed canceled or revoked when notice in writing thereof has been received by the named holder thereof as shown on such financial card or by the records of the company.

(c) Criminal use of a financial card is a Class A violation if the money, goods, property or services obtained within a seven-day period is of the value of less than $1,000. (K.S.A. 21-5828)

Sec. 6.18. Motor Vehicle Dealers; Selling Motor Vehicles Without a License.

(a) It shall be unlawful for any person to do business as a motor vehicle dealer, salvage vehicle dealer, motor vehicle manufacturer, motor vehicle converter, auction motor vehicle dealer, vehicle crusher, vehicle recycler, rebuilder, scrap metal recycler, salvage vehicle pool or salesperson without a license issued by the director of vehicles. The isolated or occasional sale of a vehicle by a person who owned such vehicle shall not constitute the doing of business as a vehicle dealer.

(b) As used in this section:

(1) **Vehicle** means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, and is required to be registered under the provisions of article 1 of chapter 8 of the Kansas Statutes Annotated, except that such term shall include micro utility trucks, as defined in K.S.A. 8-126,

and amendments thereto, but shall not include motorized bicycles, and such term shall not include manufactured homes or mobile homes. As used herein, the terms “manufactured home” and “mobile home” shall have the meanings ascribed to them by K.S.A. 58-4202, and amendments thereto. (K.S.A. 8-2401(h))

(2) **Motor vehicle** means any vehicle other than a motorized bicycle, which is self-propelled and is required to be registered under the provisions of article 1 of chapter 8 of the Kansas Statutes Annotated, except that such term shall include micro utility trucks, as defined in K.S.A. 8-126, and amendments thereto. (K.S.A. 8-2401(i))

(c) Violation of this section shall be punishable by a fine not to exceed $2,500. (K.S.A. 8-2434)

Sec. 6.19. Equity Skimming.

(a) Equity skimming is, with the intent to defraud, intentionally engaging in a pattern or practice of:

(1) Purchasing one family to four family dwellings, including condominiums and cooperatives or acquiring any right, title or interest therein, including, but not limited to, an equity of redemption interest, which are subject to a loan in default at time of purchase or in default within one year subsequent to the purchase and the loan is secured by a mortgage;

(2) Failing to deliver to the holder of the mortgage before a sheriff’s sale or holder of the certificate of purchase during the period of redemption all rent proceeds received from rental of the property, not to exceed the monthly payment of principal and interest required by the note and mortgage; and

(3) Applying or authorizing the application of rents from such dwellings for such person’s own use.

(b) Violation of this section is a Class A violation. Each purchase of a dwelling pursuant to this section shall be deemed a separate offense.
(K.S.A. 21-6504)

Sec. 6.20. Unlawful Acts Concerning Computers.

(a) It is unlawful for any person to:

(1) Knowingly and without authorization, disclose a number, code, password or other means of access to a computer, computer network, social networking website or personal electronic content; or

(2) Knowingly and without authorization, access or attempt to access any computer, computer system, social networking website, computer network or computer software, program, documentation, data or property contained in any computer, computer system or computer network.

(b) As used in this section:

(1) **Access** means to instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, computer system or computer network.

(2) **Computer** means an electronic device which performs work using programmed instruction and which has one or more of the capabilities of storage, logic, arithmetic or communication and includes all input, output, processing, storage, software or communication facilities which are connected or related to such a device in a system or network.

(3) **Computer Network** means the interconnection of communication lines, including microwave or other means of electronic communication, with a computer through remote terminals, or a complex consisting of two or more interconnected computers.

(4) **Computer Program** means a series of instructions or statements in a form acceptable to a computer which permits the functioning of a computer system in a manner designed to provide appropriate products from such computer system.

(5) **Computer Software** means computer programs, procedures and associated documentation concerned with the operation of a computer system.

(6) **Computer System** means a set of related computer equipment or devices and computer software which may be connected or unconnected.

(7) **Financial Instrument** means any check, draft, money order, certificate of deposit, letter of credit, bill of exchange, credit card, debit card or marketable security.

(8) **Personal Electronic Content** means the electronically stored content of an individual including, but not limited to, pictures, videos, emails, and other data files.

(9) **Property** includes, but is not limited to, financial instruments, information, electronically produced or stored data, supporting documentation and computer software in either machine or human readable form.

(10) **Services** includes, but is not limited to, computer time, data processing and storage functions and other uses of a computer, computer system or computer network to perform useful work.

(11) **Social Networking Website** means a privacy-protected internet website which allows individuals to construct a public or semi-public profile within a bounded system created by the service, create a list of other users with whom the individual shares a connection within the system and view and navigate the list of users with whom the individual shares a connection and those lists of users made by others within the system.

(12) **Supporting Documentation** includes, but is not limited to, all documentation used in the construction, classification, implementation, use or modification of computer software, computer programs or data.

(c) Unlawful acts concerning computers is a Class A violation. (K.S.A. 21-5839)

Sec. 6.21. Taking Wildlife Without Permission on Land Posted "By Written Permission Only."

(a) Any landowner or person in lawful possession of any land may post such land with signs stating that hunting, trapping, or fishing on such land shall be by written permission only. It is unlawful for any person to take wildlife on land which is posted as provided in this

subsection, without having in the person's possession the written permission of the owner or person in lawful possession thereof.

(b) Instead of posting land as provided in subsection (a), any landowner or person in lawful possession of any land may post such land by placing identifying purple paint marks on trees or posts around the area to be posted. Each paint mark shall be a vertical line of at least eight inches in length and the bottom of the mark shall be not less than three feet nor more than five feet high. Such paint marks shall be readily visible to any person approaching the land. Land posted as provided in this subsection shall be considered to be posted by written permission only as provided in subsection (a).

(c) A person licensed to hunt or fur harvest who is following or pursuing a wounded animal on land as provided in this section posted without written permission of the landowner or person in lawful possession thereof shall not be in violation of this section while in such pursuit, except that the provisions of this subsection shall not authorize a person to remain on such land if instructed to leave by the owner or person in lawful possession of the land. Any person who fails to leave such land when instructed is subject to the provisions of subsection (b) of Section 6.22.

(d) Violation of this section is a Class C violation. A second conviction of this section is a Class C violation in which the minimum fine is $250. A third conviction of this section is a Class C violation in which the minimum fine is $300. A fourth or subsequent conviction of this section is a Class C violation in which a minimum fine of $400 shall be imposed and a minimum of 7 days' imprisonment shall be served. Any conviction of this section that occurred before July 1, 2005, shall not be considered for purposes of this section. (K.S.A. 32-1013)

{Editor's note: The editor has chosen to not include penalties for violating the Kansas wildlife parks and tourism laws of this state or rules and regulations regarding big game and wild turkey.**}**

Sec. 6.22. Criminal Hunting.

(a) Criminal hunting is knowingly hunting, shooting, fur harvesting, pursuing any bird or animal, or fishing:

(1) Upon any land or non-navigable body of water of another, without having first obtained permission of the owner or person in possession of such premises;

(2) Upon or from any public road, public road right-of-way or railroad right-of-way that adjoins occupied or improved premises, without having first obtained permission of the owner or person in possession of such premises; or

(3) Upon any land or non-navigable body of water of another person who knows such person is not authorized or privileged to do so, and:

(A) Such person remains therein and continues to hunt, shoot, fur harvest, pursue any bird or animal or fish in defiance of an order not to enter or to leave such premises or property personally communicated to such person by the owner thereof or other authorized person; or

(B) Such premises or property are posted in a manner consistent with K.S.A. 32-1013 and amendments thereto.

(b) Criminal hunting as defined in:

(1) Subsection (a)(1) or (a)(2), is a Class C violation. Upon the first conviction thereof and in addition to any authorized sentence imposed by the court, such court may require the forfeiture of the convicted person's hunting, fishing, or fur harvesting license, or all, or, in any case where such person has a combination license, the court may require forfeiture of a part or all of such license and the court may order such person to refrain from hunting, fishing, or fur harvesting, or all, for up to one year from the date of such conviction. Upon any second or subsequent conviction of subsection (a)(1) or (a)(2), in addition to any authorized sentence imposed by the court, such court shall require the forfeiture of the convicted person's hunting,

fishing, or fur harvesting license, or all, or in any case where such person has a combination license, the court shall require the forfeiture of a part or all of such license and the court shall order such person to refrain from hunting, fishing, or fur harvesting, or all, for one year from the date of such conviction. A person licensed to hunt and following or pursuing a wounded game bird or animal upon any land of another without permission of the landowner or person in lawful possession thereof shall not be deemed to be in violation of this provision while in such pursuit, except that this provision shall not authorize a person to remain on such land if instructed to leave by the owner thereof or other authorized person. For the purpose of determining whether a conviction is a first, second or subsequent conviction of subsection (a)(1) or (a)(2), **conviction** or **convicted** includes being convicted of a violation of subsection (a) of K.S.A. 21-3728, prior to its repeal, or subsection (a)(1) or (a)(2); and

(2) Subsection (a)(3) is a Class B violation. Upon the first conviction or a diversion agreement of subsection (a)(3), in addition to any authorized sentence imposed by the court, the court shall require forfeiture of such person's hunting, fishing or fur harvesting license, or all, or in the case where such person has a combination license, the court shall require forfeiture of a part or all of such license for six months. Upon the second conviction of subsection (a)(3), in addition to any authorized sentence imposed by the court, such court shall require the forfeiture of the convicted person's hunting, fishing, or fur harvesting license, or all, or in the case where such person has a combination license, the court shall require forfeiture of a part or all of such license for one year. Upon the third or subsequent conviction of subsection (a)(3), in addition to any authorized sentence imposed by the court, such court shall require forfeiture of convicted person's hunting, fishing or fur harvesting license, or all, or in the case where such person has a combination license, the court shall require forfeiture of a part or all of such license for five years. For the purpose

of determining whether a conviction is a first, second, third or subsequent conviction of subsection (a)(3), conviction or convicted includes being convicted of a violation of subsection (b) of K.S.A. 21-3728, prior to its repeal, or subsection (a)(3).

(c) The court shall notify the department of wildlife and parks of any conviction or diversion for criminal hunting. (K.S.A. 21-5810)

Sec. 6.23. Unlawful Use of a Recording Device.

(a) Unlawful use of a recording device is knowingly operating, in a motion picture theater, while a motion picture is being exhibited, an audiovisual recording function of a device without the consent of the owner or lessee of such theater.

(b) This section shall not apply to a person operating an audiovisual recording device as part of such person's lawfully authorized investigative, law enforcement, protective or intelligence gathering duties as a lawfully authorized investigative, law enforcement, protective, or intelligence gathering employee or agent of the state or federal government.

(c) The owner or lessee of a motion picture theater where a motion picture is being exhibited, or the authorized agent or employee thereof, who alerts law enforcement authorities of an alleged violation of subsection (a), and amendments thereto, shall not be liable in any civil action arising out of measures taken by such owner, lessee, agent, or employee in the course of subsequently detaining a person that the owner, lessee, agent, or employee in good faith believed to have violated subsection (a), and amendments thereto, while awaiting the arrival of law enforcement authorities, unless the plaintiff can show by clear and convincing evidence that such measures were manifestly unreasonable or the period of detention was unreasonably long.

(d) Unlawful use of a recording device is a Class A violation on conviction of the first offense.
(K.S.A. 51-301:302)

Sec. 6.23.1. Unlawful Use of Recordings.

(a) Unlawful use of recordings is:

(1) Knowingly, and without the consent of the owner, duplicating or causing to be duplicated any sounds recorded on a phonograph record, disc, wire, tape, film or other article on which sounds are recorded, or recording or causing to be recorded any live performance, with the intent to sell, rent or cause to be sold or rented, any such duplicated sounds or any such recorded performance, or to give away such duplicated sounds or recorded performance as part of a promotion for any product or service;

(2) Distributing or possessing with the intent to distribute, any article produced in violation of subsection (a)(1) knowing or having reasonable grounds to know that such article was produced in violation of law;

(3) Possessing any article produced in violation of subsection (a)(1) knowing or having reasonable grounds to know that such article was produced in violation of law; or

(4) Knowingly selling, renting, offering for sale or rental, or possessing, transporting or manufacturing with intent to sell or rent, any phonograph record, audio or video disc, wire, audio or video tape, film or other article now known or later developed on which sounds, images, or both sounds and images are recorded or otherwise stored, unless the outside cover, box or jacket clearly and conspicuously discloses the name and address of the manufacturer of such recorded article.

(b) Unlawful use of recordings:

(1) As defined in (a)(1) is a felony and as such shall be referred to the appropriate prosecuting authority;

(2) As defined in subsection (a)(2) or (a)(4), is a class A nonperson violation if the offense involves fewer than seven audio visual recordings, or fewer than 100 sound recordings during a 180-day period; and

(3) As defined in subsection (a)(3), is a Class B nonperson violation.

(c) The provisions of subsection (a)(1) shall not apply to:

(1) Any broadcaster who, in connection with or as part of a radio or television broadcast or cable transmission, or for the purpose of archival preservation, duplicates any such sounds recorded on a sound recording;
(2) Any person who duplicates such sounds or such performance for personal use, and without compensation for such duplication; or
(3) Any sounds initially fixed in a tangible medium of expression after February 15, 1972.

(d) The provisions of subsections (a)(1) and (a)(3) shall not apply to any computer program or any audio or visual recording that is part of any computer program or to any article or device on which is exclusively recorded any such computer program.

(e) As used in this section:

(1) **Owner** means the person who owns the original fixation of sounds embodied in the master phonograph record, master disc, master wire, master tape, master film or other device used for reproducing sounds on phonograph records, discs, wires, tapes, films or other articles now known or later developed upon which sound is recorded or otherwise stored, and from which the duplicated recorded sounds are directly or indirectly derived, or the person who owns the right to record such live performance; and
(2) **Computer program** means a set of statements or instructions to be used directly or indirectly in a computer in order to bring about a certain result.

(f) It shall be the duty of all law enforcement officers, upon discovery, to confiscate all recorded devices that do not conform to the provisions of this section and that are possessed for the purpose of selling or renting such recorded devices, and all equipment and components used or intended to be used to knowingly manufacture recorded devices that do not conform to the provisions of such section for the purpose of selling or renting such recorded devices. The nonconforming recorded devices that are possessed for the purpose of selling or renting such recorded

devices are contraband and shall be delivered to the district attorney for the county in which the confiscation was made, by court order, and shall be destroyed or otherwise disposed of, if the court finds that the person claiming title to such recorded devices possessed such recorded devices for the purpose of selling or renting such recorded devices. The equipment and components confiscated shall be delivered to the district attorney for the county in which the confiscation was made, by court order upon conviction, and may be given to a charitable or educational organization. (K.S.A. 21-5806)

Sec. 6.2. Commercial Fossil Hunting.

(a) It is unlawful for any commercial fossil hunter to:

(1) Go upon the land of another in search of fossils unless the commercial fossil hunter has obtained the written authorization of the landowner to go upon such land for such purpose and when requesting such written authorization has identified oneself to the landowner as a commercial fossil hunter who intends to explore the land and sell any fossils of value found on the land. The written authorization shall state that the landowner has been informed of such intended activities by the commercial fossil hunter; or

(2) Remove a fossil from the land of another upon which the fossil is located unless the landowner is first provided with a description of the fossil and the landowner authorizes in writing the removal of the fossil.

(b) (1) Violation of subsection (a)(1) is a Class B nonperson Violation.

(2) Violation of subsection (a)(2) is a Class A nonperson Misdemeanor.

(c) As used in this section:

(1) **Commercial fossil hunter** means an individual who goes upon the land of another in search of fossils with the intent to sell fossils of value found upon such land;

(2) **Fossil** means any impression or trace of an animal or plant of a past geological age preserved in the earth's crust;
(3) **Landowner** means the record owner of the fee in real estate or the tenant of such owner who occupies such real estate, if so authorized by the owner; and
(4) **Land of another** means all real estate other than that owned or leased by any governmental entity or the commercial fossil hunter.

(d) This section is supplemental to and not in lieu of any other ordinance of this city or law of this state relating to entering or remaining upon the land of another and relating to the removal of items of value from the property of another.

(e) It shall not be a defense that the person did not know or have reason to know that such person was on the landowner's property. (K.S.A. 21-5811)

Sec. 6.25. Counterfeiting.

(a) Counterfeiting is manufacturing, using, displaying, advertising, distributing or possessing with intent to distribute any item or services knowing such item or services bear or are identified by a counterfeit mark.

(b) Counterfeiting is a class A nonperson violation, if the retail value of such item or service is less than $1,000.

(c) A person having possession, custody or control of more than 25 items bearing a counterfeit mark shall be presumed to possess such items with intent to distribute.

(d) Any state or federal certificate of registration of any intellectual property shall be prima facie evidence of the facts stated therein.

(e) As used in this section:

(1) **Counterfeit mark** means:

(A) Any unauthorized reproduction or copy of intellectual property; or
(B) Intellectual property affixed to any

item knowingly sold, offered for sale, manufactured or distributed, or identifying services offered or rendered, without the authority of the owner of the intellectual property;

(2) **Intellectual property** means any trademark, service mark or trade name as such terms are defined in K.S.A. 81-202, and amendments thereto; and

(3) **Retail value** means the counterfeiter's regular selling price for the item or service bearing or identified by the counterfeit mark. In the case of items bearing a counterfeit mark which are components of a finished product, the retail value shall be the counterfeiter's regular selling price of the finished product on or in which the component would be utilized.

(f) The quantity or retail value of items or services shall include the aggregate quantity or retail value of all items bearing, or services identified by, every counterfeit mark the defendant manufactures, uses, displays, advertises, distributes or possesses. (K.S.A. 21-5825)

Section 6.26. Automobile Master Key Violation.

(a) Automobile master key violation is:

(1) Selling or offering to sell a motor vehicle master key knowing it to be designed to fit the ignition switch of more than one motor vehicle; or

(2) Possession of a motor vehicle master key designed to fit the ignition switch of more than one motor vehicle by a person knowing it to be such a key.

(b) Automobile master key violation is a Class C misdemeanor.

(c) The provisions of this section shall not apply to a:

(1) Law enforcement officer;

(2) person who is regularly carrying on the business of garage proprietor or locksmith;

(3) Owner of two or more vehicles who possess such motor vehicle master key for any or all of

the motor vehicles so owned; or

(4) Person who sells a motor vehicle master key to a person described in subsection (c)(3). (K.S.A. 21-5833)

Article 7. Offenses Affecting Governmental Functions

Sec. 7.1. Reserved for Future Use.

Sec. 7.2. Interference with Law Enforcement.

(a) Interference with law enforcement is:

(1) Falsely reporting to a law enforcement officer, law enforcement agency, or state investigative agency:

(A) That a particular person has committed a crime, knowing that such information is false and intending that the officer or agency shall act in reliance upon such information;

(B) That a law enforcement officer has committed a crime or committed misconduct in the performance of such officer's duties, knowing that such information is false and intending that the officer or agency shall act in reliance upon such information; or

(C) Any information, knowing that such information is false and intending to influence, impede or obstruct such officer's or agency's duty.

(2) Concealing, destroying or materially altering evidence with the intent to prevent or hinder the apprehension or prosecution of any person; or

(3) Knowingly obstructing, resisting or opposing any person authorized by law to serve process in the service or execution or in the attempt to serve or execute any writ, warrant, process or order of a court, or in the discharge of any official duty.

(b) Interference with law enforcement is a Class A violation. (K.S.A. 21-5904)

Sec. 7.3. Escape from Custody.

(a) Escape from custody is escaping while held in custody on a:

(1) Charge, conviction of or arrest for a misdemeanor or a code violation;
(2) Charge, adjudication or arrest as a juvenile offender where the act, if committed by an adult, would constitute a misdemeanor or a code violation; or
(3) Commitment to the state security hospital as provided in K.S.A. 22-3428, and amendments thereto, based on a finding that the person committed an act constituting a misdemeanor or by a person 18 years of age or over who is being held in custody on an adjudication of a misdemeanor or a code violation.

(b) As used in this section:

(1) **Custody** means arrest; detention in a facility for holding persons charged with or convicted of offenses or charged or adjudicated as a juvenile offender; detention for extradition or deportation; detention in a hospital or other facility pursuant to court order, imposed as a specific condition of probation or parole or imposed as a specific condition of assignment to a community correctional services program; commitment to the state security hospital as provided in K.S.A. 22-3428, and amendments thereto; or any other detention for law enforcement purposes. **Custody** does not include general supervision of a person or probation on parole or constraint incidental to release on bail.
(2) **Escape** means departure from custody without lawful authority or failure to return to custody following temporary leave lawfully granted pursuant to express authorization of law, order of a court; or a custodial official authorized to grant such leave.
(3) **Juvenile Offender** means the same as in K.S.A. 38-2302, and amendments thereto; and
(4) **State Correctional Institution** means the same as in K.S.A. 75-5202, and amendments thereto.

(c) As used in this section, the term **charge** shall not require that the offender was held on a written charge contained in a complaint, information or indictment, if such offender was arrested prior to such offender's escape from custody.

(d) Escape from custody is a Class A violation. (K.S.A. 21-5911)

Sec. 7.4. Interference With the Judicial Process.

(a) Interference with the judicial process is:

(1) Committing any of the following acts, with intent to influence, impede or obstruct the finding, decision, ruling, order, judgment or decree of such judicial officer or prosecutor on any matter then pending before the officer or prosecutor:

(A) Communicating in any manner a threat of violence to any judicial officer or any prosecutor;
(B) Harassing a judicial officer or a prosecutor by repeated vituperative communication; or
(C) Picketing, parading or demonstrating near such officer's or prosecutor's residence or place of abode;

(2) Picketing parading or demonstrating in or near a building housing a judicial officer or a prosecutor with intent to impede or obstruct the finding, decision, ruling, order, judgment or decree of such judicial officer or prosecutor on any matter then pending before the officer or prosecutor;

(3) Knowingly accepting or agreeing to accept anything of value as consideration for a promise:

(A) Not to initiate or aid in the prosecution of a person who has committed a crime; or
(B) To conceal or destroy evidence of a crime;

(4) Knowingly or intentionally in any criminal proceeding or investigation:

(A) Inducing a witness or informant to withhold or unreasonably delay in producing any testimony, information, document or thing;

(B) Withholding or unreasonably delaying in producing any testimony, information, document or thing after a court orders the production of such testimony, information, document or thing;

(C) Altering, damaging, removing or destroying any record, document or thing, with the intent to prevent it from being produced or used as evidence; or

(D) Making, presenting or using a false record, document or thing with the intent that the record, document or thing, material to such criminal proceeding or investigation, appear in evidence to mislead a justice, judge, magistrate, master or law enforcement officer; or

(5) Knowingly making available by any means personal information about a judge or the judge's immediate family member, if the dissemination of the personal information poses an imminent and serious threat to the judge's safety or the safety of such judge's immediate family member, and the person making the information available knows or reasonably should know of the imminent and serious threat.

(b) Nothing in this section shall limit or prevent the exercise by any court of this state of its power to punish for contempt.

(c) As used in this section:

(1) **Immediate family member** means a judge's spouse, child, parent or any other blood relative who lives in the same residence as such judge.

(2) **Judge** means any duly elected or appointed justice of the supreme court, judge of the court of appeals, judge of any district court of Kansas, district magistrate judge or municipal court judge.

(3) **Personal information** means a judge's home address, home telephone number, personal mobile telephone number, pager number, personal e-mail address, personal photograph, immediate family member photograph, photograph of the judge's home, and information about the judge's motor vehicle, any immediate family member's motor vehicle, any immediate

family member's place of employment, any immediate family member's child care or day care facility and any immediate family member's public or private school that offers instruction in any or all of the grades kindergarten through 12.

(d) Interference with the judicial process is a Class A violation, except that a second or subsequent conviction of section (a)(5) is a severity level 9, person felony and will be referred to the appropriate prosecuting authority. (K.S.A. 21-5905)

Sec. 7.5. Reserved for Future Use.

Sec. 7.6. Performance of Unauthorized Official Act.

(a) Performance of an unauthorized official act is knowingly and without lawful authority:

(1) Conducting a marriage ceremony; or
(2) Certifying an acknowledgment of the execution of any document which by law may be recorded.

(b) Performance of an unauthorized official act is a Class B violation. (K.S.A. 21-5919)

Sec. 7.7. Simulating Legal Process.

(a) Simulating legal process is:

(1) Distributing to another any document which simulates or purports to be, or is designed to cause others to believe it to be, a summons, petition, complaint or other legal process, with the intent to mislead the recipient and cause the recipient to take action in reliance thereon; or
(2) Printing or distributing any such document, knowing that it shall be so used.

(b) This section shall not apply to the printing or distribution of blank forms of legal documents intended for actual use in judicial proceedings.

(c) Simulating legal process is a Class A violation. (K.S.A. 21-5907)

Sec. 7.8. Tampering With Public Record.

(a) Tampering with a public record is knowingly and without lawful authority altering, destroying, defacing, removing or concealing any public record.

(b) Tampering with a public record is a Class A violation. (K.S.A. 21-5920)

Sec. 7.9. Tampering With Public Notice.

(a) Tampering with public notice is knowingly and without lawful authority altering, defacing, destroying, removing or concealing any public notice posted according to law, during the time such notice is required or authorized to remain posted.

(b) Tampering with a public notice is a Class C violation. (K.S.A. 21-5921)

Sec. 7.10. False Signing of Petition.

(a) False signing of a petition is knowingly affixing any fictitious or unauthorized signature to any petition, memorial or remonstrance, intended to be presented to the legislature, or either house thereof, or to any agency or officer of the State of Kansas or any of its political subdivisions.

(b) False signing of a petition is a Class C violation. (K.S.A. 21-5916)

Sec. 7.11. False Impersonation.

(a) False impersonation is representing oneself to be a public officer or public employee or a person licensed to practice or engage in any profession or vocation for which a license is required by the laws of the State of Kansas, with knowledge that such representation is false.

(b) False impersonation is a Class B violation. (K.S.A. 21-5917)

Sec. 7.12. Interference; Conduct, Public Business in Public Building.

(a) Interference with the conduct of public business in public buildings is:

(1) Conduct at or in any public building owned, operated or controlled by the state or any of its political subdivisions so as to knowingly deny to any public official, public employee, or any invitee on such premises, the lawful rights of such official, employee, or invitee to enter, to use the facilities or to leave any such public building;

(2) Knowingly impeding any public official or employee in the lawful performance of duties or activities through the use of restraint, abduction, coercion, or intimidation or by force and violence or threat thereof;

(3) Knowingly refusing or failing to leave any such public building upon being requested to do so by the chief administrative officer, or such officer's designee, charged with maintaining order in such public building, if such person is committing, threatens to commit, or incites others to commit, any act which did or would if completed, disrupt, impair, interfere with, or obstruct the lawful missions, processes, procedures or functions being carried on in such public building;

(4) Knowingly impeding, disrupting or hindering the normal proceedings of any meeting or session conducted by any judicial or legislative body or official at any public building by any act of intrusion into the chamber or other areas designated for the use of the body or official conducting such meeting or session, or by any act designed to intimidate, coerce or hinder any member of such body or any official engaged in the performance of duties at such meeting or session; or

(5) Knowingly impeding, disrupting or hindering, by any act of intrusion into the chamber or other areas designed for the use of any executive body or official, the normal proceedings of such body or official.

(b) Interference with the conduct of public business in public buildings is a Class A violation. (K.S.A. 21-5922)

Sec. 7.13. Interference With Police Dogs.

(a) It shall be unlawful for any person to strike, abuse, tease, harass, or assault any dog being used by the city for the purpose of performing the duties of a police dog regardless of whether the dog is on duty or off.

(b) It shall be unlawful for any person to interfere with a dog being used by the police department or attempt to interfere with the handler of the dog in such a manner as to inhibit, restrict or deprive the handler of his or her control of the dog.

(c) Violation of this section is a Class C violation.

Sec. 7.14. Electioneering.

(a) Electioneering is knowingly attempting to persuade or influence eligible voters to vote for or against a particular candidate, party or question submitted. Electioneering includes wearing, exhibiting or distributing labels, signs, posters, stickers or other materials that clearly identify a candidate in the election or clearly indicates support or opposition to a question submitted election within any polling place on election day or advance voting site during the time period allowed by law for casting a ballot by advance voting or within a radius of 250 feet from the entrance thereof. Electioneering shall not include bumper stickers affixed to a motor vehicle that is used to transport voters to a polling place or to an advance voting site for the purpose of voting.

(b) Electioneering is a Class C violation. (K.S.A. 25-2430)

Sec. 7.15. Intimidation of a Witness or Victim.

(a) Intimidation of a witness or victim is preventing or dissuading, or attempting to prevent or dissuade, with an intent to vex, annoy, harm or injure in any way another person or an intent to thwart or interfere in any manner with the orderly administration of justice:

(1) Any witness or victim from attending or giving testimony at any civil or criminal trial, proceeding or inquiry authorized by law; or

(2) Any witness, victim or person acting on behalf of a victim from:

(A) Making any report of the victimization of a victim to any law enforcement officer, prosecutor, probation officer, parole officer, correctional officer, community correctional services officer, judicial officer, the secretary for children and families, the secretary for aging and disability services, or any agent or representative of either secretary, or any person required to make a report pursuant to K.S.A. 38-2223, and amendments thereto;

(B) Causing a complaint, indictment or information to be sought and prosecuted or causing a violation of probation, parole or assignment to a community correctional services program to be reported and prosecuted, and assisting in its prosecution;

(C) Causing a civil action to be filed and prosecuted and assisting in its prosecution; or

(D) Arresting or causing or seeking the arrest of any person in connection with the victimization of a victim.

(b) Intimidation of a witness or victim is a Class B person violation.

(c) As used in this section

(1) **Victim** means any individual:

(A) Against whom any crime under the

laws of this state, any other state or the United States is being, has been or is attempted to be committed; or

(B) Who suffers a civil injury or loss; and

(2) **Witness** means any individual:

(A) Who has knowledge of the existence or nonexistence of facts relating to any civil or criminal trial, proceeding or inquiry authorized by law;

(B) Whose declaration under oath is received or has been received as evidence for any purpose;

(C) Who has reported any crime or any civil injury or loss to any law enforcement officer, prosecutor, probation officer, parole officer, correctional officer, community correctional services officer or judicial officer;

(D) Who has been served with a subpoena issued under the authority of a municipal court or any court or agency of this state, any other state or the United States; or

(E) Who is believed by the offender to be an individual described in this subsection. (K.S.A. 21-5908; 21-5909)

Sec. 7.16. Obstructing Apprehension or Prosecution.

(a) Obstructing apprehension or prosecution is knowingly harboring, concealing or aiding any person who has committed or who has been charged with committing a misdemeanor under the laws of this state or an ordinance violation under the code of this city, other than a violation of K.S.A. 22-4903, and amendments thereto, or a misdemeanor under the laws of another state or the United States with intent that such person shall avoid or escape from arrest, trial, conviction or punishment for such offense.

(b) Obstructing apprehension or prosecution is a Class C Violation. (K.S.A. 21-5913)

Article 7A. Crimes Affecting Public Trust

Sec. 7A.1. Official Misconduct.

(a) Official misconduct is any of the following acts committed by a public officer or employee in the officer or employee's public capacity or under color of the officer or employee's office or employment:

(1) Knowingly using or authorizing the use of any aircraft, as defined by K.S.A. 3-201, and amendments thereto, vehicle, as defined by K.S.A. 8-1485, and amendments thereto, or vessel, as defined by K.S.A. 32-1102, and amendments thereto, under the officer's or employee's control or direction, or in the officer's or employee's custody, exclusively for the private benefit or gain of the officer or employee or another;

(2) Knowingly failing to serve civil process when required by law;

(3) Using confidential information acquired in the course of and related to the officer's or employee's office or employment for the private benefit or gain of the officer or employee or another or to intentionally cause harm to another;

(4) Except as authorized by law, with the intent to reduce or eliminate competition among bidders or prospective bidders on any contract or proposed contract:

(A) Disclosing confidential information regarding proposals or communications from bidders or prospective bidders on any contract or proposed contract;

(B) Accepting any bid or proposal on a contract or proposed contract after the deadline for acceptance of such bid or proposal; or

(C) Altering any bid or proposal submitted by a bidder on a contract or proposed contract;

(5) Except as authorized by law, knowingly destroying, tampering with or concealing evidence of a crime; or

(6) Knowingly submitting to a governmental entity a claim for expenses which is false or duplicates

expenses for which a claim is submitted to such governmental entity, another governmental or private entity.

(b) (1) Official misconduct as defined in:

(A) Subsections (a)(1) through (a)(4) is a class A nonperson violation;
(B) Subsection (a)(5) is a class A nonperson violation if the evidence is evidence of a crime which is a misdemeanor; and
(C) subsection (a)(6) is a class A nonperson violation if the claim is less than $1,000. If the claim is more than $1,000 the offense is classified by state law as a felony and will be referred to the appropriate prosecuting authority.

(2) Upon conviction of official misconduct a public officer or employee shall forfeit such officer or employee's office or employment.

(c) The provisions of subsection (a)(1) shall not apply to any use of persons or property which:

(1) At the time of the use, is authorized by law or by formal written policy of the governmental entity; or
(2) Constitutes misuse of public funds, as defined in K.S.A. 21-6005, and amendments thereto.

(d) As used in this section, "confidential" means any information that is not subject to mandatory disclosure pursuant to K.S.A. 45-221, and amendments thereto. (K.S.A 21-6002)

Sec. 7A.2. Compensation for Past Official Acts.

(a) Compensation for past official acts is intentionally giving or offering to give to any public officer or employee any benefit, reward or consideration for having given, in such official capacity as public officer or employee, a decision, opinion, recommendation or vote favorable to the person giving or offering such benefit, reward or consideration, or for having performed an act of official misconduct.

(b) Compensation for past official acts is a class B nonperson violation.

(c) Subsection (a) shall not apply to the following:

(1) Gifts or other benefits conferred on account of kinship or other personal, professional or business relationships independent of the official status of the receiver; or
(2) Trivial benefits incidental to personal, professional or business contacts and involving no substantial risk of undermining official impartiality. (K.S.A. 21-6003)

Sec. 7A.3. Presenting a False Claim; Permitting a False Claim.

(a) Presenting a false claim is, with the intent to defraud, presenting a claim or demand which is false in whole or in part, to a public officer or body authorized to audit, allow or pay such claim.

(b) Permitting a false claim is the auditing, allowing or paying of any claim or demand made upon the state or any subdivision thereof or other governmental instrumentality within the state by a public officer or public employee who knows such claim or demand is false or fraudulent in whole or in part.

(c) (1) Presenting a false claim or permitting a false claim for less than $1,000 is a class A nonperson violation. Any claims over $1,000 are considered felony violations under state law and will be referred to the appropriate prosecuting authority.
(2) Upon conviction of permitting a false claim, a public officer or public employee shall forfeit the officer or employee's office or employment. (K.S.A. 21-6004)

Sec. 7A.4. Misuse of Public Funds.

(a) Misuse of public funds is knowingly using, lending or permitting another to use public money in a manner not authorized by law, by a custodian or other person having control of public money by virtue of such person's official position.

(b) (1) Misuse of public funds where the aggregate amount of money paid or claimed in violation of this section is a class A nonperson violation if the amount is less than $1,000. If the amount

is more than $1,000 the offense is considered a felony under state law and will be referred to the appropriate prosecuting authority.

(2) Upon conviction of misuse of public funds, the convicted person shall forfeit the person's official position.

(c) As used in this section, "public money" means any money or negotiable instrument which belongs to the state of Kansas or any political subdivision thereof**.** (K.S.A. 21-6005)

Article 8. Crimes Involving Violation of Personal Rights.

Sec. 8.1. Denial of Civil Rights.

(a) Denial of civil rights is intentionally denying to another, on account of the race, color, ancestry, national origin, age, sex, physical handicap or religion of such other the full and equal:

(1) The full and equal use and enjoyment of the services, facilities, privileges and advantages of any institution, department or agency of the State of Kansas or any political subdivision or municipality thereof;

(2) The full and equal use and enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any establishment which provides lodging to transient guests for hire; of any establishment which is engaged in selling food or beverage to the public for consumption upon the premises; or of any place of recreation, amusement, exhibition or entertainment which is open to members of the public

(3) The full and equal use and enjoyment of the services, privileges and advantages of any facility for the public transportation of persons or goods;

(4) The full and equal use and enjoyment of the services, facilities, privileges, and advantages of any establishment which offers personal or professional services to members of the public; or

(5) The full and equal exercise of the right to vote in any election held pursuant to the laws of Kansas.

(b) Denial of civil rights is a Class A violation. (K.S.A. 21-6102)

Sec. 8.2. Unlawful Disclosure of Tax Information.

(a) Unlawful disclosure of tax information is recklessly disclosing or using for commercial purposes any information obtained in the business of preparing federal or state income tax returns or in the business of assisting taxpayers in preparing such returns, unless such disclosure is:

(1) Consented to by the taxpayer in a separate, written document;
(2) Expressly authorized by state or federal law;
(3) Necessary to the preparation of the return; or
(4) Pursuant to an order of any court of competent jurisdiction.

(b) Unlawful disclosure of tax information is a class A nonperson violation.

(c) For the purposes of this section, a person is engaged in the business of preparing federal or state income tax returns or in the business of assisting taxpayers in preparing such returns if the person does either of the following:

(1) Advertises or gives publicity to the effect that such person prepares or assists others in the preparation of state or federal income tax returns; or
(2) Prepares or assists others in the preparation of state or federal income tax returns for compensation.

(d) Contacting a taxpayer to obtain the taxpayer's written consent to disclosure does not constitute a violation of this section. (K.S.A. 21-6104)

Sec. 8.3. Unjustifiably Exposing a Convicted or Charged Person.

(a) Unjustifiably exposing a convicted or charged person is unjustifiably communicating or threatening

to communicate to another any oral or written statement that any person has been charged with or convicted of a felony, with intent to interfere with the employment or business of the person so charged or convicted.

(b) Unjustifiably exposing a convicted or charged person is a Class B nonperson violation.

(c) This section shall not apply to any person or organization who furnishes information about a person to another person or organization requesting the same. (K.S.A. 21-6105)

Article 9. Offenses Against Public Peace

Sec. 9.1. Disorderly Conduct.

(a) Disorderly conduct is one or more of the following acts that the person knows or should know will alarm, anger or disturb others or provoke an assault or other breach of the peace:

(1) Brawling or fighting;
(2) Disturbing an assembly, meeting or procession, not unlawful in its character; or
(3) Using fighting words or engaging in noisy conduct tending reasonably to arouse alarm, anger or resentment in others.

(b) Disorderly conduct is a Class C violation. (K.S.A. 21-6203)

Sec. 9.2. Unlawful Assembly; Remaining at an Unlawful Assembly.

(a) Unlawful assembly is:

(1) The meeting or coming together of not less than five persons with the intent to engage in conduct constituting;

(A) Disorderly conduct, as defined by Section 9.1 of this article; or
(B) A riot, as defined by Section 9.4 of this article; or

(2) When a lawful assembly of not less than five persons, agreeing to engage in conduct constituting disorderly conduct or riot.

(b) Remaining at an unlawful assembly is intentionally failing to depart from the place of an unlawful assembly after being directed to leave by a law enforcement officer.

(c) Penalties.
(1) Unlawful assembly is a Class B violation.
(2) Remaining at an unlawful assembly is a Class A violation. (K.S.A. 21-6202)

Sec. 9.3. Reserved for Future Use.

Sec. 9.4. Riot.

(a) Riot is five or more persons acting together and without lawful authority engaging in any:

(1) Use of force or violence which produces a breach of the public peace; or
(2) Threat to use such force or violence against any person or property if accompanied by power or apparent power of immediate execution.

(b) Riot is a Class A violation. (K.S.A. 21-6201)

Sec. 9.5. Maintaining or Permitting a Public Nuisance.

(a) Maintaining a public nuisance is knowingly causing or permitting a condition to exist which injures or endangers the public health, safety or welfare.

(b) Permitting a public nuisance is knowingly permitting property under the control of the offender to be used to maintain a public nuisance, as defined in Subsection (a).

(c) Maintaining or permitting a public nuisance is a Class C violation. (K.S.A. 21-6204)

Sec. 9.6. Reserved for Future Use.

Sec. 9.7. Making an Unlawful Request for Emergency Service Assistance.

(a) Making an unlawful request for emergency service assistance is: Transmitting or communicating false or misleading information in any manner to request emergency service assistance including law enforcement, fire, medical or other emergency service, knowing at the time of such request there is no reasonable ground for believing such assistance is needed.

(b) An offender who violates the provisions of this section may also be prosecuted for, convicted of, and punished for interference with law enforcement. (Section 7.2)

(c) Making an unlawful request for emergency service assistance is a Class A violation. (K.S.A. 21-6207)

{Editor's Note: The 2018 Kansas Legislature amended K.S.A. 21-6207 in HB 2581. The amendment makes it a felony if the request for emergency service assistance made by the person includes false information that violent criminal activity or immediate threat to a person's life or safety or the public safety is taking place. The amendment also increased the felony level if bodily harm or great bodily harm results from the response.**}**

Sec. 9.8. Criminal Desecration.

(a) Criminal desecration is:

(1) Knowingly obtaining or attempting to obtain unauthorized control of a dead body or remains of any human being or the coffin, urn or other article containing a dead body or remains of any human being;
(2) Recklessly by means other than by fire or explosive:

(A) Damaging, defacing or destroying the flag, ensign or other symbol of the United States or this state in which another has a property interest without the consent of such other person;
(B) Damaging, defacing or destroying any public monument or structure;

(C) Damaging, defacing or destroying any tomb, monument, memorial, marker, grave, vault, crypt gate, tree, shrub, plant or any other property in a cemetery; or

(D) Damaging, defacing or destroying any place of worship.

(b) (1) Criminal desecration as described in subsections (a)(2)(B), (a)(2)(C) and (a)(2)(D) is a Class A violation if the property is damaged to the extent of less than $1,000.

(2) Criminal desecration as described in subsections (a)(1) and (a)(2)(A) is a Class A violation. (K.S.A. 21-6205)

Sec. 9.9. Unlawful Abuse of Toxic Vapors.

(a) Unlawful abuse of toxic vapors is possessing, buying, using, smelling, or inhaling toxic vapors with the intent of causing a condition of euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system.

(b) This section shall not apply to the inhalation of anesthesia or other substances for medical or dental purposes.

(c) In a prosecution for a violation of this section, evidence that a container lists one or more of the substances which are defined as a toxic vapors in K.S.A. 21-5712(e) as one of its ingredients shall be *prima facie* evidence that the substance in such container contains toxic vapors.

(d) Unlawful abuse of toxic vapors is a Class B violation. In addition to any sentence or fine imposed, the court shall enter an order which requires that the person enroll in and successfully complete an alcohol and drug safety action education program, treatment program or both such programs as provided in K.S.A. 8-1008, and amendments thereto. (K.S.A. 21-5712)

Sec. 9.9.1. Unlawful Possession of Marijuana and Tetrahydrocannabinols.

(a) Except as authorized by the Uniform Controlled Substance Act, K.S.A. 65-4101 *et seq*., and

amendments thereto, it shall be unlawful for any person to possess or have under such person's control marijuana, as designated in K.S.A. 65-4105(d), and amendments thereto, or tetrahydrocannabinols, as designated in K.S.A. 65-4105(h), and amendments thereto.

(b) Penalty. Violations of subsection (a) is a Class B violation for a first offense and a class A violation if the person has a prior conviction under K.S.A. 65-4162, prior to its repeal, under substantially similar offense from another jurisdiction, or under any city ordinance or county resolution for a substantially similar offense.

(c) It shall be an affirmative defense to prosecution under this section arising out of a person's possession of any cannabidiol treatment preparation if the person:

(1) Has a debilitating medical condition, as defined in section 1, and amendments thereto, or is the parent or guardian of a minor child who has such debilitating medical condition;
(2) Is possessing a cannabidiol treatment preparation, as defined in section 1, and amendments thereto, that is being used to treat such debilitating medical condition; and
(3) Has possession of a letter, at all times while the person has possession of the cannabidiol treatment preparation, that:

(A) Shall be shown to a law enforcement officer on such officer's request;
(B) Is dated within the preceding 15 months and signed by the physician licensed to practice medicine and surgery in Kansas who diagnosed the debilitating medical condition;
(C) Is on such physician's letterhead; and
(D) Identifies the person or the person's minor child as such physician's patient and identifies the patient's debilitating medical condition. (K.S.A. 21-5706)

{**Editor's Note**: If an individual has two or more prior convictions for violations of section 9.9.1, or for a substantially similar offense under Kansas law or other jurisdiction, violations are considered a felony under state law over which municipal courts

have no jurisdiction, as such, violations should be referred to the appropriate prosecuting authority. they cannot be prosecuted in municipal court}.

Sec. 9.9.2. Possession of Drug Paraphernalia and Certain Drug Precursors.

(a) No person shall use or possess with intent to use any drug paraphernalia, as designated in K.S.A. 21-5701, to use, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Act, K.S.A. 65-4101 et seq., and amendments thereto.

(b) No person shall purchase, receive or otherwise acquire at retail any compound, mixture or preparation containing more than 3.6 grams of pseudoephedrine base or ephedrine base in any single transaction or any compound, mixture or preparation containing more than nine grams of pseudoephedrine base or ephedrine base within any 30-day period.

(c) No person shall distribute, possess with intent to distribute or manufacture with intent to distribute any drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to use, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of K.S.A. 21-5706, and amendments thereto.

(d) Penalty.

(1) Violation of subsection (a) is a Class B violation
(2) Violation of subsection (b) is a Class A violation
(3) Violation of subsection (c) is a Class A violation

(e) In determining whether an object is drug paraphernalia, the finder of fact shall consider, in addition to all other logically relevant factors, the following:

(1) Statements of the owner or person in control of an object concerning its use;
(2) Prior convictions, if any, of an owner or person in control of the object under any state or federal law relating to any controlled substance;

(3) The proximity of the object to controlled substances;
(4) The existence of any residue of controlled substances on the object;
(5) Direct or circumstantial evidence of the intent of an owner or person in control of an object, to deliver it to a person the owner or person in control of an object knows, or should reasonably know, intends to use the object to facilitate a violation of the Uniform Controlled Substances Act, K.S.A. 65-4101 et seq., and amendments thereto. The innocence of an owner or person in control of the object as to a direct violation of the Uniform Controlled Substances Act shall not prevent a finding that the object is intended for use as drug paraphernalia;
(6) Oral or written instructions provided with the object concerning its use;
(7) Descriptive materials accompanying the object which explain or depict its use;
(8) National and local advertising concerning the object's use; and
(9) The method and manner in which the object is displayed for sale, if applicable.

(K.S.A. 21-5709; 21-5710; 21-5711)

Sec. 9.9.3. Unlawful Distribution of Controlled Substances.

(a) No person shall distribute or possess with intent to distribute a controlled substance or a controlled substance analog designated in K.S.A. 65-4113 to anyone over the age of 18.

(b) Violation of subsection (a) is a class A violation**.** (K.S.A. 21-5705)

Sec. 9.9.4. Unlawful Possession of Controlled Substances.

(a) No person shall possess any of the controlled substances or controlled substance analogs thereof found in K.S.A. 21-5706(b) and amendments thereto.

(b) Violation of subsection (a) is a Class A violation. (K.S.A. 21-5706)

{**Editor's Note**: Violations of K.S.A. 21-5704 subsections (b)(1) through (b)(5) or (b)(7) is a drug severity level 5 felony if that person has a prior conviction

under such subsection, under K.S.A. 65–4162, prior to its repeal, under a substantially similar offense from another jurisdiction, or under any city ordinance or county resolution for a substantially similar offense if the substance involved was 3, 4 methylenedioxymethamphetamine (MDMA), marijuana as designated in K.S.A. 65–4105(d), and amendments thereto, or any substance designated in K.S.A. 65–4105(h), and amendments thereto, or an analog thereof. As these violations are considered felonies under state law over which municipal courts have no jurisdiction, they should be referred to the appropriate prosecuting authority}.

Sec. 9.9.5. Unlawful Possession of a Simulated Substance.

(a) No person shall use or possess with intent to use any simulated controlled substance.

(b) This is a Class A violation.
(K.S.A. 21-5713)

Sec. 9.9.6. Distribution of a Non-controlled Substance.

(a) No person shall distribute or possess with the intent to distribute any substance, which is not a controlled substance, to a person who is over the age of eighteen:

(1) Upon an express representation that the substance is a controlled substance or that the substance is of such nature or appearance that the recipient will be able to distribute the substance as a controlled substance; or
(2) Under circumstances which would give a reasonable person reason to believe that the substance is a controlled substance.

(b) Violation of subsection (a) is a Class A nonperson violation.

(c) If any one of the following factors is established, there shall be a presumption that distribution of a substance was under circumstances which would give a reasonable person reason to believe that a substance is a controlled substance:

(1) The substance was packaged in a manner normally used for the illegal distribution of controlled substances;
(2) The distribution of the substance included an exchange of or demand for money or other consideration for distribution of the substance and the amount of the consideration was substantially in excess of the reasonable value of the substance; or
(3) The physical appearance of the capsule or other material containing the substance is substantially identical to a specific controlled substance.

(K.S.A. 21-5714)

Sec. 9.10. Harassment by Telecommunications Device.

(a) Harassment by telecommunication device is the use of:

(1) A telecommunications device to:

(A) Knowingly make or transmit any comment, request, suggestion, proposal, image or text which is obscene, lewd, lascivious, or indecent;
(B) Make or transmit a call, whether or not conversation ensues, with intent to abuse, threaten or harass a person at the receiving end;
(C) Make or transmit any comment, request, suggestion, proposal, image or text with intent to abuse, threaten or harass any person at the receiving end;
(D) Make or cause a telecommunications device to repeatedly ring or activate with intent to harass any person at the receiving end;
(E) Knowingly play any recording on a telephone, except recordings such as weather information or sports information when the number thereof is dialed, unless the person or group playing the recording shall be identified and state that it is a recording; or

(F) Knowingly permit any telecommunications device under one's control to be used in violation of this paragraph.

(2) Telefacsimile communication to send or transmit such communication to a court in the State of Kansas for a use other than court business, with no requirement of culpable mental state.

(b) An offender who violates the provisions of this section may also be prosecuted for, convicted of, and punished for any other offense in sections 11.1 and 11.2.

(c) Harassment by a telecommunication device is a Class A violation. (K.S.A. 21-6206)

Sec. 9.11. Unlawful Public Demonstration at a Funeral.

(a) Engaging in a public demonstration at any public location within 150 feet of any entrance to any cemetery, church, mortuary or other location where a funeral is held or conducted, within one hour prior to the scheduled commencement of a funeral, during a funeral or within two hours following the completion of a funeral;

(b) Knowingly obstructing, hindering, impeding or blocking another person's entry to or exit from a funeral; or

(c) Knowingly impeding vehicles which are part of a funeral procession.

(d) Violation of this section is a Class B violation. Each day on which a violation occurs shall constitute a separate offense. (K.S.A. 21-6106)

Sec. 9.12. Reserved for Future Use.

Sec. 9.13. Unlawful Posting of Political Pictures and Political Advertisements.

(a) Unlawful posting of political pictures and political advertisements is knowingly putting up, affixing or fastening of either or both, a political picture or a political advertisement to a telegraph, telephone, electric light or power pole.

(b) Unlawful posting of political pictures and political advertisements is a Class C violation. (K.S.A. 21-5820)

Article 10. Offenses Against Public Safety

Sec. 10.1. Criminal Use of Weapons.

(a) Criminal use of weapons is knowingly:

(1) Selling, manufacturing, purchasing or possessing any bludgeon, sand club, or metal knuckles;
(2) Possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, slungshot, dangerous knife, straight-edged razor, throwing star, stiletto or any other dangerous or deadly weapon or instrument of like character;
(3) Setting a spring gun;
(4) Selling, giving or otherwise transferring any firearm with a barrel less than 12 inches long to any person under 18 years of age whether the person knows or has reason to know the length of the barrel;
(5) Selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of a controlled substance;
(6) Selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;
(7) Possessing any firearm by a person who is both addicted to and an unlawful user of a controlled substance;
(8) Possessing any firearm by any person, other than a law enforcement officer, in or on any school property or grounds upon which is located a building or structure used by a unified

school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12 or at any regularly scheduled school sponsored activity or event whether the person knows or has reason to know that such person was in or on any such property or grounds;

(9) Refusing to surrender or immediately remove from school property or grounds or at any regularly scheduled school sponsored activity or event any firearm in the possession of any person, other than a law enforcement officer, when so requested or directed by any duly authorized school employee or any law enforcement officer;

(10) Possessing a firearm with a barrel less than 12 inches long by any person less than 18 years of age.

(b) Criminal use of weapons as defined in:

(1) Subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(5), (a)(6) or (a)(9) is a Class A violation;

(2) Subsection (a)(7) or (a)(8) is a Class B violation;

(3) Subsection (a)(10) is a Class A violation on a first offense.

(c) Subsections (a)(1) and (a)(2) shall not apply to:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) Members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) The manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.

(d) Subsection (a)(8) shall not apply to:

(1) Possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved and authorized by the school;
(2) Possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;
(3) Possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting a student;
(4) Possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contain a polling place for the purpose of voting during polling hours on an election day; or
(5) Possession of a concealed handgun by an individual who is not prohibited from possessing a firearm under either federal or state law.

(e) Subsection (a)(6) shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. 75-7c26, and amendments thereto.

(f) Subsection (a)(10) shall not apply if such person, less than 18 years of age, was:

(1) In attendance at a hunter's safety course or a firearms safety course;
(2) Engaging in practice in the use of such firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located, or at another private range with permission of such person's parent or legal guardian;
(3) Engaging in an organized competition involving the use of such firearm, or participating in or practicing for a performance by an organization exempt from federal income tax pursuant to section 501(c)(3) of the internal revenue code of 1986 which uses firearms as a part of such performance;
(4) Hunting or trapping pursuant to a valid license issued to such person pursuant to article 9 of

chapter 32 of the Kansas Statutes Annotated, and amendments thereto;

(5) Traveling with any such firearm in such person's possession being unloaded to or from any activity described in subsections (f)(1) through (f)(4), only if such firearm is secured, unloaded and outside the immediate access of such person;

(6) On real property under the control of such person's parent, legal guardian or grandparent and who has the permission of such parent, legal guardian or grandparent to possess such firearm; or

(7) At such person's residence and who, with the permission of such person's parent or legal guardian, possesses such firearm for the purpose of exercising the rights contained in K.S.A. 21-5222, 21-5223 or 21-5225, and amendments thereto. (K.S.A. 21-6301)

Sec. 10.1.1. Criminal Carrying of a Weapon.

(a) Criminal carrying of a weapon is knowingly carrying:

(1) Any bludgeon, sandclub, metal knuckles or throwing star;

(2) Concealed on one's person, a billy, blackjack, slungshot or any other dangerous or deadly weapon or instrument of like character;

(3) On one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance; or

(4) Any pistol, revolver or other firearm concealed on one's person if such person is under 21 years of age, except when on such person's land or in such person's abode or fixed place of business.

(b) Subsection (a) shall not apply to:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of

persons accused or convicted of crime, while acting within the scope of their authority;

(3) Members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) The manufacture of, transportation to, or sale of weapons to a person authorized under subsections (b)(1), (b)(2) and (b)(3) to possess such weapons.

(c) Criminal carrying of a weapon is a Class A violation. (K.S.A. 21-6302)

Sec. 10.2. Possession of a Firearm Under the Influence.

(a) Possession of a firearm under the influence is knowingly possessing or carrying a loaded firearm on or about such person, or within such person's immediate access and control while in a vehicle, while under the influence of alcohol or drugs, or both, to such a degree as to render such person incapable of safely operating a firearm.

(b) Possession of a firearm under the influence is a class A nonperson violation.

(c) This section shall not apply to:

(1) A person who possesses or carries a firearm while in such person's own dwelling or place of business or on land owned or possessed by such person; or

(2) the transitory possession or use of a firearm during an act committed in self-defense or in defense of another person or any other act committed if legally justified or excused, provided such possession or use lasts no longer than is immediately necessary.

(d) If probable cause exists for a law enforcement officer to believe a person is in possession of a firearm under the influence of alcohol or drugs, or both, such law enforcement officer shall request such person submit to one or more tests of the person's blood, breath, urine or other bodily substance to determine the presence of alcohol or drugs. The selection of the test or tests shall be made by the officer.

(e) (1) If a law enforcement officer requests a person to submit to a test of blood under this section, the withdrawal of blood at the direction of the officer may be performed only by:

(A) A person licensed to practice medicine and surgery, licensed as a physician's assistant, or a person acting under the direction of any such licensed person;

(B) a registered nurse or a licensed practical nurse;

(C) any qualified medical technician, including, but not limited to, an emergency medical technician-intermediate, mobile intensive care technician, an emergency medical technician-intermediate/ defibrillator, an advanced emergency medical technician or a paramedic, as those terms are defined in K.S.A. 65-6112, and amendments thereto, authorized by medical protocol; or

(D) a phlebotomist.

(2) A law enforcement officer may direct a medical professional described in this subsection to draw a sample of blood from a person if the person has given consent or upon meeting the requirements of subsection (d).

(3) When so directed by a law enforcement officer through a written statement, the medical professional shall withdraw the sample as soon as practical and shall deliver the sample to the law enforcement officer or another law enforcement officer as directed by the requesting law enforcement officer as soon as practical, provided the collection of the sample does not jeopardize the person's life, cause serious injury to the person or seriously impede the person's medical assessment, care or treatment. The medical professional authorized herein to withdraw the blood and the medical care facility where the blood is drawn may act on good faith that the requirements have been met for directing the withdrawing of blood once presented with the written statement provided for under this subsection. The medical professional shall not require the person to sign any additional consent or waiver form. In such a case, the person authorized to withdraw blood and the medical care facility shall not be liable

in any action alleging lack of consent or lack of informed consent.

(4) Such sample or samples shall be an independent sample and not be a portion of a sample collected for medical purposes. The person collecting the blood sample shall complete the collection portion of a document provided by law enforcement.

(5) If a sample is to be taken under authority of a search warrant, and the person must be restrained to collect the sample pursuant to this section, law enforcement shall be responsible for applying any such restraint utilizing acceptable law enforcement restraint practices. The restraint shall be effective in controlling the person in a manner not to jeopardize the person's safety or that of the medical professional or attending medical or health care staff during the drawing of the sample and without interfering with medical treatment.

(6) A law enforcement officer may request a urine sample upon meeting the requirements of subsection (d).

(7) If a law enforcement officer requests a person to submit to a test of urine under this section, the collection of the urine sample shall be supervised by:

(A) A person licensed to practice medicine and surgery, licensed as a physician's assistant, or a person acting under the direction of any such licensed person;

(B) a registered nurse or a licensed practical nurse; or

(C) a law enforcement officer of the same sex as the person being tested. The collection of the urine sample shall be conducted out of the view of any person other than the persons supervising the collection of the sample and the person being tested, unless the right to privacy is waived by the person being tested. When possible, the supervising person shall be a law enforcement officer. The results of qualitative testing for drug presence shall be admissible in evidence and questions of accuracy or reliability shall go to the

weight rather than the admissibility of the evidence. If the person is medically unable to provide a urine sample in such manner due to the injuries or treatment of the injuries, the same authorization and procedure as used for the collection of blood in paragraphs (2) and (3) shall apply to the collection of a urine sample.

(8) The person performing or assisting in the performance of any such test and the law enforcement officer requesting any such test who is acting in accordance with this section shall not be liable in any civil and criminal proceeding involving the action.

(f) (1) The person's refusal shall be admissible in evidence against the person at any trial on a charge arising out of possession of a firearm under the influence of alcohol or drugs, or both.

(2) Failure of a person to provide an adequate breath sample or samples as directed shall constitute a refusal unless the person shows that the failure was due to physical inability caused by a medical condition unrelated to any ingested alcohol or drugs.

(3) In any criminal prosecution for a violation of this section, if the court finds that a person refused to submit to testing when requested pursuant to this section, the county or district attorney, upon petition to the court, may recover on behalf of the state, in addition to the criminal penalties provided in this section, a civil penalty not exceeding $1,000 for each violation.

(g) If a person who holds a valid license to carry a concealed handgun issued pursuant to K.S.A. 75-7c01 et seq., and amendments thereto, is convicted of a violation of this section, such person's license to carry a concealed handgun shall be revoked for a minimum of one year for a first offense and three years for a second or subsequent offense.

(h) In any criminal prosecution for possession of a firearm under the influence of alcohol or drugs, or both, evidence of the concentration of alcohol or drugs in the defendant's blood, urine, breath or other bodily substance may be admitted and shall give rise to the following:

(1) If the alcohol concentration is less than .08, that fact may be considered with other competent evidence to determine if the defendant was under the influence of alcohol or drugs, or both.
(2) If the alcohol concentration is .08 or more, it shall be prima facie evidence that the defendant was under the influence of alcohol.
(3) If there was present in the defendant's bodily substance any narcotic, hypnotic, somnifacient, stimulating or other drug which has the capacity to render the defendant incapacitated, that fact may be considered to determine if the defendant was under the influence of alcohol or drugs, or both.

(i) The provisions of subsection (h) shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether or not the defendant was under the influence of alcohol or drugs, or both.

(j) Upon the request of any person submitting to testing under this section, a report of the results of the testing shall be made available to such person.

(K.S.A. 21-6332)

Sec. 10.3. Criminal Distribution of Firearms to a Felon.

(a) Criminal distribution of firearms to a felon is knowingly:

(1) Selling, giving or otherwise transferring any firearm to any person who, within the preceding five years, has been convicted of a felony, other than those specified in the subsection (b), under the laws of this or any other jurisdiction or has been released from imprisonment for a felony and was not found to have been in possession of a firearm at the time of the commission of the felony;
(2) Selling, giving or otherwise transferring any firearm to any person who, within the preceding 10 years, has been convicted of felony to which this subsection applies, but was not found to have been in possession of a firearm at the time of the commission of the felony, or has been

released from imprisonment for such a felony, and has not had the conviction of such felony expunged or been pardoned for such felony; or

(3) Selling, giving or otherwise transferring any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction and was found to have been in possession of a firearm at the time of the commission of the felony.

(b) Subsection (a)(2) shall apply to a felony under K.S.A. 21-5402, 21-5403, 21-5404, 21-5405, 21-5408, subsection (b) or (d) of 21-5412, subsection (b) or (d) of 21-5413, subsection (a) or (b) of 21-5415, subsection (b) of 21-5420, 21-5503, subsection (b) of 21-5504, subsection (b) of 21-5505, and subsection (b) of 21-5807, and amendments thereto, K.S.A. 21-5705 or 21-5706, and amendments thereto, or K.S.A. 21-3401, 21-3402, 21-3403, 21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, 65-4127a, 65-4127b or 65-4160 through 65-4165, prior to their repeal, or a crime under a law of another jurisdiction which is substantially the same as such felony.

(c) It is not a defense that the distributor did not know or have reason to know:

(1) The precise felony the recipient committed;
(2) That the recipient was in possession of a firearm at the time of the commission of the recipient's prior felony; or
(3) That the convictions for such felony have not been expunged or pardoned.

(d) Criminal distribution of firearms to a felon is a Class A violation. (K.S.A. 21-6303)

Sec. 10.3.1. Reserved for Future Use.

Sec. 10.4. Failure to Register Explosives.

(a) Failure to register explosives is, with no requirement of a culpable mental state, the omission by:

(1) The seller of any explosive or detonating

substance, to keep a register of every sale or other disposition of such explosives made by the seller as required by this section; or

(2) any person to whom delivery of any quantity of explosive or other detonating substance is made, to acknowledge the receipt thereof by signing the person's name in the register provided in subsection (c) on the page where the record of such delivery is entered.

(b) Failure to register explosives as defined in:

(1) Subsection (a)(1) is a Class B nonperson violation; and
(2) subsection (a)(2) is a Class C violation.

(c) The register of sales required by subsection (a)(1) shall contain the date of the sale or other disposition, the name, address, age and occupation of the person to whom the explosive is sold or delivered, the kind and amount of explosive delivered, the place at which it is to be used and for what purpose it is to be used. Such register and record of sale or other disposition shall be open for inspection by any law enforcement officer, mine inspector or fire marshal of this state for a period of not less than one year after the sale or other disposition. (K.S.A. 21-6311)

Sec. 10.5. Unlawful Discharge of a Firearm.

(a) Unlawful discharge of a firearm is the reckless discharge of a firearm within or into the corporate limits of any city.

(b) This section shall not apply to the discharge of any firearm within or into the corporate limits of any city if:

(1) The firearm is discharged in the lawful defense of one's person, another person or one's property;
(2) The firearm is discharged at a private or public shooting range;
(3) The firearm is discharged to lawfully take wildlife unless prohibited by the department of wildlife, parks and tourism or the governing body of the city;
(4) The firearm is discharged by authorized law

enforcement officers, animal control officers or a person who has a wildlife control permit issued by the Kansas department of wildlife, parks and tourism;

(5) The firearm is discharged by special permit of the chief of police or by the sheriff when the city has no police department;

(6) The firearm is discharged using blanks; or

(7) The firearm is discharged in lawful self-defense or defense of another person against an animal attack.

(c) Unlawful discharge of firearms is a Class B violation. (K.S.A. 21-6308a)

Sec. 10.6. Air Gun, Air Rifle, Bow and Arrow, Slingshot, BB Gun or Paintball Gun.

(a) The unlawful operation of an air gun, air rifle, bow and arrow, slingshot, BB gun or paint ball gun is the shooting, discharging or operating of any air gun, air rifle, bow and arrow, slingshot, BB gun or paint ball gun, within the city, except within the confines of a building or other structure from which the projectiles cannot escape.

(b) Unlawful operation of an air gun, air rifle, bow and arrow, slingshot, BB gun or paint ball gun is a Class C violation.

Sec. 10.7. Seizure of Weapon.

The chief of police of the city or his or her duly authorized representative is hereby empowered to seize and hold any air gun, air rifle, bow and arrow, slingshot or BB gun used in violation of section 10.6 of this article, and is further empowered to seize and hold as evidence pending a hearing before a court of competent jurisdiction any air gun, air rifle, bow and arrow, slingshot or BB gun used in violation of Section 10.6.

Sec. 10.8. Unlawful Aiding, Abetting.

(a) It shall be unlawful for any person to conspire to or aid and abet in the operation or discharging or causing to be operated or discharged any air gun, air rifle, bow and arrow, BB gun or slingshot except as provided in Section 10.6 within the city, whether individually or in

connection with one or more persons or as principal, agent or accessory, and it is further unlawful for every parent or guardian of a minor child who willfully or knowingly permits or directs the operation or discharge of any air gun, air rifle, bow and arrow, BB gun or slingshot by such minor child within the city except as provided in Section 10.6 of this article.

(b) Violation of this section is a Class C violation.

Sec. 10.9. Carrying Concealed Explosives.

(a) Carrying concealed explosives is carrying any explosive or detonating substance on the person in a wholly or partly concealed manner.
(b) Carrying concealed explosives is a Class A violation. (K.S.A. 21-6312)

Sec. 10.10. Endangerment.

(a) Endangerment is recklessly exposing another person to a danger of great bodily harm or death.

(b) Endangerment is a Class A violation. (K.S.A. 21-5429)

Sec. 10.11. Creating a Hazard.

(a) Creating a hazard is recklessly:

(1) Storing or abandoning, in any place accessible to children, a container which has a compartment of more than one and one-half cubic feet capacity and a door or lid which locks or fastens automatically when closed and which cannot be easily opened from the inside, and failing to remove the door, lock, lid or fastening device on such container;
(2) Being the owner or otherwise having possession of property upon which a cistern, well or cesspool is located and failing to cover the same with protective covering of sufficient strength and quality to exclude human beings and domestic animals therefrom; or
(3) Exposing, abandoning or otherwise leaving any explosive or dangerous substance in a place accessible to children.

(b) Creating a hazard is a Class B violation. (K.S.A. 21-6318)

Sec. 10.12. Unlawful Failure to Report a Wound.

(a) Unlawful failure to report a wound is, with no requirement of a culpable mental state, the failure by an attending physician or other person to report such person's treatment of any of the following wounds, to the office of the chief of police of the city or the office of the sheriff of the county in which such treatment took place:

(1) Any bullet wound, gunshot wound, powder burn or other injury arising from or caused by the discharge of a firearm; or
(2) Any wound which is likely to or may result in death and is apparently inflicted by a knife, ice pick or other sharp or pointed instrument.

(b) Unlawful failure to report a wound is a Class C violation. (K.S.A. 21-6319)

Sec. 10.13. Barbed Wire. It shall be unlawful for any person to construct, set up or maintain any barbed wire or barbed wire fence or enclosure within the city.

Violation of this section is a Class C violation.

Sec. 10.14. Operation of a Motorboat or Sailboat.

(a) (1) No person born on or after January 1, 1989, shall operate on public waters of this city any motorboat or sailboat unless the person possesses a certificate of completion of an approved boater safety education course of instruction lawfully issued to such person as provided by K.S.A. 32-1101 *et seq.*
(2) No owner or person in possession of any motorboat or sailboat shall permit another person, who is subject to the requirements in subsection (a)(1), to operate such motorboat or sailboat unless such other person either:

(A) Has been lawfully issued a certificate of completion of an approved boater safety education course of instruction as provided by K.S.A. 32-1101 *et seq.*; or

(B) Is legally exempt from the requirements of subsection (a)(1).

(3) The requirement in subsection (a)(1), shall not apply to a person 21 years of age or older.

(4) The requirement in subsection (a)(1), shall not apply to a person operating a sailboat that does not have a motor and has an overall length of 16 feet, seven inches or less, while such person is enrolled in an instructor-led class.

(b) The requirement in subsection (a)(1) shall not apply to a person operating a motorboat or sailboat accompanied by and under the direct and audible supervision of a person over 17 years of age who either:

(1) Possesses a certificate of completion of an approved boater safety education course; or

(2) Is legally exempt from the requirements of subsection (a)(1).

(c) No person who is charged with a violation of subsection (a)(1) shall be convicted of the violation if such person produces in court or in the office of the arresting officer a certificate of completion of an approved boater safety education course of instruction lawfully issued to such person and valid at the time of such person's arrest.

(d) As used in this section:

(1) **Owner** means a person, other than a lienholder, having the property in or title to a vessel. The term includes a person entitled to the use or possession of a vessel subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security. (K.S.A. 32-1102(e))

(2) **Operate** means to navigate or otherwise use a motorboat or a vessel. (K.S.A. 32-1102(f))

(K.S.A. 32-1139)

Sec. 10.15. Operating a Vessel Under the Influence of Alcohol or Drugs; Penalties.

(a) No person shall operate or attempt to operate any vessel within this city while:

(1) The alcohol concentration in the person's blood or breath as shown by any competent evidence, including other competent evidence, as defined in paragraph (1) of subsection (b) of K.S.A. 32-1130, and amendments thereto, is .08 or more;
(2) The alcohol concentration in the person's blood or breath, at the time or within three hours after the person operated or attempted to operate the vessel is .08 or more;
(3) The alcohol concentration in the person's blood or breath, at the time or within three hours after the person operated or attempted to operate the vessel is .02 or more and the person is less than 21 years of age;
(4) Under the influence of alcohol to a degree that renders the person incapable of safely operating a vessel;
(5) Under the influence of any drug or combination of drugs to a degree that renders the person incapable of safely operating a vessel; or
(6) Under the influence of a combination of alcohol and any drug or drugs to a degree that renders the person incapable of safely operating a vessel.

(b) If a person is charged with a violation of this section involving drugs, the fact that the person is or has been entitled to use the drug under the laws of this state shall not constitute a defense against the charge.

(c) No person shall operate or attempt to operate any vessel within this state for three months after the date of refusal of submitting to a test if such person refuses to submit to a test pursuant to K.S.A. 32-1132, and amendments thereto.

(d) Except as provided by subsection (e), violation of this section is a violation punishable:

(1) On the first conviction, by imprisonment of not more than one year or a fine of not less than

$100 nor more than $500, or both; and

(2) On the second or a subsequent conviction, by imprisonment for not less than 90 days nor more than one year and, in the court's discretion, a fine of not less than $100 nor more than $500.

(e) Subsection (d) shall not apply to or affect a person less than 21 years of age who submits to a breath or blood alcohol test requested pursuant to K.S.A. 32-1132 and amendments thereto, and produces a test result of an alcohol concentration of .02 or greater but less than .08. Such person's boating privileges upon the first occurrence shall be suspended for 30 days and upon a second or subsequent occurrence shall be suspended for 90 days.

(f) In addition to any other penalties prescribed by law or rule and regulation, any person convicted of a violation of this section shall be required to satisfactorily complete a boater safety education course of instruction before such person subsequently operates or attempts to operate any vessel.

(g) As used in this section, **operate** means to navigate or otherwise use a motorboat or a vessel. (K.S.A. 32-1131)

Sec. 10.16. Throwing Objects.

(a) It is unlawful for any person to:

(1) Recklessly throw, push, pitch or otherwise cast any rock, stone or other object, matter or thing onto a street, road, highway, railroad right-of-way, or upon any vehicle, engine or car or any train, locomotive, railroad car, caboose, rail-mounted work equipment or rolling stock thereon;

(2) Violate subsection (a) and damage any vehicle, engine or car or any train, locomotive, railroad car, caboose, rail-mounted work equipment or rolling stock lawfully on the street, highway or railroad right-of-way by the thrown or cast rock, stone or other object.

(b) Penalties.

(1) Violation of subsection (a) is a Class B nonperson violation.
(2) Violation of subsection (b) is a Class A nonperson violation. (K.S.A. 21-5819)

Sec. 10.17. Tattooing or Body Piercing; Persons Under Age 18.

(a) No person shall perform body piercing, cosmetic tattooing or tattooing on or to any person under 18 years of age without the prior written and notarized consent of the parent or court appointed guardian of such person and the person giving such consent must be present during the body piercing, cosmetic tattooing or tattooing procedure. The written permission and a copy of the letters of guardianship when such permission is given by a guardian, shall be retained by the person administering such body piercing, cosmetic tattooing or tattooing for a period of five years.

(b) Violation of this section is a Class A violation. (K.S.A. 65-1953)

Sec. 10.18. Failure to Place or Maintain a Smoke Detector.

(a) Every single-family residence shall have at least one smoke detector on every story of the dwelling unit.

(b) Every structure which:

(1) Contains more than one dwelling unit; or
(2) Contains at least one dwelling unit and is a mixed-use structure, shall contain at least one smoke detector at the uppermost ceiling of each interior stairwell and on every story in each dwelling unit.

(c) The owner of a structure shall supply and install all required smoke detectors. The owner of a structure shall test and maintain all smoke detectors except inside rental units, the occupant shall test and maintain all smoke detectors after taking possession of the dwelling unit.

(d) The smoke detectors required in dwelling units in existence on January 1, 1999, may either be battery-powered or wired into the structure's electrical system, and need not be interconnected. The smoke detectors required in dwelling units constructed after January 1, 1999, shall be wired permanently into the structure's electrical system.

(e) For purposes of this section, manufactured homes as defined in K.S.A. 58-4202, and amendments thereto, shall be subject to the federal, manufactured home construction and safety standards established pursuant to 42 U.S.C. § 5403 in lieu of the standards set forth herein. Owners and occupants of such manufactured homes shall be subject to the testing and maintenance standards for smoke detectors required under this section.

(f) Officials responsible for the enforcement of this section shall not enter a dwelling unit solely for the purpose of determining compliance with the provisions of this section except when:

(1) Conducting an inspection prior to the issuance of an occupancy permit or building permit;
(2) Responding to a report of a fire in a dwelling unit, except in cases of a false alarm; or
(3) Conducting, at the request of the owner or occupant, a home safety inspection.

(g) Failure to place or maintain a smoke detector shall be an unclassified violation. Any fine imposed for a violation of this section shall not exceed $25. (K.S.A. 31-162:163)

Sec. 10.19. Sale of Medicines and Drugs Through Vending Machines.

(a) Any person, firm or corporation who offers for sale, sells or distributes any prescription medicine, prescription-only drug, drug which contains ephedrine alkaloids, drug intended for human use by hypodermic injection or poison through or by means of any vending machine or other mechanical device, or who uses any vending machine in or for the sale or distribution of any prescription medicine, prescription-only drug, drug which contains ephedrine alkaloids, drug intended for human use by hypodermic injection

or poison, shall be guilty of illegal sale of medicines and drugs through a vending machine.

(b) No nonprescription drugs shall be offered for sale or sold through a vending machine in anything other than the manufacturer's original tamper-evident and expiration-dated packet. No more than 12 different nonprescription drug products shall be offered for sale or sold through anyone vending machine. Any vending machine in which nonprescription drugs are offered for sale or sold shall be located so that the drugs stored in such vending machine are stored in accordance with drug manufacturer's requirements. Drugs offered for sale or sold in such vending machine shall not be older than the manufacturer's expiration date. Each vending machine through which nonprescription drugs are offered for sale or sold shall have an obvious and legible statement on the machine that identifies the owner of the machine, a toll-free telephone number at which the consumer may contact the owner of the machine, a statement advising the consumer to check the expiration date of the product before using the product and the telephone number of the state board of pharmacy. As used in this subsection, **nonprescription drug** does not include any prescription medicine, prescription-only drug, drug which contains ephedrine alkaloids, drug intended for human use by hypodermic injection or poison.

(c) Any violation of this section constitutes an illegal sale of medicines and drugs through a vending machine and is a Class C violation and upon conviction, the violator shall be fined not less than $25 nor more than $500. (K.S.A. 65-650)

Sec. 10.20. Unlawfully Obtaining a Prescription-Only Drug.

(a) Unlawfully obtaining a prescription-only drug is:

(1) Making, altering or signing of a prescription order by a person other than a practitioner or a mid-level practitioner;
(2) Distribution of a prescription order, knowing it to have been made, altered or signed by a person other than a practitioner or a mid-level practitioner;
(3) Possession of a prescription order with intent

to distribute it and knowing it to have been made, altered or signed by a person other than a practitioner or a mid-level practitioner;

(4) Possession of a prescription-only drug knowing it to have been obtained pursuant to a prescription order made, altered or signed by a person other than a practitioner or a mid-level practitioner; or

(5) Providing false information, with the intent to deceive, to a practitioner or mid-level practitioner for the purpose of obtaining a prescription-only drug.

(b) As used in this section:

(1) **Pharmacist, practitioner, mid-level practitioner and prescription-only drug** shall have the meanings ascribed thereto by K.S.A. 65-1626 and amendments thereto.

(2) **Prescription order** means an order transmitted in writing, orally, telephonically or by other means of communication for a prescription-only drug to be filled by a pharmacist. **Prescription order** does not mean a drug dispensed pursuant to such an order.

(3) **Distribute** means the actual, constructive or attempted transfer from one person to another of some item whether or not there is an agency relationship. **Distribute** includes, but is not limited to, sale, offer for sale or any act that causes some item to be transferred from one person to another. **Distribute** does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act or otherwise authorized by law.

(4) **Drug** means:

(A) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

(B) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or animals;

(C) Substances, other than food, intended to affect the structure or any function of the body of man or animals; and

(D) Substances intended for use as a component of any article specified in paragraph (1), (2) or (3). It does not include devices or their components, parts or accessories. See K.S.A. 65-1626(H)

(c) The provisions of this section shall not be applicable to prosecutions involving prescription-only drugs which could be brought under K.S.A. 21-5705 or 21-5706 and amendments thereto.

(d) Unlawfully obtaining a prescription-only drug is a Class A violation for the first offense. (K.S.A. 21-5708)

{**Editor's Note**: If that person has a prior conviction of under this section, K.S.A. 21-5708, K.S.A. 21-36a08, prior to its transfer, or K.S.A. 21-4214, prior to its repeal, under state law subsequent violations are considered a felony over which municipal courts have no jurisdiction. These violations should be referred to the appropriate prosecuting authority.}

Sec. 10.21. Selling Beverage Containers with Detachable Tabs.

(a) Selling beverage containers with detachable tabs is knowingly selling or offering for sale at retail in this state any metal beverage container so designed and constructed that a part of the container is detachable in opening the container.

(b) Selling beverage containers with detachable tabs is a Class C violation.

(c) As used in this section:

(1) **Beverage container** means any sealed can containing beer, cereal malt beverages, mineral waters, soda water and similar soft drinks so designated by the director of alcoholic beverage control, in liquid form and intended for human consumption; and

(2) **In this state** means within the exterior limits of the state of Kansas and includes all territory within these limits owned by or ceded to the United States of America**.**

(K.S.A. 21-6320)

Sec. 10.22. Alcohol Without Liquid Machine.

(a) It shall be unlawful for any person to knowingly:

(1) Use any alcohol without liquid machine to inhale alcohol vapor or otherwise introduce alcohol in any form into the human body; or
(2) Purchase, sell, or offer for sale an alcohol without liquid machine.

(b) Violation of this section is a Class A violation.

(K.S.A. 21-6321)

Sec. 10.23. Trafficking in Counterfeit Drugs.

(a) Trafficking in counterfeit drugs is intentionally manufacturing, distributing, dispensing, selling, or delivering for consumption purposes, or holding or offering for sale, any counterfeit drug.

(b) Trafficking in counterfeit drugs which have a retail value of less than $500 is a Class A violation. (K.S.A. 65-4167)

Sec. 10.24. Smoking Prohibited.

(a) It shall be unlawful, with no requirement of a culpable mental state, to smoke in an enclosed area or at a public meeting including, but not limited to:

(1) Public places;
(2) Taxicabs and limousines;
(3) Restrooms, lobbies, hallways and other common areas in public and private buildings, condominiums and other multiple-residential facilities;
(4) Restrooms, lobbies and other common areas in hotels and motels and in at least 80% of the sleeping quarters within a hotel or motel that may be rented to guests;
(5) Access points of all buildings and facilities not

exempted pursuant to subsection (d); and

(6) Any place of employment.

(b) Each employer having a place of employment that is an enclosed area shall provide a smoke-free workplace for all employees. Such employer shall also adopt and maintain a written smoking policy which shall prohibit smoking without exception in all areas of the place of employment. Such policy shall be communicated to all current employees within one week of its adoption and shall be communicated to all new employees upon hiring. Each employer shall provide a written copy of the smoking policy upon request to any current or prospective employee.

(c) Notwithstanding any other provision of this section, 10.25 or 10.26, the proprietor or other person in charge of an adult care home, as defined in K.S.A. 39-923, and amendments thereto, or a medical care facility, may designate a portion of such adult care home, or the licensed long-term care unit of such medical care facility, as a smoking area, and smoking may be permitted within such designated smoking area.

(d) The provisions of this section shall not apply to:

(1) The outdoor areas of any building or facility beyond the access points of such building or facility;

(2) Private homes or residences, except when such home or residence is used as a day care home, as defined in K.S.A. 65-530, and amendments thereto;

(3) A hotel or motel room rented to one or more guests if the total percentage of such hotel or motel rooms in such hotel or motel does not exceed 20%;

(4) The gaming floor of a lottery gaming facility or racetrack gaming facility, as those terms are defined in K.S.A. 74-8702, and amendments thereto;

(5) That portion of an adult care home, as defined in K.S.A. 39-923, and amendments thereto, that is expressly designated as a smoking area by the proprietor or other person in charge of such adult care home pursuant to subsection (c) and that is fully enclosed and ventilated;

(6) That portion of a licensed long-term care unit of a medical care facility that is expressly designated as a smoking area by the proprietor or other person in charge of such medical care facility pursuant to subsection (c) and that is fully enclosed and ventilated and to which access is restricted to the residents and their guests;
(7) Tobacco shops;
(8) A Class A or Class B club defined in K.S.A. 41-2601, and amendments thereto, which (A) held a license pursuant to K.S.A. 41-2606 et seq., and amendments thereto, as of January 1, 2009; and (B) notifies the secretary of health and environment in writing, not later than 90 days after the effective date of this act, that it wishes to continue to allow smoking on its premises; and
(9) A private club in designated areas where minors are prohibited.
(10) Any benefit cigar dinner or other cigar dinner of a substantially similar nature that:

(A) Is conducted specifically and exclusively for charitable purposes by a nonprofit organization which is exempt from federal income taxation pursuant to Section 501(c)(3) of the federal internal revenue code of 1986;
(B) Is conducted no more than once per calendar year by such organization; and
(C) Has been held during each of the previous three years prior to January 1, 2011; and

(11) That portion of a medical or clinical research facility constituting a separately ventilated, secure smoking room dedicated and used solely and exclusively for clinical research activities conducted in accordance with regulatory authority of the United States or the state of Kansas, as determined by the director of alcoholic beverage control of the department of revenue. (K.S.A. 21-6110)

Sec. 10.25. Smoking; Posting Premises. The proprietor or other person in charge of the premises of a public place, or other area where smoking is prohibited, shall post or cause to be posted in a conspicuous place signs

displaying the international no smoking symbol and clearly stating that smoking is prohibited by state law. (K.S.A. 21-6111)

Sec. 10.26. Smoking Prohibited; Penalties.

(a) It shall be unlawful for any person who owns, manages, operates or otherwise controls the use of any public place, or other area where smoking is prohibited, to fail to comply with all or any of the provisions of sections 10.24 through 10.26.

(b) It shall be unlawful for any person who owns, manages, operates or otherwise controls the use of any public place, or other area where smoking is prohibited, to allow smoking to occur where prohibited by law. Any such person shall be deemed to allow smoking to occur under this subsection if such person:

(1) Has knowledge that smoking is occurring; and
(2) Recklessly permits smoking under the totality of the circumstances.

(c) It shall be unlawful for any person, with no requirement of a culpable mental state, to smoke in any area where smoking is prohibited by the provisions of 10.24.

(d) Any person who violates any provision of sections 10.24 through 10.26, shall be guilty of a cigarette or tobacco infraction punishable by a fine:

(1) Not exceeding $100 for the first violation;
(2) Not exceeding $200 for a second violation within a one year period after the first violation; or
(3) Not exceeding $500 for a third or subsequent violation within a one year period after the first violation.

For purposes of this subsection, the number of violations within a year shall be measured by the date the smoking violations occur.

(e) Each individual allowed to smoke by a person who owns, manages, operates or otherwise controls the use of any public place, or other area where

smoking is prohibited, in violation of subsection (b) shall be considered a separate violation for purposes of determining the number of violations under subsection (d).

(f) No employer shall discharge, refuse to hire or take any other adverse action against an employee, applicant for employment or customer with the intent to retaliate against that employee, applicant or customer for reporting or attempting to prosecute a violation of any of the provisions of sections 10.24 through 10.26. (K.S.A. .21-6112)

Sec. 10.27. Illegal Operation of an Amusement Ride.

(a) It shall be unlawful for an owner or operator of an amusement ride, antique amusement ride, limited-use amusement ride or registered agritourism activity as defined in K.S.A. 44-1601 and amendments thereto, to knowingly operate, or cause to be operated, any amusement ride, antique amusement ride, limited-use amusement ride or registered agritourism activity without a valid permit issued by the State of Kansas.

(b) Violation of this section is a Class B violation. (K.S.A. .44-1610)

Sec. 10.28. Endangering the Food Supply.

(a) Endangering the food supply is knowingly:

(1) Bringing into this state any domestic animal which is infected with any contagious or infectious disease or any animal which has been exposed to any contagious or infectious disease;
(2) exposing any animal in this state to any contagious or infectious disease;
(3) except as permitted under K.S.A. 2-2112 et seq., and amendments thereto, bringing or releasing into this state any plant pest as defined in K.S.A. 2-2113, and amendments thereto, or exposing any plant to a plant pest; or
(4) exposing any raw agricultural commodity, animal feed or processed food to any contaminant or contagious or infectious disease.

(b) As used in this section:

(1) "Animal feed" means an article which is intended for use for food for animals other than humans and which is intended for use as a substantial source of nutrients in the diet of the animal, and is not limited to a mixture intended to be the sole ration of the animal;
(2) "contagious or infectious disease" means any disease which can be spread from one subject to another by direct or indirect contact or by an intermediate agent, including, but not limited to, anthrax, all species of brucellosis, equine infectious anemia, hog cholera, pseudorabies, psoroptic mange, rabies, tuberculosis, vesicular stomatitis, avian influenza, pullorum, fowl typhoid, psittacosis, viscerotropic velogenic Newcastle disease, foot-and-mouth disease, rinderpest, African swine fever, piroplasmosis, vesicular exanthema, Johne's disease, scabies, scrapies, bovine leukosis and bovine spongiform encephalopathy;
(3) "processed food" means any food other than a raw agricultural commodity and includes any raw agricultural commodity that has been subject to processing, such as canning, cooking, freezing, dehydration or milling; and
(4) "raw agricultural commodity" means any food in its raw or natural state, including all fruits that are washed, colored or otherwise treated in their unpeeled natural form prior to marketing.

(c) Endangering the food supply is a Class A violation except if the contagious or infectious disease is food-and-mouth disease in which class it is classified as a felony under state law and will be referred to the appropriate prosecuting authority.
(K.S.A. 21-6317)

Article 11. Offenses Against Public Morals

Sec. 11.1. Promoting Obscenity.

(a) Promoting obscenity is recklessly:

(1) Manufacturing, mailing, transmitting, publishing, distributing, presenting, exhibiting, or advertising any obscene material or obscene device;

(2) Possessing any obscene material or obscene device with intent to mail, transmit, publish, distribute, present, exhibit or advertise such material or device;
(3) Offering or agreeing to manufacture, mail, transmit, publish, distribute, present, exhibit, or advertise any obscene material or obscene device; or
(4) Producing, presenting, or directing an obscene performance or participating in a portion thereof which is obscene or which contributes to its obscenity.

(b) Evidence that materials or devices were promoted to emphasize their prurient appeal shall be relevant in determining the question of the obscenity of such materials or devices. There shall be a rebuttable presumption that a person promoting obscene materials or obscene devices did so knowingly or recklessly if:

(1) The materials or devices were promoted to emphasize their prurient appeal; or
(2) The person is not a wholesaler and promotes the materials or devices in the course of the person's business.

(c) As used in this section:

(1) Any material or performance is **obscene** if:

(A) The average person applying contemporary community standards would find that the material or performance, taken as a whole, appeals to the prurient interest;
(B) The average person applying contemporary community standards would find that the material or performance has patently offensive representations or descriptions of (i) ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse or sodomy; or (ii) masturbation, excretory functions, sadomasochistic abuse or lewd exhibition of the genitals; and
(C) Taken as a whole, a reasonable person would find that the material

or performance lacks serious literary, educational, artistic, political, or scientific value.

(2) Material. Any tangible thing which is capable of being used or adapted to arouse interest, whether throughout the medium of reading, observation, sound or other manner.

(3) Obscene Device. A device, including a dildo or artificial vagina, designed or marketed as useful primarily for the stimulation of human genital organs, except such devices disseminated or promoted for the purpose of medical or psychological therapy.

(4) Performance. Any play, motion picture, dance or other exhibition performed before an audience.

(5) Wholesaler. A person who distributes or offers for distribution obscene materials or devices only for resale and not to the consumer and who does not manufacture publish or produce such materials or devices.

(d) It shall be a defense to a prosecution for promoting obscenity and promoting obscenity to minors that the:

(1) Persons to whom the allegedly obscene material or obscene device was disseminated, or the audience to an allegedly obscene performance, consisted of persons or institutions having scientific, educational or governmental justification for possessing or viewing the same;

(2) Defendant is an officer, director, trustee, or employee of a public library and the allegedly obscene material was acquired by such library and was disseminated in accordance with regular library policies approved by its governing body; or

(3) Allegedly obscene material or obscene device was purchased, leased, or otherwise acquired by a public, private or parochial school, college, or university, and that such material or device was either sold, leased, distributed, or disseminated by a teacher, instructor, professor or other faculty member or administrator of such school as part of or incident to an approved course or program of instruction at such school.

(e) The provisions of this section prescribing a criminal penalty for exhibit of any obscene motion picture shown in a commercial showing to the general public shall not apply to a projectionist, or assistant projectionist, if such projectionist or assistant projectionist has no financial interest in the show or in its place of presentation other than regular employment as a projectionist or assistant projectionist and no personal knowledge of the contents of the motion picture. The provisions of this section shall not exempt any projectionist or assistant projectionist from criminal liability for any act unrelated to projection of motion pictures in commercial showings to the general public.

(f) Promoting obscenity is a Class A violation on conviction of a first offense. Subsequent violations considered felonies under state law and will be referred to the appropriate prosecuting authority.

(g) Upon any conviction of promoting obscenity, the court may require, in addition to any fine or imprisonment imposed, that the defendant enter into a reasonable recognizance with good and sufficient surety, in such sum as the court may direct, but not to exceed $50,000, conditioned that, in the event the defendant is convicted, of a subsequent offense of promoting obscenity within two years after such conviction, the defendant shall forfeit the recognizance. (K.S.A. 21-6401)

Sec. 11.2. Promoting Obscenity to Minors.

(a) Promoting obscenity to minors is promoting obscenity, as defined in section 11.1, where a recipient of the obscene material or obscene device or a member of the audience of an obscene performance is a child under the age of 18 years.

(b) Evidence that materials or devices were promoted to emphasize their prurient appeal shall be relevant in determining the question of the obscenity of such materials or devices. There shall be a rebuttable presumption that a person promoting obscene materials or obscene devices did so knowingly or recklessly if:

(1) The materials or devices were promoted to emphasize their prurient appeal; or
(2) The person is not a wholesaler and promotes the materials or devices in the course of the person's business.

(c) It shall be a defense to a prosecution for promoting obscenity to minors that the:

(1) Persons to whom the allegedly obscene material or obscene device was disseminated, or the audience to an allegedly obscene performance, consisted of persons or institutions having scientific, educational or governmental justification for possessing or viewing the same;
(2) Defendant is an officer, director, trustee or employee of a public library and the allegedly obscene material was acquired by such library and was disseminated in accordance with regular library policies approved by its governing body; or
(3) Allegedly obscene material or obscene device was purchased, leased or otherwise acquired by a public, private or parochial school, college or university, and that such material or device was either sold, leased, distributed or disseminated by a teacher, instructor, professor or other faculty member or administrator of such school as part of or incidental to an approved course or program of instruction at such school.

(d) Notwithstanding the provisions of K.S.A. 21-5204, and amendments thereto, to the contrary, it shall be an affirmative defense to any prosecution for promoting obscenity to minors that:

(1) The defendant had reasonable cause to believe that the minor involved was 18 years old or over, and such minor exhibited to the defendant a draft card, driver's license, birth certificate or other official or apparently official document purporting to establish that such minor was 18 years old or more; or
(2) An exhibition in a state of nudity is for a bona fide scientific or medical purpose, or for an educational or cultural purpose for a bona fide school, museum or library.

(e) The provisions of this section and the provisions of ordinances of any city prescribing a criminal penalty for exhibit of any obscene motion picture shown in a commercial showing to the general public shall not apply to a projectionist, or assistant projectionist, if such projectionist or assistant projectionist has no financial interest in the show or in its place of presentation other than regular employment as a projectionist or assistant projectionist and no personal knowledge of the contents of the motion picture. The provisions of this section shall not exempt any projectionist or assistant projectionist from criminal liability for any act unrelated to projection of motion pictures in commercial showings to the general public.

(f) Promoting obscenity to minors is a Class A violation. Subsequent violations considered felonies under state law and will be referred to the appropriate prosecuting authority.

(g) Upon any conviction of promoting obscenity to minors, the court may require, in addition to any fine or imprisonment imposed, that the defendant enter into a reasonable recognizance with good and sufficient surety, in such sum as the court may direct, but not to exceed $50,000, conditioned that, in the event the defendant is convicted of a subsequent offense of promoting obscenity to minors within two years after such conviction, the defendant shall forfeit the recognizance. (K.S.A. 21-6401)

Sec. 11.3. Commercialization of Wildlife.

(a) Commercialization of wildlife is knowingly committing any of the following, except as permitted by statute or rules and regulations:

(1) Capturing, killing, or possessing, for profit or commercial purposes, all or any part of any wildlife protected by this section;
(2) Selling, bartering, purchasing, or offering to sell, barter or purchase, for profit or commercial purposes, all or any part of any wildlife protected by this section;

(3) Shipping, exporting, importing, transporting or carrying; causing to be shipped, exported, imported, transported, or carried; or delivering or receiving for shipping, exporting, importing, transporting, or carrying all or any part of any wildlife protected by this section, for profit or commercial purposes; or
(4) Purchasing, for personal use or consumption, all or any part of any wildlife protected by this section.

(b) The wildlife protected by this section and the minimum value thereof are as follows:

(1) Eagles, $1,000;
(2) Deer or antelope, $1,000;
(3) Elk or buffalo, $1,500;
(4) Furbearing animals, except bobcats, $25;
(5) Bobcats, $200;
(6) Wild turkey, $200;
(7) Owls, hawks, falcons, kites, harriers, or ospreys, $500;
(8) Game birds, migratory game birds, resident and migratory nongame birds, game animals and nongame animals, $50 unless a higher amount is specified above;
(9) Fish and mussels, the value for which shall be no less than the value listed for the appropriate fish or mussels species in the monetary values of freshwater fish or mussels and fish kill counting guidelines of the American fisheries society, special publication number 30;
(10) Turtles, $25 each for unprocessed turtle or $16 per pound or fraction of a pound for processed turtle parts;
(11) Bullfrogs, $4, whether dressed or not dressed;
(12) Any wildlife classified as threatened or endangered, $500 unless a higher amount is specified above; and
(13) Any other wildlife not listed above, $25.

(c) Possession of wildlife, in whole or in part, captured, or killed in violation of law and having an aggregate value of $1,000 or more, as specified in subsection (b), is prima facie evidence of possession for profit or commercial purposes.

(d) Commercialization of wildlife having an aggregate

value of less than $1000, as specified in subsection (b), is a Class A violation. (K.S.A. 32-1005)

(e) In addition to any other penalty provided by law, a court convicting a person of the crime of commercialization of wildlife may:

(1) Confiscate all equipment used in the commission of the crime and may revoke for a period of up to 10 years all licenses and permits issued to the convicted person by the Kansas department of wildlife, parks and tourism;
(2) Order restitution to be paid to the Kansas department of wildlife, parks and tourism for the wildlife taken, which restitution shall be in an amount not less than the aggregate value of the wildlife, as specified in subsection (b).

(f) The provisions of this section shall apply only to wildlife illegally harvested and possessed by any person having actual knowledge that such wildlife was illegally harvested. (K.S.A. 32-1005)

Sec. 11.4:11.6. Reserved for Future Use.

Sec. 11.7. Material Harmful to Minors.

(a) No person having custody, control or supervision of any commercial establishment shall knowingly:

(1) Display any material or device which is harmful to minors in such a way that minors, as a part of the invited general public, will be exposed to view such material or device;
(2) Present or distribute to a minor, or otherwise allow a minor to view, with or without consideration, any material which is harmful to minors; or
(3) Present to a minor, or participate in presenting to a minor, with or without consideration, any performance which is harmful to a minor.

(b) Notwithstanding the provisions of K.S.A. 21-5204, to the contrary, it shall be an affirmative defense to any prosecution under this section that:

(1) The allegedly harmful material or device was purchased, leased or otherwise acquired by a

public, private or parochial school, college or university, and that such material or device was either sold, leased, distributed or disseminated by a teacher, instructor, professor or other faculty member or administrator of such school as part of or incidental to an approved course or program of instruction at such school.

(2) The defendant is an officer, director, trustee or employee of a public library and the allegedly harmful material or device was acquired by a public library and was disseminated in accordance with regular library policies approved by its governing body.

(3) An exhibition in a state of nudity is for a bona fide scientific or medical purpose, or for an educational or cultural purpose for a bona fide school, museum or library.

(4) With respect to a prosecution for an act described by subsection (a)(1), the allegedly harmful material was kept behind blinder racks.

(5) With respect to a prosecution for an act described by subsection (a)(2) or (3), the defendant had reasonable cause to believe that the minor involved was 18 years old or over, and such minor exhibited to the defendant a draft card, driver's license, birth certificate or other official or apparently official document purporting to establish that such minor was 18 years old or more.

(6) With respect to a prosecution for an act described by subsection (a)(3), the allegedly harmful performance was viewed by the minor in the presence of such minor's parent or parents or such minor's legal guardian.

(c) As used in this section:

(1) **Blinder rack** means a device in which material is displayed in such a manner that the lower 2/3 of the material is not exposed to view.

(2) **Harmful to minors** means that quality of any description, exhibition, presentation or representation, in whatever form, of nudity, sexual conduct, sexual excitement or sadomasochistic abuse when the material or performance, taken as a whole or, with respect to a prosecution for an act described by subsection (a)(1), that portion of the material

that was actually exposed to the view of minors, has the following characteristics:

(A) The average adult person applying contemporary community standards would find that the material or performance has a predominant tendency to appeal to a prurient interest in sex to minors;

(B) The average adult person applying contemporary community standards would find that the material or performance depicts or describes nudity, sexual conduct, sexual excitement or sadomasochistic abuse in a manner that is patently offensive to prevailing standards in the adult community with respect to what is suitable for minors; and

(C) A reasonable person would find that the material or performance lacks serious literary, scientific, educational, artistic or political value for minors.

(3) **Material** means any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, record, recording tape or video tape.

(4) **Minor** means any unmarried person under 18 years of age.

(5) **Nudity** means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering; the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple; or the depiction of covered male genitals in a discernible state of sexual excitement.

(6) **Performance** means any motion picture, file, video tape, played record, phonograph, tape recording, preview, trailer, play, show, skit, dance or other exhibition performed or presented to or before an audience of one or more, with or without consideration.

(7) **Sadomasochistic abuse** means flagellation or torture by or upon a person clad in undergarments, in a mask or bizarre costume or in the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

(8) **Sexual conduct** means acts of masturbation, homosexuality, sexual intercourse or physical contact with a person's clothed or unclothed genitals or pubic area or buttocks or with a human female's breast.

(9) **Sexual excitement** means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

(d) The provisions of this section shall not apply to a retail sales clerk, if such clerk has no financial interest in the materials or performance or in the commercial establishment displaying, presenting or distributing such materials or presenting such performance other than regular employment as a retail sales clerk. The provisions of this section shall not exempt any retail sales clerk from criminal liability for any act unrelated to regular employment as a retail sales clerk.

(e) Violation of subsection (a) is a Class B violation. (K.S.A. 21-6402)

11.8. Gambling.

(a) Definitions of gambling terms used in sections 11.8, 11.9, and 11.10 shall be as follows:

(1) A **bet** is a bargain in which the parties agree that, dependent upon chance, one stands to win or lose something of value specified in the agreement. A bet does not include:

(A) Bona fide business transactions which are valid under the laws of contracts including, but not limited to, contracts for the purchase or sale at a future date of securities or other commodities, and agreements to compensation for loss caused by the happening of the chance including, but not limited to, contracts of indemnity or guaranty and life or health and accident insurance;

(B) Offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength, or endurance or to the bona fide owners of animals or vehicles entered in such a contest;

(C) A lottery as defined in this section;
(D) Any bingo game by or for participants managed, operated or conducted in accordance with the laws of the state of Kansas by an organization licensed by the state of Kansas to manage, operate or conduct games of bingo;
(E) A lottery operated by the state pursuant to the Kansas lottery act;
(F) Any system of pari-mutuel wagering managed, operated and conducted in accordance with the Kansas pari-mutuel racing act; or
(G) Tribal gaming;
(H) Charitable raffles as defined by K.S.A. 75-5173, and amendments thereto; or
(I) A fantasy sports league as defined in this section.

(2) A **lottery** is an enterprise wherein for a consideration the participants are given an opportunity to win a prize, the award of which is determined by chance. A lottery does not include:

(A) A lottery operated by the state pursuant to the Kansas lottery act; or
(B) Tribal gaming.

(3) **Consideration** means anything which is a commercial or financial advantage to the promoter or a disadvantage to any participant. Mere registration without purchase of goods or services; personal attendance at places or events, without payment of an admission price or fee; listening to or watching radio and television programs; answering the telephone or making a telephone call and acts of like nature are not consideration.
Consideration shall not include sums of money paid by or for:

(A) Participants in any bingo game managed, operated or conducted in accordance with the laws of the state of Kansas by any bona fide nonprofit religious, charitable, fraternal, educational or veteran organization licensed to manage, operate or conduct bingo games under the laws of the state

of Kansas and it shall be conclusively presumed that such sums paid by or for such participants were intended by such participants to be for the benefit of the sponsoring organizations for the use of such sponsoring organizations in furthering the purposes of such sponsoring organizations, as set forth in the appropriate paragraphs of subsection (c) or (d) of section 501 of the internal revenue code of 1986 and as set forth in K.S.A. 79-4701, and amendments thereto;

(B) Participants in any lottery operated by the state pursuant to the Kansas lottery act;

(C) Participants in any system of pari-mutuel wagering managed, operated and conducted in accordance with the Kansas pari-mutuel racing act; or

(D) A person to participate in tribal gaming.

(4) **Fantasy sports league** means any fantasy or simulation sports game or contest in which no fantasy or simulation sports team is based on the current membership of an actual team that is a member of an amateur or professional sports organization and that meets the following conditions:

(A) All prizes and awards offered to winning participants are established and made known to the participants in advance of the game or contest and their value is not determined by the number of participants or the amount of any fees paid by those participants;

(B) All winning outcomes reflect the relative knowledge and skill of the participants and are determined predominantly by accumulated statistical results of the performance of individual athletes in multiple real-world sporting events; and

(C) No winning outcome is based:

(i) On the score, point spread or any performance or performances of any single real-world team or any combination of such teams; or

(ii) Solely on any single performance of an individual athlete in any single real-world sporting event.

(5) (A) **Gambling device** means any:

(i) So-called slot machine or any other machine, mechanical device, electronic device or other contrivance an essential part of which is a drum or reel with insignia thereon, and (i) which when operated may deliver, as the result of chance, any money or property, or (ii) by the operation of which a person may become entitled to receive, as the result of chance, any money or property;

(ii) Other machine, mechanical device, electronic device or other contrivance (including, but not limited to, roulette wheels and similar devices) which is equipped with or designed to accommodate the addition of a mechanism that enables accumulated credits to be removed, is equipped with or designed to accommodate a mechanism to record the number of credits removed or is otherwise designed, manufactured or altered primarily for use in connection with gambling, and (i) which when operated may deliver, as the result of chance, any money or property, or (ii) by the operation of which a person may become entitled to receive, as the result of chance, any money or property;

(iii) Subassembly or essential part intended to be used in connection with any such machine, mechanical device, electronic device or other contrivance, but which is not attached to any such machine, mechanical device, electronic device or other contrivance as a constituent part; or

(iv) Token, chip, paper, receipt or other document which evidences, purports to evidence or is designed to evidence participation in a lottery or the making of a bet. The fact that the prize is not automatically paid by the device does not affect its character as a gambling device.

(B) **Gambling device** shall not include:

(i) Any machine, mechanical device, electronic device or other contrivance used or for use by a licensee of the Kansas racing commission as authorized by law and rules and regulations adopted by the commission or by the Kansas lottery or Kansas lottery retailers as authorized by law and rules and regulations adopted by the Kansas lottery commission;

(ii) Any machine, mechanical device, electronic device or other contrivance, such as a coin-operated bowling alley, shuffleboard, marble machine (a so-called pinball machine), or mechanical gun, which is not designed and manufactured primarily for use in connection with gambling, and (i) which when operated does not deliver, as a result of chance, any money, or (ii) by the operation of which a person may not become entitled to receive, as the result of the application of an element of chance, any money;

(iii) Any so-called claw, crane or digger machine and similar devices which are designed and manufactured primarily for use at carnivals or county or state fairs; or

(iv) Any machine, mechanical device, electronic device or other contrivance used in tribal gaming.

(6) A **gambling place** is any place, room, building, vehicle, tent or location which is used for any of the following: Making and settling bets;

receiving, holding, recording or forwarding bets or offers to bet; conducting lotteries; or playing gambling devices. Evidence that the place has a general reputation as a gambling place or that, at or about the time in question, it was frequently visited by persons known to be commercial gamblers or known as frequenters of gambling places is admissible on the issue of whether it is a gambling place.

(7) **Tribal gaming** has the meaning provided by K.S.A. 74-9802, and amendments thereto.

(b) **Gambling** is:

(1) Making a bet; or
(2) Entering or remaining in a gambling place with intent to make a bet, to participate in a lottery, or to play a gambling device.

(c) Gambling is a Class B violation. (K.S.A. 21-6403; K.S.A. 21-6404)

Sec. 11.9. Commercial Gambling.

(a) Commercial gambling is knowingly:

(1) Granting the use or allowing the continued use of a place as a gambling place; or
(2) Permitting another to set up a gambling device for use in a place under the offender's control.

(b) Commercial gambling is a Class B violation. (K.S.A. 21-6406)

Sec. 11.9.1. Illegal Bingo Operation.

(a) Illegal bingo operation is the knowing management, operation or conduct of games of bingo in violation of the laws of the state of Kansas pertaining to the regulation, licensing and taxing of games of bingo or rules and regulations adopted pursuant thereto.

(b) Illegal bingo operation is a class A nonperson violation. (K.S.A. 21-6505)

Sec. 11.10. Possession of a Gambling Device.

(a) It shall be unlawful for any person to possess a gambling device.

(b) It shall be a defense to a prosecution under this section that:

(1) The gambling device is an antique slot machine and that the antique slot machine was not operated for gambling purposes while in the owner's or the defendant's possession. A slot machine shall be deemed an antique slot machine if it was manufactured prior to the year 1950; or

(2) The gambling device is possessed or under custody or control of a manufacturer registered under the federal gambling devices act of 1962 (15 U.S.C. § 1171 *et seq.*) or a transporter under contract with such manufacturer with intent to distribute for use:

(A) By the Kansas lottery or Kansas lottery retailers as authorized by law and rules and regulations adopted by the Kansas lottery commission;

(B) By a licensee of the Kansas racing commission as authorized by law and rules and regulations adopted by the commission;

(C) In a state other than the state of Kansas; or

(D) In tribal gaming.

(c) Violation of this section is a Class B violation. (K.S.A. 21-6408)

Sec. 11.11. Cruelty to Animals.

(a) Cruelty to animals is:

(1) Knowingly abandoning any animal any place without making provisions for its proper care;

(2) Having physical custody of any animal and knowingly failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is need for the health or well-being of such kind of animal;

(3) Intentionally using a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall, for the purpose of sport or entertainment; or
(4) Intentionally causing any physical injury other than the acts described in subsection (a)(1).

(b) The provisions of this section shall not apply to:

(1) Normal or accepted veterinary practices;
(2) *Bona fide* experiments carried on by commonly recognized research facilities;
(3) Killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of Chapter 32 or Chapter 47 of the Kansas Statutes Annotated, and amendments thereto;
(4) Rodeo practices accepted by the rodeo cowboys' association;
(5) The humane killing of an animal that is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner residing outside of a city or the owner thereof within a city if no animal shelter or licensed veterinarian is within the city, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an animal shelter, a local or state health officer or a licensed veterinarian three business days following the receipt of any such animal at such shelter;
(6) With respect to farm animals, normal or accepted practices of animal husbandry including the normal and accepted practices for the slaughter of such animals for food or by-products and the careful or thrifty management of one's herd or animals, including animal care practices common in the industry or region;
(7) The killing of any animal by any person at any time that may be found outside of the owned or rented property of the owner or custodian of such animal and that is found injuring or posing a threat to any person, farm animal or property;
(8) An animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal

is vicious or could not be captured after reasonable attempts using other methods;

(9) Laying an equine down for medical or identification purposes;

(10) Normal or accepted practices of pest control, as defined in K.S.A. 2-2438a(x), and amendments thereto; or

(11) Accepted practices of animal husbandry pursuant to regulations promulgated by the United States department of agriculture for domestic pet animals under the animal welfare act, public law 89-544, as amended and in effect on July 1, 2006.

(c) If a person is adjudicated guilty of the crime of cruelty to animals, such animal shall not be returned to or remain with such person. Such animal may be turned over to an animal shelter or licensed veterinarian for sale or other disposition.

(d) On first conviction, cruelty to animals is a Class A violation. Subsequent violations considered felonies under state law and will be referred to the appropriate prosecuting authority. (K.S.A. 21-6412)

Sec. 11.12. Cockfighting.

(a) Unlawful possession of cockfighting paraphernalia is possession of, with the intent to use in the unlawful conduct of cockfighting, spurs, gaffs, swords, leather training spur covers, or anything worn by a gamecock during a fight to further the killing power of such gamecock.

(b) Unlawful attendance of cockfighting is entering or remaining on the premises where the unlawful conduct of cockfighting is occurring, whether or not the person knows or has reason to know that cockfighting is occurring on the premises.

(c) A person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for cruelty to animals.

(d) Penalties.

(1) Unlawful possession of cockfighting

paraphernalia is a Class A violation.

(2) Unlawful attendance of cockfighting is a Class B violation. (K.S.A. 21-6417)

Sec. 11.13. Unlawful Possession of Dog Fighting Paraphernalia; Unlawful Attendance of Dog Fighting.

(a) Unlawful possession of dog fighting paraphernalia is possession, with the intent to use in the unlawful conduct of dog fighting, any breaking stick, treadmill, wheel, hot walker, cat mill, cat walker, jenni, or other paraphernalia.

(b) Unlawful attendance of dog fighting is, entering or remaining on the premises where the unlawful conduct of dog fighting is occurring, whether the person knows or has reason to know that dog fighting is occurring on the premises.

(c) Penalties.

(1) Unlawful possession of dog fighting paraphernalia is a class A nonperson violation.

(2) Unlawful attendance of dog fighting is a Class B nonperson violation.

(d) A person who violates the provisions of this section may also be prosecuted for, convicted of and punished for cruelty to animals. (K.S.A. 21-6414)

Sec. 11.14. Illegal Animal Ownership.

(a) Illegal ownership or keeping of an animal is, with no requirement of a culpable mental state, owning, or keeping on one's premises, an animal by a person convicted of unlawful conduct of dog fighting as defined in K.S.A. 21-6414, and amendments thereto, or cruelty to animals as defined in subsection (a)(1) of K.S.A. 21-6412, and amendments thereto, within five years of the date of such conviction.

(b) Illegal ownership or keeping of an animal is a class B nonperson violation. (K.S.A. 21-6415)

Sec. 11.15. Permitting a Dangerous Animal to be at Large.

(a) Permitting a dangerous animal to be at large is the act or omission of the owner or custodian of an animal of dangerous or vicious propensities who, knowing of such propensities, permits such animal to go at large or keeps such animal without taking ordinary care to restrain it.

(b) Permitting a dangerous animal to be at large is a Class B nonperson violation. (K.S.A. 21-6418)

Sec. 11.16. False Membership Claim.

(a) A false membership claim is knowingly and falsely representing oneself to be a member of a fraternal or veteran's organization.

(b) False membership claim is a class C violation. (K.S.A. 21-6410)

Article 12. Violations, Penalties

Sec. 12.1. Classes of Violations and Confinement.

(a) For the purpose of sentencing, the following classes of violations and the punishment and the terms of confinement authorized for each class are established:

(1) Class A, the sentence for which shall be a definite term of confinement in the city or county jail which shall be fixed by the court and shall not exceed one year;
(2) Class B, the sentence for which shall be a definite term of confinement in the city or county jail which shall be fixed by the court and shall not exceed six months;
(3) Class C, the sentence for which shall be a definite term of confinement in the city or county jail which shall be fixed by the court and shall not exceed one month;
(4) Unclassified violations, which shall include all offenses declared to be violations without specification as to class, the sentence for which shall be in accordance with the sentence specified in the section that defines the offense; if no penalty is provided in such law, the

sentence shall be the same penalty as provided herein for a Class C violation.

(b) Upon conviction of a violation, a person may be punished by a fine, as provided in Section 12.2 of this article, instead of or in addition to confinement, as provided in this section.

(c) In addition to or in lieu of any other sentence authorized by law, whenever there is evidence that the act constituting the violation was substantially related to the possession, use or ingestion of cereal malt beverage or alcoholic liquor by such person, the court may order such person to attend and satisfactorily complete an alcohol or drug education or training program certified by the chief judge of the judicial district or licensed by the secretary for aging and disability services. (K.S.A. 21-6602)

Sec. 12.2. Fines.

(a) A person convicted of a violation may, in addition to or instead of the confinement authorized by law, be ordered to pay a fine which shall be fixed by the court as follows:

(1) Class A violation, a sum not exceeding $2,500.
(2) Class B violation, a sum not exceeding $1,000.
(3) Class C violation, a sum not exceeding $500.
(4) Unclassified violation, any sum authorized by the section that defines the offense. If no penalty is provided in such law, the fine shall not exceed the fine provided herein for a Class C violation.

(b) As an alternative to any of the above fines, the fine imposed may be fixed at any greater sum not exceeding double the pecuniary gain derived from the crime by the offender. (K.S.A. 21-6611)

Article 13. Miscellaneous

Sec. 13.1. Application; Kansas Criminal Code. The provisions of the Kansas Criminal Code (K.S.A. 21-5101:6712, inclusive and amendments thereto), which are in their nature applicable to the jurisdiction of the city and

in respect to which no special provision is made by ordinance of the city are applicable to this criminal code.

Sec. 13.2. Severability. If any provision of this code is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the code and the applicability thereof to other persons and circumstances shall not be affected thereby.

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CHANGES IN UNIFORM PUBLIC OFFENSE CODE FOR 2019

The following represent the changes in the Uniform Public Offense Code from the 2018 edition to the 2019 edition.

Article 7A. Crimes Affecting Public Trust
8. Crimes Involving Violation of Personal Rights (formerly Denial of Civil Rights)

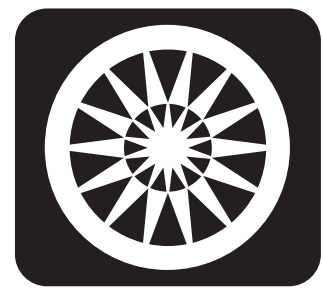
Section 1.1 **Definitions.**

Added: Cannabidiol Treatment Preparation
Debilitating Medical Condition
Federal Law Enforcement Officer
State of Nudity
Transmission
Visual Depiction

Amended: Alcoholic Liquor
Nonferrous Metal
Public Employee

Section 3.1.1 **Domestic Battery**
Section 3.2.1 **Sexual Battery**
Section 3.4 **Unlawful Interference with an Emergency Medical Services Attendant**
Section. 3.7.1 **Interference with Custody of a Committed Person**
Section 3.10 **Hazing**
Section 3.13 **Stalking**
Section 5.1.2 **Unlawful Possession of a Visual Depiction of a Child**
Section 5.1.3 **Unlawful Transmission of a Visual Depiction of a Child**
Section 5.3 **Unlawfully Hosting Minors Consuming Alcoholic Liquor or Cereal Malt Beverages**
Section 6.1 **Theft**
Section 6.6 **Criminal Damage to Property**
Section 6.7.1 **Trespassing on Railroad Property**
Section 6.16 **Giving a Worthless Check**
Section 6.23.1 **Unlawful Use of Recordings**
Section 6.24 **Commercial Fossil Hunting**
Section 6.25 **Counterfeiting**
Section 6.26 **Automobile Master Key Violation**
Section 7.4 **Interference with the Judicial Process**

Section 7.15	**Intimidation of a Witness or Victim**
Section 7.16	**Obstructing Apprehension or Prosecution**
Section 8.2	**Unlawful disclosure of Tax Information**
Section 8.3	**Unjustifiably Exposing a Convicted or Charged Person**
Section 9.9.1	**Unlawful Possession of Marijuana and Tetrahydrocannabinols.**
Section 9.9.2	**Possession of Drug Paraphernalia and Simulated Controlled Substances.**
Section 9.9.3	**Unlawful Distribution of Controlled Substances**
Section 9.9.4	**Unlawful Possession of Controlled Substances**
Section 9.9.5	**Unlawful Possession of a Simulated Substance**
Section 9.9.6	**Distribution of a Non-controlled Substance**
Section 10.2	**Possession of a Firearm Under the Influence**
Section 10.4	**Failure to Register Explosives**
Section 10.21	**Selling Beverage Containers with Detachable Tabs**
Section 10.28	**Endangering the Food Supply**
Section 11.1	**Promoting Obscenity**
Section 11.2	**Promoting Obscenity to Minors**
Section 11.9.1	**Illegal Bingo Operation**
Section 11.10	**Possession of a Gambling Device**
Section 11.11	**Cruelty to Animals**
Section 11.13	**Unlawful Possession of Dog Fighting Paraphernalia; Unlawful Attendance of Dog Fighting**
Section 11.14	**Illegal Animal Ownership**
Section 11.15	**Permitting a Dangerous Animal to be at Large**
Section 11.16	**False Membership Claim**


THE
LEAGUE
OF KANSAS MUNICIPALITIES



THE LEAGUE OF KANSAS MUNICIPALITIES

300 SW 8th Avenue, Suite 100, Topeka, KS 66603

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Doug Gerber, Deputy City Manager**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:		**PROJECT #:**
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:	**Discussion 05-21-19. Discussion 06-11-19. Discussion 08-13-19.**	**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by City Manager Brent Trout, providing notice of a public hearing concerning the establishment of a Redevelopment District (TIF) within the City (Dynamic Core Redevelopment District) pursuant to K.S.A. 12 1770 et seq., as amended.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval would set a public hearing for October 8, 2019 to entertain public comment concerning establishment of the Dynamic Core TIF District.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

POLICY ISSUE:

Whether to begin the process of establishing a TIF district in the area from 17th Street on the south extending downtown and to the Kansas River on the north; Topeka Boulevard to the west and Adams Street to the east.

STAFF RECOMMENDATION:

Staff requests approval of the resolution setting a public hearing date of October 8, 2019.

BACKGROUND:

State law allows 'enterprise zones' to qualify for consideration as a redevelopment district under the tax increment financing law. The City established an enterprise zone in 1991 that included several areas within the

City. Downtown Topeka, Inc. is requesting that the City establish a TIF District in an area within that enterprise zone. However, properties that are participating in the Neighborhood Revitalization program would be excluded. Once the District is created, developers will have the opportunity to submit project plans for consideration.

The first step in establishing a TIF District is to set a public hearing and notify the owners and occupants in the proposed district.

BUDGETARY IMPACT:

Approximately $6,500 to mail the resolution to approximately 960 owners/occupants within the proposed district. State law requires mailing by certified mail, return receipt requested.

SOURCE OF FUNDING:

Any costs associated with the TIF will be paid by the developer.

ATTACHMENTS:

Description

Resolution
Map
Legal Description/District - Exhibit A
Legal Description (Exception of NR Properties) - Exhibit B
Excerpt of Governing Body Meeting Minutes
Dynamic Core TIF Application
City of Topeka TIF Policy
City of Topeka TIF Procedure

(Published in the Topeka Metro News _____)

RESOLUTION NO. _____

A RESOLUTION introduced by City Manager Brent Trout, providing notice of a public hearing concerning the establishment of a Redevelopment District (TIF) within the City (Dynamic Core Redevelopment District) pursuant to K.S.A. 12-1770 *et seq.*, as amended.

WHEREAS, pursuant to K.S.A. 12-1770 et seq., as amended (the "Act"), the City of Topeka, Kansas (the "City"), is authorized to assist in the development and redevelopment of eligible areas within the City in order to promote, stimulate and develop the general and economic welfare of the State of Kansas and its communities; and

WHEREAS, the City hereby finds and determines it desirable to encourage the development and redevelopment of certain real property within portions of an area established as an enterprise zone by the City Council on December 30, 1991 (Resolution No. 6192) and to consider the establishment of a redevelopment district within a portion of such area (the "Redevelopment District"); and

WHEREAS, the City must adopt a resolution stating that the City is considering the establishment of the Redevelopment District and include in such resolution a notice that a public hearing will be held to consider the establishment of said Redevelopment District.

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

1. Notice is hereby given that a public hearing to consider the establishment of the Redevelopment District shall be held in the Council Chambers, 214 SE 8th Street in Topeka, Kansas, on October 8, 2019, at 6:00 p.m.(or as soon thereafter as is practical).

2. The proposed boundary of the Redevelopment District is: the Kansas River on the north; 17th Street on the south; Adams Street on the east; and Topeka Blvd. on the west.

3. The proposed plan is based upon a market study that concluded that the area encompassed by the proposed District could support 900 new and rehabilitated housing units, 690,000 supportable square feet of retail space, 300,000 new and rehabilitated square feet of office space and over 200 new hotel rooms over the next ten years. The District shall consist of one (1) or more redevelopment project areas, which are anticipated to include a mix of all these uses including retail, restaurant, and other commercial uses with associated amenities, along with associated infrastructure.

4. A legal description and map of the proposed Redevelopment District are available for public inspection during regular office hours in the Office of the City Clerk, at Topeka City Hall, 215 SE 7th Street, Room 166, Topeka, Kansas.

5. At the public hearing, the Governing Body of the City will consider findings necessary for the establishment of the proposed Redevelopment District.

6. A copy of this Resolution shall be sent by certified mail, return receipt requested, to the Board of Commissioners of Shawnee County and the Board of Education for U.S.D. 501. Copies of this Resolution also shall be mailed by certified mail, return receipt requested, to each owner and occupant of land within the proposed Redevelopment District not more than 10 days following the date of adoption of this Resolution. This Resolution and the map of the proposed District shall be published once in the official City newspaper not less than one week or more than two weeks preceding the date fixed for the public hearing.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

_____

Michelle De La Isla, Mayor

ATTEST:

_____

Brenda Younger, City Clerk

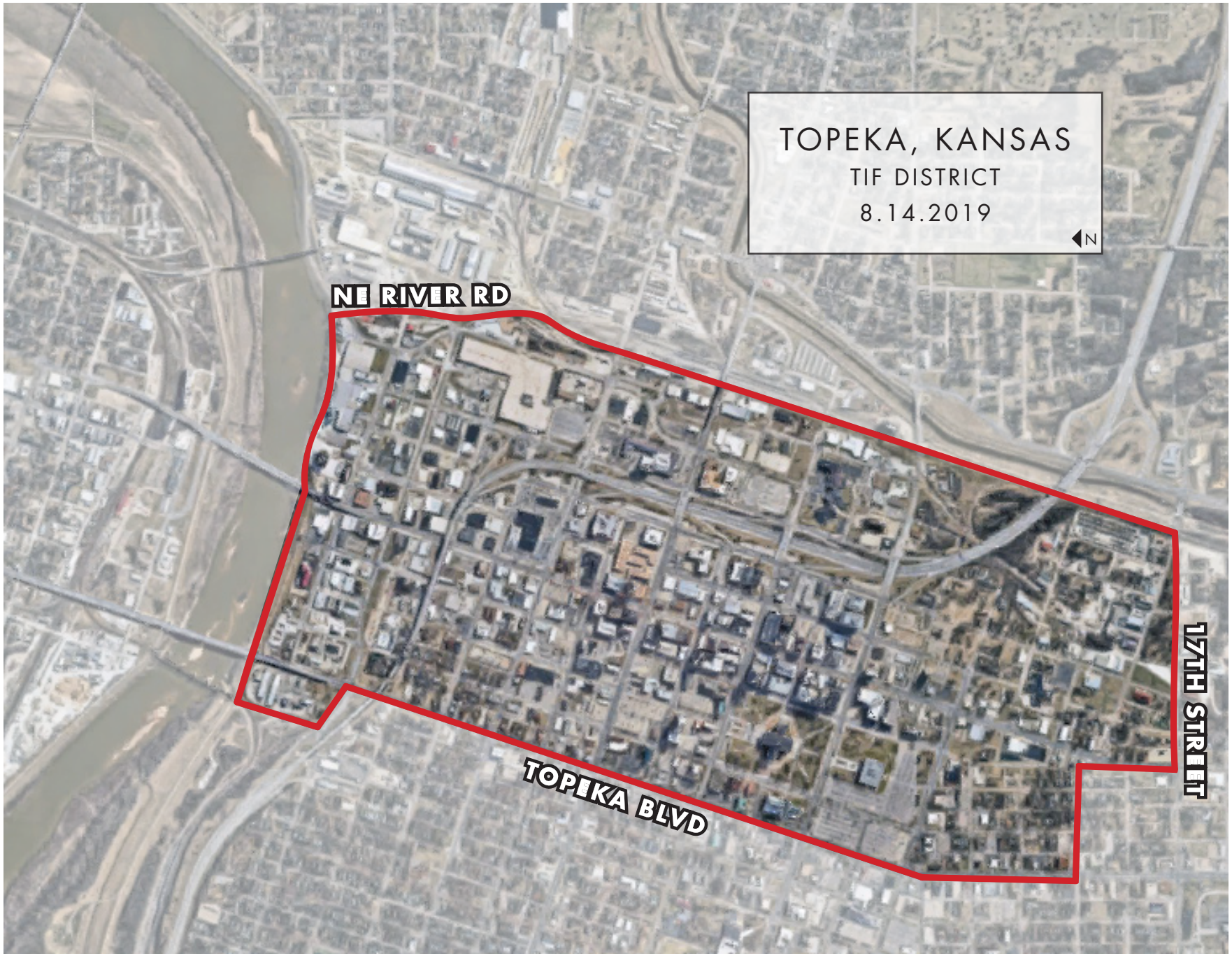

TOPEKA, KANSAS
TIF DISTRICT
8.14.2019
N
NE RIVER RD
TOPEKA BLVD
17TH STREET

EXHIBIT 'A'

PORTIONS OF THE SOUTHWEST QUARTER OF SECTION 29, PORTIONS OF THE SOUTHEAST QUARTER OF SECTION 30, PORTIONS OF THE NORTHWEST, SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTERS OF SECTION 31, PORTIONS OF THE NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 32, ALL IN TOWNSHIP 11 SOUTH, RANGE 16 EAST; PORTIONS OF THE NORTHWEST QUARTER OF SECTION 5, PORTIONS OF THE NORTHWEST AND NORTHEAST QUARTERS OF SECTION 6, ALL IN TOWNSHIP 12 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERN RIGHT OF WAY LINE OF SW KANSAS AVENUE AND SOUTHERN ORDINARY HIGH WATER LINE OF THE KANSAS RIVER, (AS LOCATED IN 2016); THENCE SOUTHERLY ALONG SAID EASTERN RIGHT OF WAY LINE TO THE INTERSECTION WITH THE CENTERLINE OF THE CONCRETE FLOOD PROTECTION WALL ALONG THE SOUTHERN SIDE OF THE KANSAS RIVER; THENCE EASTERLY ALONG SAID PROTECTION WALL TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EASTERLY 45 FEET WIDE RIGHT OF WAY LINE OF NE ADAMS STREET; THENCE SOUTH-SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF NE CRANE STREET; THENCE EASTERLY ALONG SAID NORTHERN RIGHT OF WAY LINE, 20 FEET, MORE OR LESS; THENCE SOUTH-SOUTHWESTERLY ALONG THE CENTER OF VACATED ADAMS STREET TO THE CENTERLINE OF NE 1ST STREET; THENCE SOUTH-SOUTHEASTERLY TO THE NORTHWEST CORNER OF LOT 217 (ON 1ST STREET) CRANE'S ADDITION; THENCE SOUTHEASTERLY TO A POINT 20 FEET WEST OF THE NORTHEAST CORNER OF LOT 14 (ON ADAMS STREET) CRANE'S ADDITION; THENCE SOUTHERLY TO THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF VACATED 2ND STREET, (ORDINANCE NO.552) AND THE NORTHERLY PROLONGATION OF THE EASTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET, (ORDINANCE NO. 552); THENCE SOUTH-SOUTHWESTERLY ALONG SAID PROLONGATED EASTERN RIGHT OF WAY LINE, 80 FEET TO THE SOUTHERN RIGHT OF WAY LINE OF SAID VACATED 2ND STREET; THENCE SOUTH-SOUTHWESTERLY TO THE SOUTHEAST CORNER OF LOT 71 (ON HOLLIDAY STREET) CRANE'S ADDITION, BEING THE WESTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET AND THE NORTHERN RIGHT OF WAY LINE OF VACATED 3RD STREET, (ORDINANCE NO. 2489); THENCE SOUTH-SOUTHWESTERLY ALONG THE PROLONGATION OF VACATED HOLLIDAY STREET TO THE NORTHEAST CORNER OF LOT 231 (ON 5TH STREET, VACATED ORDINANCE NO.333) HOLLIDAY ADDITION; THENCE SOUTH-SOUTHWESTERLY ALONG THE WESTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET, (VACATED ORDINANCE NO. 2362) AND IT'S SOUTH-SOUTHWESTERLY PROLONGATION, BEING 25 FEET, MORE OR LESS WEST OF THE BNSF RAILWAY COMPANY TRACK TO THE SOUTH RIGHT OF WAY LINE OF SE 17TH STREET; THENCE WEST ALONG THE SOUTH RIGHT OF WAY LINE OF SE 17TH STREET TO THE INTERSECTION WITH THE CENTERLINE OF SW KANSAS AVENUE; THENCE NORTH ALONG THE CENTERLINE OF SW KANSAS AVENUE TO THE INTERSECTION WITH THE CENTERLINE OF SW 15TH STREET; THENCE WEST ALONG THE CENTERLINE OF SW 15TH STREET TO THE INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD TO THE NORTH RIGHT OF WAY LINE OF SW HUNTOON STREET; THENCE NORTH-NORTHEASTERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD TO THE NORTHERN RIGHT OF WAY LINE OF SW 1ST STREET, BEING THE SOUTHEAST CORNER OF THE CITY OF TOPEKA MAINTENANCE FACILITY PROPERTY; THENCE WESTERLY ALONG SAID NORTHERN RIGHT OF WAY LINE 322 FEET, MORE OR LESS, TO THE EASTERN RIGHT OF WAY LINE OF SW TYLER STREET; THENCE NORTHERLY ALONG SAID EASTERN RIGHT OF WAY LINE, 441 FEET, MORE OR LESS, TO THE SOUTH LINE OF A PERMANENT RIGHT OF WAY EASEMENT RECORDED IN BOOK 4274, PAGE 567 IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEEDS; THENCE WESTERLY ALONG SAID SOUTH LINE, 135 FEET, MORE OR LESS, TO THE EASTERLY BOUNDARY LINE OF THE UNION PACIFIC RAILROAD, COMMON WITH SAID CITY OF TOPEKA MAINTENANCE FACILITY PROPERTY; THENCE NORTHERLY ALONG SAID COMMON LINE, A DISTANCE OF 658 FEET, MORE OR LESS, TO THE ORDINARY HIGH WATER LINE OF THE KANSAS RIVER, (AS LOCATED IN 2016); THENCE EASTERLY ALONG SAID SOUTHERLY ORDINARY HIGHT WATER LINE, 2197 FEET, MORE OR LESS TO THE PLACE OF BEGINNING.

EXCLUDING THE FOLLOWING; SEE ATTACHED EXHIBIT 'B'

PROPERTY DESCRIPTION	MAILING ADDRESS	
RITCHIE'S ADDITION , Lot 425 , QUINCY ST LOT 425 RITCHIES ADD SECTION 06 TOWNSHIP 12 RANGE 16	1229 SE QUINCY ST	Topeka, KS 66612
ORIGINAL TOWN , Lot 115 + , TENTH AVE EAST ALL LOTS 115-117-119 SECTION 31 TOWNSHIP 11 RANGE 16	123 SE 10TH AVE	Topeka, KS 66612
ORIGINAL TOWN, S31, T11, R16, Lot 104 +, TENTH AVE EAST LOTS 104-106-108-11 0-112-114-116-118-120	120 SE 10TH AVE	Topeka, KS 66612
ORIGINAL TOWN , Lot 307 , KANSAS AVE LOT 307 SECTION 31 TOWNSHIP 11 RANGE 16	919 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN, S31, T11, R16, Lot 295 +, QUINCY ST LOTS 295-297-299	909 SE QUINCY ST	Topeka, KS 66612
ORIGINAL TOWN, S31, T11, R16, Lot 305, KANSAS AVE S 9 INCHES OF LOT 301 ALL LOTS 303 & 305 SECTION 31 TOWNSHIP 11 RANGE 16	915 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN, S31, T11, R16, Lot 290 +, ACRES 0.26, KANSAS AVE LOTS 290- 292-294 ORIGINAL TOWN	900 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN , Lot 289 + , KANSAS AVE LOTS 289-291-293-295 SECTION 31 TOWNSHIP 11 RANGE 16	901 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN , Lot 274 , KANSAS AVE LOT 274 SECTION 31 TOWNSHIP 11 RANGE 16	820 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN , Lot 277 + , HARRISON ST LOT 277 LESS N 32INCHES THEREOFF & ALL LOTS 279 THRU 287 (ODD) & E1/2 VAC ALLEY TO SD LOT S SECTION 31 TOWNSHIP 11 RANGE 16	404 SW 9TH ST	Topeka, KS 66612
ORIGINAL TOWN, S31, T11, R16, Lot 108 +, ACRES 0.18, SE 8TH AVE LOTS 108-110 ALSO A TRACT DAF BEG 79.22' N SW COR LOT 112 TH NE 50.71 SE 25.02 SW 50.72 NW 25.02 TO POB	112 SE 8TH AVE	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 246, KANSAS AVE LOT 246 & 1' STRIP ALLEY LYING E OF LOT SECTION 31 TOWNSHIP 11 RANGE 16	728 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 247 , KANSAS AVE LOT 247 SECTION 31 TOWNSHIP 11 RANGE 16	731 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 238 , KANSAS AVE LOT 238 SECTION 31 TOWNSHIP 11 RANGE 16	720 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 236 , KANSAS AVE LOT 236 SECTION 31 TOWNSHIP 11 RANGE 16	718 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 233 + , LOTS 233-235-237 (ODD) ON KANSAS AV E & ADJ VAC ALLEY & W 10' KANSAS AV E ADJ TO LOTS 233 THRU 239 (ODD) SECTION 31 TOWNSHIP 11 RANGE 16	719 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 217 +, QUINCY ST E 50FT OF LOTS 217-219-221-223 & E 50FT OF N 15FT OF LOT 22 5 SECTION 31 TOWNSHIP 11 RANGE 16	707 SE QUINCY ST	Topeka, KS 66603
ORIGINAL TOWN , Lot 234 + , LOTS 234-236-238 & 240 ON JACKSON S T AKA UNIT 3 SECTION 31 TOWNSHIP 11 RANGE 16	716 SW JACKSON ST #3	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 218 +, KANSAS AVE LOTS 218-220-222-224 SECTION 31 TOWNSHIP 11 RANGE 16	700 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 221 +, KANSAS AVE LOTS 221-223 SECTION 31 TOWNSHIP 11 RANGE 16	705 S KANSAS AVE	Topeka, KS 66603
HOLLIDAY SUB , Lot 183 + , BEG 205.77' E OF NW COR LOT 169 TH E 114.85' S 154.20' W 58.16' N 57.6 8' W 17.22' S 3.27' W 30.7' N 2.95' W 9.04' N 97.26' TO POB SECTION 32 TOWNSHIP 11 RANGE 16	600 SE MADISON ST	Topeka, KS 66607
ORIGINAL TOWN, S31, T11, R16, Lot 121 +, 6TH AVE E LTS 121 THRU 131 (ODD #L TS) & N 1/2 VAC ALLEY SECTION 31 TOWNSHIP 11 RANGE 16	600 SE QUINCY ST	Topeka, KS 66603
ORIGINAL TOWN , Lot 117 + , SIXTH AVE EAST LOTS 117-119 SECTION 31 TOWNSHIP 11 RANGE 16	123 SE 6TH AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 115 , SIXTH AVE EAST LOT 115 SECTION 31 TOWNSHIP 11 RANGE 16	119 SE 6TH AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 111 , SE 6TH LOT 111 SECTION 31 TOWNSHIP 11 RANGE 16	115 SE 6TH AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 181 + , KANSAS AVE LOT 181 & 183 SECTION 31 TOWNSHIP 11 RANGE 16	601 S KANSAS AVE	Topeka, KS 66603
KEYWAY SUB , BLOCK U , Lot 1 + , BLK U LOTS 1 THRU 16 BLK Y LOTS 1 T HRU 18 PLUS VACATED 5TH S T BY ORD 11235 KEYWAY SUB SECTION 32 TOWNSHIP 11 RANGE 16	420 SE 6TH AVE	Topeka, KS 66607
ORIGINAL TOWN , Lot 141 + , KANSAS AVE LTS 141,143 SECTION 31 TOWNSHIP 11 RANGE 16	435 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 131 , KANSAS AVE LOT 131 SECTION 31 TOWNSHIP 11 RANGE 16	423 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 79 , KANSAS AVE LOT 79 SECTION 31 TOWNSHIP 11 RANGE 16	307 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 73 + , KANSAS AVE LT 73-75-77 LESS CONDO U NITS A B C D E F & OFFICE 1 SECTION 31 TOWNSHIP 11 RANGE 16	303 S KANSAS AVE	Topeka, KS 66603
S30 , T11 , R16 , POB NE COR HARRISON & 1ST ST, TH N 450.73, E 160.56, S 450.73, W 160.5 6 TO POB	320 SW 1ST ST	Topeka, KS 66603
ORIGINAL TOWN , UNIT A SELLS BROTHERS BUILDING LOFT ASSOCIATION INC CONDO SECTION 31 TOWNSHIP 11 RANGE 16	303 S KANSAS AVE #A	Topeka, KS 66603
S31 , T11 , R16 , UNIT B SELLS BROTHERS BUILDING LOFT ASSOCIATION INC CONDO	303 S KANSAS AVE #B	Topeka, KS 66603
S31 , T11 , R16 , UNIT C SELLS BROTHERS BUILDING LOFT ASSOCIATION INC CONDO	303 S KANSAS AVE #C	Topeka, KS 66603
S31 , T11 , R16 , UNIT D SELLS BROTHERS BUILDING LOFT ASSOCIATION INC CONDO	303 S KANSAS AVE #D	Topeka, KS 66603
ORIGINAL TOWN , UNIT E SELLS BOTHERS BUILDING LOFT ASSOC INC CONDO SECTION 31 TOWNSHIP 11 RANGE 16	303 S KANSAS AVE #E	Topeka, KS 66603
S31 , T11 , R16 , UNIT F SELLS BROTHERS BUILDING LOFT ASSOCIATION INC CONDO	303 S KANSAS AVE #F	Topeka, KS 66603
S31 , T11 , R16 , OFFICE 1 SELLS BROTHERS BUILDING LO FT ASSOCIATION INC CONDO	303 S KANSAS AVE #1	Topeka, KS 66603
ORIGINAL TOWN, Lot 225 +, ACRES 0.35, KANSAS AVE LOTS 225-227-229-231 LES S UNITS 401-402-403-404-301-302-305 -306	709 S KANSAS AVE #304	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 280, ACRES 0.09, KANSAS AVE LOT 280	826 S KANSAS AVE	Topeka, KS 66612
MILL BLOCK, S30, T11, R16, Lot 17, ACRES 0.1, BEG SW COR LOT 17 TH N 50.18 E 87 S 48(S) W 12(S) S .95 W 74.67 TO POB	115 N KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 343 +, ACRES 0.52, QUINCY ST S1/2 LOT 341 LESS W 20 & LOTS 343- 345-347-349-351-353-355 LESS BEG NW COR S 1/2 LOT 343 TH SE 20 SW 26.73 NW 20 NE 26.73 TO POB & LESS BEG SW COR LOT 355 NE 109.96 SE 20 SW 109.96 NW 20 TO P	1035 SE QUINCY ST	Topeka, KS 66612
ASSUMPTION CHURCH SUB, S31, T11, R16, BLOCK A, Lot 1, ACRES 0.5, BLK A LOT 1 ASSUMPTION CHURCH SUB	735 SW JACKSON ST	Topeka, KS 66603
WINTER PARK, S32, T11, R16, BLOCK A, Lot 1, ACRES 0.7, BLK A LOT 1 WINTER PARK SUB	135 SE JEFFERSON ST	Topeka, KS 66607

CITY OF TOPEKA

Dynamic Core Redevelopment District
Excerpt of Minutes

May 21, 2019 – Governing Body Meeting

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, May 21, 2019. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Ortiz, Emerson, Padilla, Jensen, Mays, Coen and Lesser -8. Deputy Mayor Clear presided -1. Absent: Mayor De La Isla -1.

DISCUSSION regarding the Dynamic Core Redevelopment District, a tax increment financing district (TIF) that would encompass the downtown area and North Topeka Arts District (NOTO) was presented.

Doug Gerber, Deputy City Manager, stated the intent of the discussion was to provide the opportunity to introduce the concept and answer questions before the proposal was considered by the Governing Body.

Vince Frye, Downtown Topeka Inc., President and Chief Executive Officer, provided an overview of the history of the proposed redevelopment zone as well as the types of businesses that could occupy the area.

Curtis Sneden, Topeka Chamber of Commerce Executive Vice President, stated the establishment of the district would grant Tax Increment Financing (TIF) in the Dynamic Core Redevelopment area. He highlighted the following:

Overview of the boundaries of the zone, as a result of numerous decisions with community leaders in downtown and NOTO as well as affected property owners and others.

The potential for growth in the Dynamic Core by establishing the district in advance setting a Base Value of the properties subject to development.

Overview of Opportunity zones through the layering of a TIF District with other incentives such as grants.

Councilmember Coen referenced the City of Overland Park and its approval of vast miles of TIF districts and questioned why Topeka was not including larger areas in proposed districts.

Curtis Sneden stated the boundaries were based on the redevelopment zone established in 1991; however, if the district was successful, the model could be used in other parts of the city.

Mike Morse, Downtown Topeka Inc. Board of Directors, expressed his appreciation to the Governing Body for continuing to support development in the downtown area and NOTO Arts District.

Councilmember Jensen asked when the base value incentive would be set within the TIF District.

Councilmember Emerson referenced the increase in property values over the past couple of years and questioned if setting a low base value for the TIF District would have an effect on

the City's General Fund. He asked if there was a way to "float" properties until a project and/or development plan was in place.

Doug Gerber stated the tax increment base value will be immediately secured upon establishment of the TIF District; TIF funds are restricted by state statute and usually deposited in a separate fund for a specific purpose; and properties could not be "floated" as the district has to be considered as a whole.

Brent Trout stated the City could potentially lose revenue in the General Fund; however, the district would benefit in other areas such as infrastructure improvements.

Councilmember Padilla asked if the TIF District would assist small business entrepreneurs and what fees are associated with the application.

Doug Gerber reported there are no prohibitions in regards to the size of a business; however, fundamentally, TIF districts were designed to benefit larger developments. He stated per the City's policy, there was a $5,000 application fee and a $30,000 retainer fee to cover the City's costs of evaluating the requests which may include, but not limited to, direct costs of the City's financial and legal advisors.

Councilmember Mays referenced government-owned buildings around the downtown area and questioned if the proposed TIF District would motivate the State and Federal governments to sell and/or privatize their buildings.

Councilmember Jensen asked if TIF district funds could be used to help improve parking issues downtown instead of remaining in a fund until a project plan was in place.

Councilmember Lesser asked if the City has the ability to establish a district and then begin to collect the incremental base tax when a project plan was in place.

Councilmember Hiller referenced the improvements already made to the downtown area that were financed through bonds and noted it was the intent of the Governing Body to use anticipated property taxes to help pay for the bonds. She questioned if the base value could be adjusted when the project starts; if the Governing Body would consider including a sunset clause; and if it was an incentive that would motivate developers.

Councilmember Emerson questioned how the sunset clause would affect property taxes.

Councilmember Mays asked if the base tax value could be reset if the TIF District was to sunset.

Curtis Sneden stated the sunset clause has not been discussed to date; however, they would be open to the concept.

In response, Doug Gerber stated the following:

The funds could be used for parking infrastructure improvements; however, the process would have to follow guidelines regulated by state statute.

In regards to consideration of a sunset clause, he would have to research the inquiries and report back to the Governing Body.

In reference to motivating developers, it was a different approach than the City was currently taking and he believes it could have a positive impact on economic development efforts.

State statute does not allow a change in the tax increment base once the district has been established.

Councilmember Jensen spoke in support of the proposal because it could provide funding for future infrastructure improvements as the downtown area grows.

June 11, 2019 - Governing Body Meeting

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, June 11, 2019. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Mays, Coen and Lesser -9. Mayor De La Isla presided -1.

Councilmember Ortiz moved to defer agenda items 4A, Discussion regarding the Dynamic Core Redevelopment District and 4B, Discussion regarding the 2015 Uniform Mechanical Code and Backflow/Cross Connection Ordinances; and extend the Governing Body meeting past 10:00 p.m. for the purpose of allowing public comment. The motion seconded by Councilmember Jensen carried. Councilmember Lesser voted "no." (8-1-0)

August 13, 2029 – Governing Body Meeting

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, August 13, 2019. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Mays, Coen and Lesser -9. Mayor De La Isla presided -1.

DISCUSSION regarding the Dynamic Core Redevelopment District, a tax increment financing district (TIF) that would encompass the downtown area and North Topeka Arts District (NOTO) was presented.

Doug Gerber, Deputy City Manager, distributed a document providing responses to questions asked by the Governing Body about the Dynamic Core TIF District.

Curtis Sneden, Greater Topeka Chamber of Commerce, thanked staff for their support in moving the project forward. He stated the goal of the district was to tap into potential development in the downtown area by establishing the boundaries and setting the base tax line for the area. He stated they would suggest a modified boundary to remove some of the residents along 17th Street and noted there was a process in place to redistribute the funds if needed if the district would not flourish. He noted because the Neighborhood Revitalization Act and TIF Districts could not be layered as economic development tools they are proposing to remove North Topeka Arts District (NOTO) from the district at this time with the intent to add NOTO at a later date.

Councilmember Lesser referenced small businesses and asked if there will be the option to add or remove parcels from the district once approved; and if renovation costs of existing buildings would be covered under district incentives.

Doug Gerber reported some renovation costs would be reimbursable.

Brent Trout referenced the market study and stated they would have the ability to add or remove parcels allowing them to accommodate large and small business developments.

Councilmember Jensen referenced recent downtown revitalization and the new Downtown Plaza and stated he believes this would be a good time to approve a TIF district. He stated the revenue could be used to upgrade infrastructure as well as other improvements in and around the downtown area to better accommodate community events.

Councilmember Hiller reported the proposed TIF District area was approved as an Enterprise District in 1991. She questioned if they should leave the area designated as an Enterprise District and accommodate business owners on a parcel basis. She cautioned against making small businesses and residents located in the proposed district ineligible for potential economic development tools.

Curtis Sneden stated the advantage of locking in a property tax base would be lost if the area was developed on a project-by-project basis.

Councilmember Mays stated he understands that certain economic development tools cannot be layered; however, there are other economic development opportunities that could be used in the community.

Vince Frye, Downtown Topeka Inc., stated the designation of a TIF district would provide guidance to developers on locations of building sites where incentives are offered.

REC'D TOPEKA CITY CLERK
'19 MAR 18 PM2:26

CITY OF TOPEKA
APPLICATION FOR TAX INCREMENG FINANCING (TIF) DISTRICT

The City's Tax Increment Financing (TIF) policy can be found at https://www.topeka.org. Complete all information and if necessary, please attach additional sheets to fully answer each question and include attachments described in Appendix 1.

Overview of Application Procedures

See the full "City of Topeka Tax Increment Financing District (TIF) Procedures" document at https://www.topeka.org.

Submission: The TIF Application Form, policies and procedures are available on the City's website at https://www.topeka.org or the City Clerk's Office. An electronic copy shall be submitted to the TIF Committee, together with the required fee. The completed application shall be submitted to the City Manager, 215 SE 7th Street, Topeka KS 66603 or cclerk@topeka.org.

Application Fee: Each application shall be accompanied with a non-refundable Application fee made payable to the City of Topeka. The Application fee will be used by the City to pay the costs incurred by the City in the review of the Application.

Application Fee: $5,000

Once the application is received and reviewed, if the project is proceeding, the City and developer shall execute a funding agreement for a deposit of $30,000 to cover the City's costs of evaluating the requests which may include but not necessarily be limited to direct costs of the City's financial and legal advisors.

Date of Application: 03/14/2019

1. Applicant Information

a. Company Name: Downtown Topeka, Inc. Phone: (785) 234-2844

Address: 719 S Kansas Ave. Topeka, KS 66603

Contact Person (if an entity): Vince Frye

Email: vince.frye@topekapartnership.com Fax :

Project Name: Dynamic Core Development District

b. Applicant's Legal Counsel Name: Bob Johnson Phone: (816) 753-1000

Address: 900 W 48th Place, Suite 900, Kansas City, MO 64112

Email: rjohnson@polsinelli.com Fax: (816) 753-1536

c. Applicant's Engineer: _____ Phone: _____

Address: _____

Email: _____ Fax: _____

2. Applicant's Business Information NOT APPLICABLE

In the appendix, provide attachments of relevant information on the Applicant's background and development experience. Include resumes of key individuals assigned to the project, as well as other projects completed, including location and contact persons from local governments and bank references. Also include a copy of the development company's organization structure.

Additional Business Information:

a. Corporation Partnership Sole Proprietorship Other

b. State of incorporation/organization and year: _____

c. If the Applicant is a corporation, list the officers, directors and stockholders holding more than 5% of the corporation's stock. (State the name, address, telephone and relationship to Applicant. If a company is not yet formed, include as much data as possible concerning potential officers, directors and stockholders): _____

_____

_____

_____

d. If the Applicant is a general partnership, list the general partners; and if a limited partnership, list the general partners and limited partners; with more than 5% of the partnership. (State the name, address, telephone and relationship to Applicant. If a partnership is not yet formed, include as much data as possible concerning potential partners): _____

_____

_____

_____

e. Has the Applicant, or any partner, officer, member or director of the Applicant; or any entity in which any partner, officer, member or director of the Applicant is or was a partner, officer, member or director, ever been charged with and/or convicted of a criminal offense (other than traffic violations) or charged by any regulatory agency with violations of financial or professional regulations?

Yes No

If yes, state the name of the business or individual, the caption of the proceeding, court and year in which it was filed, and its disposition and/or status: _____

_____

_____

f. Within the last ten (10) years, has the Applicant or any partner, officer, member or director of the Applicant; or any entity in which any partner, officer or director of the Applicant is or was a partner, officer, member or director, been a debtor in bankruptcy?

Yes No

If yes, state the name of the business or individual, the caption of the proceeding, the court and year in which it was filed, and its disposition and/or status: _____

_____

_____

g. Has the Applicant, or any officer, member, director, or partner of the Applicant; or any entity in which any partner, officer or director of the Applicant is or was a partner, officer, member or director, ever defaulted on any bond or mortgage commitment?

Yes No

If yes, state the name of business or individual, year and any relevant circumstances: _____

_____

_____

_____

h. *Attach a letter from a financial institution that the Applicant has sufficient financial resources to obtain a private financing of the project.*

3. General TIF Project Information

Include a map and additional project information in the Appendix as attachments if necessary.

a. Description of the underlying TIF ~~Project~~ District: The Dynamic Core Development District encompasses downtown Topeka and NOTO. It runs from Topeka Boulevard on the west to the BNSF railroad tracks on the east. It embodies several features which make Topeka a unique "Crossroads of Freedom," including the Brown v. Bd. National Historic Site, Constitutional Hall, the courtroom located on the third floor of the downtown post office which was the site of the Brown v. Bd. Federal district court trial and Papan's Landing . The proposed district corresponds roughly to the census tracts which were designated in 2018 as Federal Opportunity Zones. The availability of multiple layers of incentives is expected to draw developers and capital from across the city, state and country eager to take part in Topeka's renaissance.

b. General Location of TIF ~~Project~~ District: Attached - Downtown from 17th on the south to NOTO on the north: Topeka Blvd. to Adams

c. Total sq. feet in proposed District, excluding right of way and other common area:

d. Legal description of the proposed District: Attached

e. Number of Tracts, Parcels or Lots in proposed District:

f. Does Applicant own all the Property in the District? Yes [No]

If not, provide the name, address and phone number of the Owner(s) in the District and evidence of their willingness to participate in the Petition. Or if Applicant intends to own 100% of the property, provide evidence of site control (i.e. deed, option to purchase or purchase contract). Attached

g. Are all areas within the proposed District platted? [Yes] No

If yes, provide the County parcel ID numbers: Attached

If no, identify the number without County parcel ID numbers and the status of any pending plats:

h. If the project has current tenants or leases, please provide the contact information (business name; contact person; address, and phone number) for each:

Attached

i. Discuss the condition(s) that would qualify the proposed TIF District as an eligible area, as defined within Kansas State law. *If required, provide a blight study as an exhibit.*

The proposed district lies within the boundaries of an enterprise zone which was established prior to July 1, 1992, pursuant to K.S.A. 12-17,107 through 12-17,113, and amendments thereto. Pursuant to KSA 12-1770a (g) and (h), then, the district is an Eligible Area as defined within state law.

j. Is the property currently zoned for the proposed use? Yes **No**

If not, what zoning changes would be required?

Project specific.

k. Describe the impacts of the proposed development on the existing and proposed infrastructure and services including, but not limited to: water, sanitary sewer, storm water, solid waste, streets and schools. Please note that where available, City services shall be utilized.

Project specific but anticipated utility, fiber, road drainage, etc.

4. Financing NOT APPLICABLE

a. Description of TIF Project and costs to be financed and estimated cost for each component: *(Attach separate sheet in Appendix if necessary.)*

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

Total Estimated Cost of TIF Improvements $_____

b. Estimated cost of total project in which TIF is proposed: $_____

c. Proposed methods of financing. If more than one, please indicate:

(i) Property Tax (Pay-as-you-go) Yes No

(ii) Sales Tax (Pay-as-you-go) Yes No

(iii) Special Obligation Bonds: Yes No

5. Financing/Bonds: NOT APPLICABLE

a. Do you request the City issue special obligation bonds? Yes No

If yes, what is the requested term of the bonds? (maximum is 20 years): _____

b. Do you plan to use pay-as-you-go (maximum is 20 years)? Yes No

c. Estimated dates to commence and complete construction: _____

_____

d. Will there be a phasing plan? If so, describe the phasing plan including the proposed improvements, their estimated cost, and date construction of each will be commenced and complete: _____

_____

6. Additional Information: NOT APPLICABLE

Any additional information you believe is relevant or helpful to the consideration of this application. *You may also attach separate documentation.* _____

Please check the box if the petition includes the following requirements:

1.	General description of the proposed project	□
2.	Estimated cost of the project	□
3.	Proposed method of financing the project	□
4.	Proposed amount and method of assessment	□
5.	Map of the proposed district; and	□
6.	Legal description of the boundaries of the proposed district	□

APPENDIX to TIF APPLICATION

Documentation of the following will be helpful to the Finance Team:

- As required by Section 2, provide attachments of relevant information on the Applicant's background and development experience. Include resumes of key individuals assigned to the project, as well as other projects completed, including location and contact persons from local governments and bank references. Also, include a copy of the development company's organization structure.
- Evidence of site control.
- Financial information as outlined in the "Project Feasibility" section of the TIF Procedures document
- Approved site plans or plan submissions for the Project Plan area.
- Renderings of the project, if available.
- Any other data or information the Applicant deems pertinent to the City's consideration of the application.

Certification of Applicant

Applicant has received and reviewed the City's Tax Increment Financing Policy (Resolution 9016) and the Applicant understands and agrees to the terms of the policy, including payment of the required fees.

As of the date of the Applicant's execution of this application, to the best of the Applicant's knowledge, the information contained within this application is true and correct.

In witness whereof, the undersigned petitioners have executed the above foregoing petition to create the district at the dates set forth opposite their respective signatures below:

Downtown Topeka, Inc.
(Name of Business)

a not-for-profit company authorized to do business in Kansas
(Business Structure)

By: _____
Signature of Authorized Agent for Entity

Title: President, Downtown Topeka Inc.

Date: 3-14-19

(Add in a Notary Acknowledgement Page)

AFFIDAVIT

THE STATE OF Kansas)
) ss:
THE COUNTY OF Shawnee)

I, Vince Frye, being of lawful age, and having been first duly sworn upon my oath, do hereby state:

1. I am a resident of Topeka, Kansas.

2. As of the date set forth below, I have no financial interest and no entity in which I have any interest has any financial interest in any real property, located anywhere in the state of Kansas, that is delinquent on any special assessments, delinquent on any *ad valorem* taxes, or the subject of any federal, state, or local tax lien.

3. As of the date set forth below, I am not currently delinquent or in default and no entity in which I have any interest is currently delinquent or in default on any debts, responsibilities, or other obligations owed to the City of Topeka, Kansas.

Vince Frye

SUBSCRIBED AND SWORN before the undersigned on this 14 day of March, 2019.

Mary Ann Anderson
Notary Public

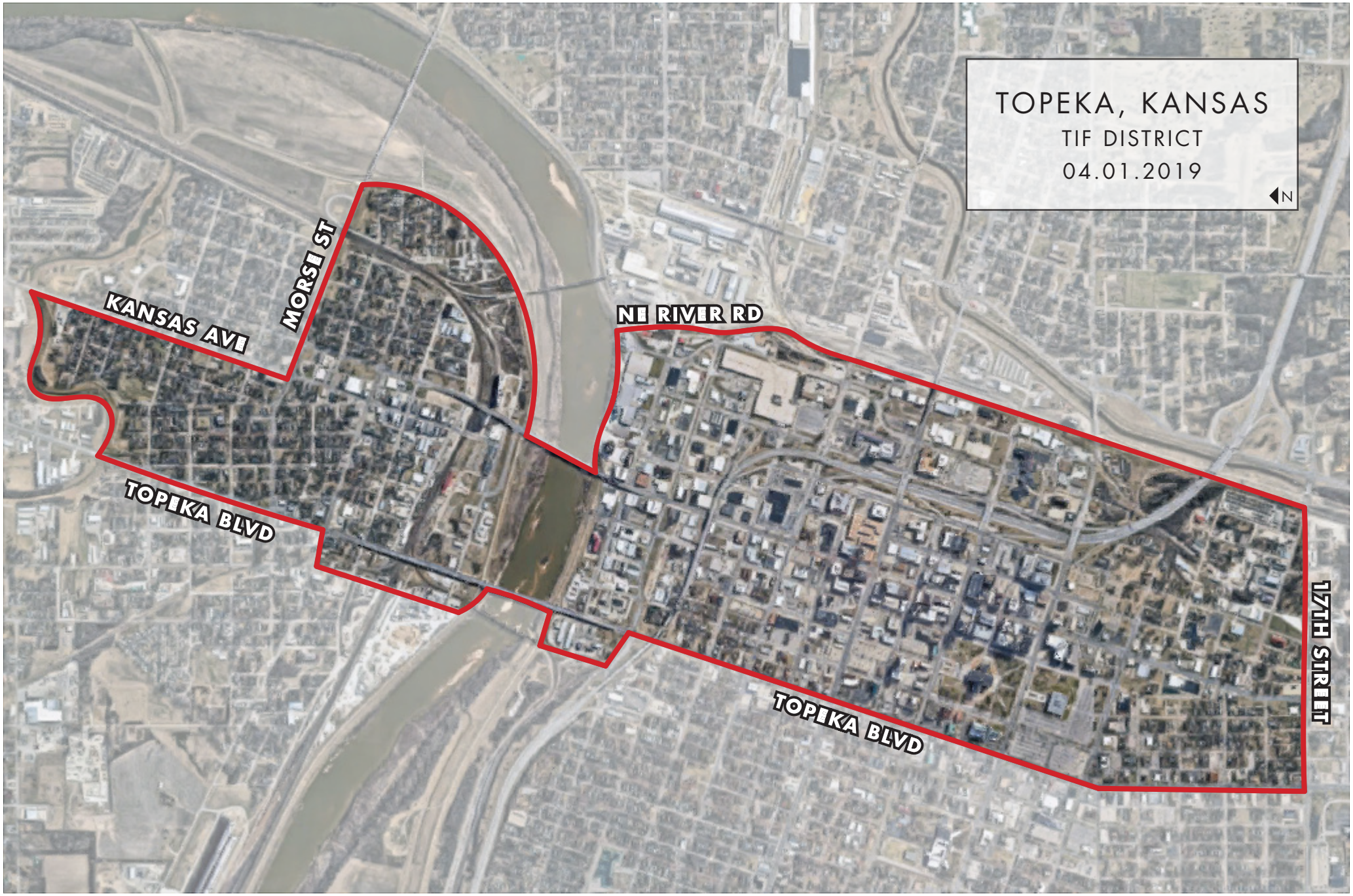
My Appointment Expires:

MARY ANN ANDERSON
NOTARY PUBLIC
STATE OF KANSAS
My Appt Exp: 7/28/2021

PORTIONS OF THE SOUTHEAST QUARTER OF SECTION 19, PORTIONS OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 20, PORTIONS OF THE NORTHWEST, NORTHEAST, SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 29, PORTIONS OF THE SOUTHEAST QUARTERS OF SECTION 30, PORTIONS OF THE NORTHWEST, SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTERS OF SECTION 31, PORTIONS OF NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 32, ALL IN TOWNSHIP 11 SOUTH, RANGE 16 EAST; PORTIONS OF NORTHWEST QUARTER OF SECTION 5, PORTIONS OF THE NORTHWEST AND NORTHEAST QUARTERS OF SECTION 6, ALL IN TOWNSHIP 12 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF N. KANSAS AVENUE AND NE MORSE STREET; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF NE MORSE STREET TO THE INTERSECTION WITH THE CENTERLINE OF THE EARTH LEVEE ALONG THE NORTHERN SIDE OF THE KANSAS RIVER; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE CENTERLINE OF SAID EARTH LEVEE TO THE EASTERN LIMITS OF THE KANSAS AVENUE BRIDGE; THENCE SOUTHWESTERLY ALONG THE EASTERN LIMITS OF THE KANSAS AVENUE BRIDGE TO THE CENTERLINE OF THE SOUTH TOPEKA UNIT FLOOD PROTECTION WALL; THENCE EASTERLY ALONG SAID CENTERLINE TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EASTERLY 45 FEET WIDE RIGHT OF WAY LINE OF NE ADAMS STREET; THENCE SOUTH-SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF NE CRANE STREET; THENCE EASTERLY ALONG SAID NORTHERN RIGHT OF WAY LINE, 20 FEET, MORE OR LESS; THENCE SOUTH-SOUTHWESTERLY ALONG THE CENTER OF VACATED ADAMS STREET TO THE CENTERLINE OF NE 1ST STREET; THENCE SOUTH-SOUTHEASTERLY TO THE NORTHWEST CORNER OF LOT 217 (ON 1ST STREET) CRANE'S ADDITION; THENCE SOUTHEASTERLY TO A POINT 20 FEET WEST OF THE NORTHEAST CORNER OF LOT 14 (ON ADAMS STREET) CRANE'S ADDITION; THENCE SOUTHERLY TO THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF VACATED 2ND STREET, (ORDINANCE NO.552) AND THE NORTHERLY PROLONGATION OF THE EASTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET, (ORDINANCE NO. 552); THENCE SOUTH-SOUTHWESTERLY ALONG SAID PROLONGATED EASTERN RIGHT OF WAY LINE, 80 FEET TO THE SOUTHERN RIGHT OF WAY LINE OF SAID VACATED 2ND STREET; THENCE SOUTH-SOUTHWESTERLY TO THE SOUTHEAST CORNER OF LOT 71 (ON HOLLIDAY STREET) CRANE'S ADDITION, BEING THE WESTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET AND THE NORTHERN RIGHT OF WAY LINE OF VACATED 3RD STREET, (ORDINANCE NO. 2489); THENCE SOUTH-SOUTHWESTERLY ALONG THE PROLONGATION OF VACATED HOLLIDAY STREET TO THE NORTHEAST CORNER OF LOT 231 (ON 5TH STREET, VACATED ORDINANCE NO.333) HOLLIDAY ADDITION; THENCE SOUTH-SOUTHWESTERLY ALONG THE WESTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET, (VACATED ORDINANCE NO. 2362) AND IT'S SOUTH-SOUTHWESTERLY PROLONGATION, BEING 25 FEET, MORE OR LESS WEST OF THE BNSF RAILWAY COMPANY TRACK TO THE SOUTH RIGHT OF WAY LINE OF SE 17TH STREET; THENCE WEST ALONG THE SOUTH RIGHT OF WAY LINE OF SE 17TH STREET TO THE WEST RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD TO THE NORTH RIGHT OF WAY LINE OF SW HUNTOON STREET; THENCE NORTH-NORTHEASTERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD TO THE NORTHERN RIGHT OF WAY LINE OF SW 1ST STREET, BEING THE SOUTHEAST CORNER OF THE CITY OF TOPEKA MAINTENANCE FACILITY PROPERTY; THENCE WESTERLY ALONG SAID NORTHERN RIGHT OF WAY LINE 322 FEET, MORE OR LESS, TO THE EASTERN RIGHT OF WAY LINE OF SW TYLER STREET; THENCE NORTHERLY ALONG SAID EASTERN RIGHT OF WAY LINE, 441 FEET, MORE OR LESS, TO SOUTH LINE OF A PERMANENT RIGHT OF WAY EASEMENT RECORDED IN BOOK 4274, PAGE 567 IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEEDS; THENCE WESTERLY ALONG SAID SOUTH LINE, 135 FEET, MORE OR LESS, TO THE EASTERLY BOUNDARY LINE OF THE UNION PACIFIC RAILROAD COMMON WITH SAID CITY OF TOPEKA MAINTENANCE FACILITY PROPERTY; THENCE NORTHERLY ALONG SAID

COMMON LINE, A DISTANCE OF 658 FEET, MORE OR LESS, TO THE ORDINARY HIGH WATER LINE OF THE KANSAS RIVER, (AS LOCATED IN 2016); THENCE EASTERLY ALONG SAID SOUTHERLY ORDINARY HIGHT WATER LINE, 343 FEET, MORE OR LESS TO THE WESTERLY RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD; THENCE NORTH-NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE CENTERLINE OF THE EARTH LEVEE ALONG THE NORTHERN SIDE OF THE KANSAS RIVER; THENCE WESTERLY ALONG THE CENTERLINE OF SAID EARTH LEVEE TO THE INTERSECTION WITH THE CENTERLINE OF NW TYLER STREET; THENCE NORTHERLY ALONG THE CENTERLINE OF NW TYLER STREET TO THE INTERSECTION WITH NW GORDON STREET; THENCE SOUTH-SOUTHEASTERLY ALONG THE CENTERLINE OF NW GORDON STREET TO THE INTERSECTION WITH THE CENTERLINE OF NW TOPEKA BOULEVARD; THENCE NORTH-NORTHEASTERLY ALONG THE CENTERLINE OF NW TOPEKA BOULEVARD TO THE INTERSECTION WITH THE CENTERLINE OF THE FORMER SOLDIER CREEK DRAINAGE WAY; THENCE EASTERLY ALONG THE MEANDER OF THE CURRENT DRAINAGE WAY TO THE INTERSECTION WITH CENTERLINE OF N. KANSAS AVENUE; THENCE SOUTH-SOUTHWESTERLY ALONG THE CENTERLINE OF N. KANSAS AVENUE TO THE PLACE OF BEGINNING.


TOPEKA, KANSAS
TIF DISTRICT
04.01.2019
N
KANSAS AVE
MORSE ST
NE RIVER RD
TOPEKA BLVD
TOPEKA BLVD
17TH STREET

QUICKREFID	OWNER NAME & MAILING	SITE ADDRESS	ZIP CO	MAILING ADDRESS	MAILING ADDRESS2	LANDUSE
R8928	KANSAS DEPARTMENT OF WILDLIFE AND PARKS	NW BELVOIR CT	66606	1020 S KANSAS AVE FL 2, STE 200	TOPEKA KS 66612-1389	9520-Game retreat / wildlife reserve / fishing preserve
R19697	REED PROPERTIES LLC	1230 NW CENTRAL AVE	66608	3205 NW 94TH ST	TOPEKA KS 66618	2102-Retail store
R23815	KANSAS DISTRICT OF THE WESLEYAN CHURCH INC	1201 NW CENTRAL AVE	66608	5833 SW 29TH ST STE B	TOPEKA KS 66614-5500	6610-Church / place of worship
R23822	SCHOENFELDT, STEVEN & CONNIE	1235 N KANSAS AVE	66608	1235 N KANSAS AVE	TOPEKA KS 66608-1245	2118-Car lot / used car dealership
R23823	MONTAGUE, GREG	115 NW GRANT ST	66608	1325 NW 35TH ST	TOPEKA KS 66618	1101-Single family residence (detached)
R23824	FOOTE, JUSTICE B & GILLUM, SHANNON D	1226 NW LOGAN ST	66608	1226 NW LOGAN ST	TOPEKA KS 66608-1348	1101-Single family residence (detached)
R23825	ANDREWS, KATHRYN E	1220 NW LOGAN ST	66608	1220 NW LOGAN ST	TOPEKA KS 66608-1348	1101-Single family residence (detached)
R23826	LAWRENCE, NANCY	1214 NW LOGAN ST	66608	1214 NW LOGAN ST	TOPEKA KS 66608-1348	1101-Single family residence (detached)
R23827	WEBB, DONALD D & MARIAN L	1212 NW LOGAN ST	66608	3641 SW DRURY LN	TOPEKA KS 66604-2549	1101-Single family residence (detached)
R23828	WEBB, DONALD D & MARIAN L	NW LOGAN ST	66608	3641 SW DRURY LN	TOPEKA KS 66604-2549	9910-Residential highest and best use
R23829	LUTTERMAN, ERIC J & YELENA	1206 NW LOGAN ST	66608	1214 NE QUINCY ST	TOPEKA KS 66608-1227	1101-Single family residence (detached)
R23830	ABLES, EMMETT L & JANICE K	1202 NW LOGAN ST	66608	1202 NW LOGAN ST	TOPEKA KS 66608-1348	1101-Single family residence (detached)
R23831	CITY OF TOPEKA	NW MORSE ST	66608	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9965-Institutional highest and best use
R23832	BECKWITH, LYNN	1209 N KANSAS AVE	66608	6690 KIMBERLY DR	OZAWKIE KS 66070-4097	3610-Warehouse distribution / storage facility
R23833	EBERT, JOSEPH R	1227 N KANSAS AVE	66608	5446 SW 12th TER APT 3	Topeka KS 66604	1101-Single family residence (detached)
R23834	BBMI INC	1229 N KANSAS AVE	66608	1824 S Kansas AVE	Topeka KS 66612-1435	1101-Single family residence (detached)
R23835	WELLS, ROBERT E & SUSAN J	1243 NE QUINCY ST	66608	1243 NE QUINCY ST	TOPEKA KS 66608-1226	1101-Single family residence (detached)
R23836	HUXMAN, MARK E JR & DONNA D & MARION E	117 NE GRANT ST	66608	117 NE GRANT ST	TOPEKA KS 66608-1206	1101-Single family residence (detached)
R23837	GILBERT, JAMES D & MARSHA S	1236 N KANSAS AVE	66608	1236 N KANSAS AVE	TOPEKA KS 66608	2102-Retail store
R23838	CAMPOS, ANGELITA	1230 N KANSAS AVE	66608	1230 N KANSAS AVE	TOPEKA KS 66608	1101-Single family residence (detached)
R23839	LEDFORD, PATRICK T & STACY A	1226 N KANSAS AVE	66608	4935 STONEBACK DR	LAWRENCE KS 66047-3341	1199-Accessory residential support use (garage/shed)
R23840	OGAZ, LUIS M	1222 N KANSAS AVE	66608	150 NW EVELYN ST	TOPEKA KS 66608	1101-Single family residence (detached)
R23841	DAVIS, EDWARD E & ROBERTA L	1216 N KANSAS AVE	66608	1220 NW HARRISON ST	TOPEKA KS 66608-1440	1199-Accessory residential support use (garage/shed)
R23842	THE TOPEKA RESCUE MISSION	1208 N KANSAS AVE	66608	600 N KANSAS AVE	TOPEKA KS 66608	6140-Technical / trade / specialty school
R23843	PENNINGTON, JERRY JOE	1200 N KANSAS AVE	66608	PO BOX 8310	TOPEKA KS 66608-0310	3610-Warehouse distribution / storage facility
R23844	PENNINGTON, JERRY JOE	1203 NE QUINCY ST	66608	PO BOX 8310	TOPEKA KS 66608-0310	9910-Residential highest and best use
R23845	CONNER, KAREN V & MINTON, PATRICIA	1215 NE QUINCY ST	66608	1215 NE QUINCY ST	TOPEKA KS 66608-1226	1101-Single family residence (detached)
R23846	RICHARDSON, CONNIE & WILSON, ALBERT C	1225 NE QUINCY ST	66608	1225 NE QUINCY ST	TOPEKA KS 66608	1101-Single family residence (detached)
R23847	RALLS, DANIEL E	1229 NE QUINCY ST	66608	3530 NE MERIDEN RD	TOPEKA KS 66617-2431	1101-Single family residence (detached)
R23848	WELLS, ROBERT E & SUSAN J	1233 NE QUINCY ST	66608	1243 NE QUINCY ST	TOPEKA KS 66608-1226	9910-Residential highest and best use
R23923	KAW VALLEY STATE BANK AND TRUST COMPANY	1110 N KANSAS AVE	66608	PO BOX 8009	TOPEKA KS 66608-0009	2210-Bank, credit union, or savings institution
R23924	KAW VALLEY STATE BANK AND TRUST COMPANY	N KANSAS AVE	66608	PO BOX 8009	TOPEKA KS 66608-0009	9950-Commercial highest and best use
R23925	STORMONT-VAIL HEALTHCARE INC	1130 N KANSAS AVE	66608	1500 SW 10TH AVE	TOPEKA KS 66604-1353	6511-Medical / dental office or clinic
R23926	RENFRO PROPERTIES LLC, RENFRO, BOB L & LOIS GENE & GARBARINO, MARY JO	1135 N KANSAS AVE	66608	507 MARINER ST	SILVER LAKE KS 66539-9610	9910-Residential highest and best use
R23927	VOTAW BARBARA A & JEFFREY R LEWIS	1134 NW CENTRAL AVE	66608	435 NE EDGEWOOD DR	TOPEKA KS 66617	1101-Single family residence (detached)
R23928	RENFRO PROPERTIES LLC	1132 NW CENTRAL AVE	66608	507 MARINER ST	SILVER LAKE KS 66539-9610	1101-Single family residence (detached)
R23929	RENFRO PROPERTIES LLC	1130 NW CENTRAL AVE	66608	507 MARINER ST	SILVER LAKE KS 66539-9610	1101-Single family residence (detached)
R23930	RENFRO PROPERTIES LLC	NW CENTRAL AVE	66608	507 MARINER ST	SILVER LAKE KS 66539-9610	9910-Residential highest and best use
R23931	RENFRO PROPERTIES LLC & RENFRO, DARYLE J	1128 NW CENTRAL AVE	66608	507 MARINER ST	SILVER LAKE KS 66539-9610	1101-Single family residence (detached)
R23932	SAYLER, DONALD A	1123 N KANSAS AVE	66608	1111 N KANSAS AVE	TOPEKA KS 66608	2118-Car lot / used car dealership
R23933	SAYLER, DONALD A & CHERYL L	1111 N KANSAS AVE	66608	404 NE INDEPENDENCE CT	TOPEKA KS 66608-2027	2118-Car lot / used car dealership
R23934	KILLINGSWORTH, MARIAN	1114 NW CENTRAL AVE	66608	1110 NW CENTRAL AVE	TOPEKA KS 66608	9910-Residential highest and best use
R23935	KILLINGSWORTH, MARIAN	1110 NW CENTRAL AVE	66608	1110 NW CENTRAL AVE	TOPEKA KS 66608	1101-Single family residence (detached)
R23936	DUNKIN, RICHARD D & DEBORAH L	1106 NW CENTRAL AVE	66608	136 NE 60TH ST	TOPEKA KS 66617-1685	2102-Retail store
R23937	SWOGGER, LEO GLENN	1101 N KANSAS AVE	66608	5815 SW TURNBERRY CT	TOPEKA KS 66614	2175-Service garage / paint shop / detailing
R23938	SWOGGER, GLENN JR M.D. REVOCABLE TRUST	1105 N KANSAS AVE	66608	5815 SW TURNBERRY CT	TOPEKA KS 66614-4169	9950-Commercial highest and best use
R23939	COTTONWOOD REAL ESTATE LLC	1127 N KANSAS AVE	66608	1127 N KANSAS AVE	TOPEKA KS 66608-1243	1101-Single family residence (detached)
R23940	RENFRO PROPERTIES LLC	1131 N KANSAS AVE	66608	507 MARINER ST	SILVER LAKE KS 66539-9610	1101-Single family residence (detached)
R23941	JCL CATTLE COMPANY LLC	1125 NW CENTRAL AVE	66608	1912 SW 33RD ST	TOPEKA KS 66611	1101-Single family residence (detached)
R310228	SOMERS, DALE L & LAUBER, GERALD W	NW CENTRAL AVE	66608	1912 SW 33RD ST	TOPEKA KS 66611	1199-Accessory residential support use (garage/shed)
R23942	STADLEY, LARRY L II	NW JACKSON ST	66608	1126 NW Jackson ST	Topeka KS 66608	9910-Residential highest and best use
R23943	STADLEY, LARRY L II	1126 NW JACKSON ST	66608	1126 NW Jackson ST	Topeka KS 66608	1101-Single family residence (detached)
R23944	CABELLO, ROBERTO & MERAZ, SILVIA	1122 NW JACKSON ST	66608	434 NE LIME ST	TOPEKA KS 66616-1129	1101-Single family residence (detached)
R23945	STADLEY, GLENDA G	1120 NW JACKSON ST	66608	1120 NW Jackson ST	Topeka KS 66608	1101-Single family residence (detached)
R23946	LEWIS, ROGER D JR	1118 NW JACKSON ST	66608	1022 SW BOSWELL AVE	TOPEKA KS 66604-1414	9910-Residential highest and best use
R23947	HOLMES, MARGARET C	1116 NW JACKSON ST	66608	5224 NW ARROYO CT	TOPEKA KS 66618-3152	1101-Single family residence (detached)
R23948	CL SERVICES LLC	1114 NW JACKSON ST	66608	Attn: LEONE HARRIES 5821 SW 22ND	TOPEKA KS 66614	1101-Single family residence (detached)
R23949	CL SERVICES LLC	1110 NW JACKSON ST	66608	Attn: LEONE HARRIES 5821 SW 22ND	TOPEKA KS 66614	1101-Single family residence (detached)
R23950	POPE, MERLE A & KAREN E	1106 NW JACKSON ST	66608	1303 NE MONROE ST	TOPEKA KS 66608-1152	1101-Single family residence (detached)
R23951	JP REO LLC	1102 NW JACKSON ST	66608	4445 CORPORATION LN STE 264	VIRGINIA BEACH VA 23462	1101-Single family residence (detached)
R23952	RAGSDALE, JEFFERY SCOTT	1103 NW CENTRAL AVE	66608	2517 SW Santa Fe CT	TOPEKA KS 66614	1101-Single family residence (detached)
R23953	MCGUIRE, MICHAEL & THOMAS, NORMA	1107 NW CENTRAL AVE	66608	1107 NW CENTRAL AVE	TOPEKA KS 66608	1101-Single family residence (detached)
R23954	HERCULES, VICTOR M	1109 NW CENTRAL AVE	66608	809 SW LINCOLN ST	TOPEKA KS 66606	1101-Single family residence (detached)
R23955	INTERNATIONAL CENTERS WORLDWIDE INC	1113 NW CENTRAL AVE	66608	PO BOX 4857	TOPEKA KS 66604-0857	1160-Manufactured home site
R23956	SIEBERT, STEPHEN THOMAS & BERNIECE C	1117 NW CENTRAL AVE	66608	1117 NW CENTRAL AVE	TOPEKA KS 66608-1311	1101-Single family residence (detached)

R24194	NICOL, MICHAEL R & C M & M D & LANE, MF & FLEMING, DR & LEES, MK & HOLLOWAY, SW,	920 NW VAN BUREN ST	66608 1339 NW 62nd ST	TOPEKA KS 66618	1101-Single family residence (detached)
R24195	ENGERT, JR LEO G	914 NW VAN BUREN ST	66608 920 NW VAN BUREN ST	TOPEKA KS 66608-1373	9910-Residential highest and best use
R24196	KENNEDY, ROBERT F & LANA L	220 NW LAURENT ST	66608 7051 SW QUEENS CT	TOPEKA KS 66614	9910-Residential highest and best use
R24197	DOMA LLC	218 NW LAURENT ST	66608 1301 N TOPEKA BLVD	TOPEKA KS 66608	1101-Single family residence (detached)
R24198	DOMA LLC	216 NW LAURENT ST	66608 1301 N TOPEKA BLVD	TOPEKA KS 66608	1101-Single family residence (detached)
R24199	CHAVEZ, MICHAEL L & JEANNE F	903 NW JACKSON ST	66608 2410 NE GRANTVILLE RD	TOPEKA KS 66608-1723	9910-Residential highest and best use
R24200	PEREZ, ELUTERIO D	909 NW JACKSON ST	66608 909 NW JACKSON ST	TOPEKA KS 66608-1332	1101-Single family residence (detached)
R24201	ANGEL-PEREZ, DANIEL & GARAY, BEATRIZ	913 NW JACKSON ST	66608 913 NW JACKSON ST	TOPEKA KS 66608	1101-Single family residence (detached)
R24202	ROGERS MARGARET A TRUST	917 NW JACKSON ST	66608 917 NW JACKSON ST	TOPEKA KS 66608-1332	1101-Single family residence (detached)
R24203	GONZALES, JAVIER & LETICIA	919 NW JACKSON ST	66608 919 NW JACKSON ST	TOPEKA KS 66608-1332	1101-Single family residence (detached)
R24204	NORTH TOPEKA BAPTIST CHURCH	923 NW JACKSON ST	66608 PO BOX 8183	TOPEKA KS 66608-0183	6610-Church / place of worship
R24205	NORTH TOPEKA BAPTIST CHURCH	927 NW JACKSON ST	66608 PO BOX 8183	TOPEKA KS 66608-0183	6610-Church / place of worship
R24206	MASSEY, BILLY S & WILLIAM G	931 NW VAN BUREN ST	66608 9249 VALLEY VIEW DR	OZAWKIE KS 66070	1180-Dwelling converted to apartments
R24207	RAMIREZ, CARMEN GONZALES & LUISA J	927 NW VAN BUREN ST	66608 927 NW VAN BUREN ST	TOPEKA KS 66608-1374	1101-Single family residence (detached)
R24208	MILLER, FRANK E	923 NW VAN BUREN ST	66608 923 NW VAN BUREN ST	TOPEKA KS 66608-1374	1101-Single family residence (detached)
R24209	MASSEY, WILLIAM & ZENA	919 NW VAN BUREN ST	66608 919 NW VAN BUREN ST	TOPEKA KS 66608	1101-Single family residence (detached)
R24210	MERILLAT INC	NW VAN BUREN ST	66608 PO BOX 378	TOPEKA KS 66601-0378	9910-Residential highest and best use
R24211	MERILLAT INC	905 NW VAN BUREN ST	66608 PO BOX 378	TOPEKA KS 66601-0378	3400-Miscellaneous manufacturing
R24212	SAUCEDO-GARCIA, M L ALBERTO	835 NW VAN BUREN ST	66608 835 NW VAN BUREN ST	TOPEKA KS 66608	3610-Warehouse distribution / storage facility
R24213	NORRIS STREET INVESTMENTS LLC	310 NW NORRIS ST	66608 PO BOX 8066	TOPEKA KS 66608	3216-Millwork / veneer / plywood mfg.
R24214	QUINN, CHARLES M	311 NW LAURENT ST	66608 802 E FRONT ST	PERRY KS 66073	1101-Single family residence (detached)
R24215	GRACE, FRANK P	833 NW JACKSON ST	66608 PO BOX 8814	TOPEKA KS 66608-0814	1180-Dwelling converted to apartments
R24216	KECK, GERALD L & GERALD L JR	215 NW LAURENT ST	66608 1515 NW 3RD ST	ABILENE KS 67410-3513	2102-Retail store
R24217	GRACE, FRANK P	225 NW LAURENT ST	66608 PO BOX 8814	TOPEKA KS 66608-0814	1101-Single family residence (detached)
R24218	GRACE, FRANK P	840 NW VAN BUREN ST	66608 PO BOX 8814	TOPEKA KS 66608-0814	1101-Single family residence (detached)
R24219	KECK, GERALD L SR	0000 NW VAN BUREN ST	66608 300 N CEDAR ST APT 304	ABILENE KS 67410-2606	2102-Retail store
R24220	NORRIS STREET INVESTMENTS LLC	NW VAN BUREN ST	66608 PO BOX 8066	TOPEKA KS 66608	9950-Commercial highest and best use
R24221	TRUSTEES OF THE CARPENTERS JOINT TRAINING FUND OF ST LOUIS	212 NW NORRIS ST	66608 1401 HAMPTON	ST LOUIS MO 63139	6810-Union hall / labor / political organization
R24222	THE TOPEKA RESCUE MISSION	206 NW NORRIS ST	66608 600 N KANSAS AVE	TOPEKA KS 66608	3630-Warehouse-retail combination
R24223	PENNINGTON, JERRY	807 NW JACKSON ST	66608 PO BOX 8310	TOPEKA KS 66608	9950-Commercial highest and best use
R24224	PENNINGTON, JERRY J	815 NW JACKSON ST	66608 PO BOX 8310	TOPEKA KS 66608-0310	3610-Warehouse distribution / storage facility
R24225	LOPEZ, GABRIELA	823 NW JACKSON ST	66608 823 NW JACKSON ST	TOPEKA KS 66608	1101-Single family residence (detached)
R24226	GONZALEZ, RAMIRO G & HERNANDEZ PEREZ, ORFELINDA	825 NW JACKSON ST	66608 825 NW JACKSON ST	TOPEKA KS 66608-1330	1101-Single family residence (detached)
R24227	HOWE, MARY G	829 NW JACKSON ST	66608 1125 S 86TH ST	KANSAS CITY KS 66111	1101-Single family residence (detached)
R24228	ROBUCK JEWELERS LLC	845 N KANSAS AVE	66608 845 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24229	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	109 NW LAURENT ST	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24230	KNOX, WILLIAM R & PORTER-KNOX, JAMIE K	115 NW LAURENT ST	66608 209 SW FRANKLIN AVE	TOPEKA KS 66606-1326	3630-Warehouse-retail combination
R24231	KNOX, WILLIAM R	832 NW JACKSON ST	66608 209 SW FRANKLIN AVE	TOPEKA KS 66606-1326	1101-Single family residence (detached)
R24232	KNOX, WILLIAM R & PORTER-KNOX, JAMIE K	830 NW JACKSON ST	66608 209 SW FRANKLIN AVE	TOPEKA KS 66606-1326	3610-Warehouse distribution / storage facility
R24233	VANCE, LARRY V & DIANA L	828 NW JACKSON ST	66608 4610 NW 62ND ST	TOPEKA KS 66618-3065	9950-Commercial highest and best use
R24234	KNOX, WILLIAM R	822 NW JACKSON ST	66608 209 SW FRANKLIN AVE	TOPEKA KS 66606-1326	1101-Single family residence (detached)
R24235	PENNINGTON, JERRY J	818 NW JACKSON ST	66608 PO BOX 8310	TOPEKA KS 66608-0310	3342-Steel fabrication
R24236	PENNINGTON, JERRY J	116 NW NORRIS ST	66608 116 NW NORRIS ST	TOPEKA KS 66608-1354	3342-Steel fabrication
R24237	CUBIE, DEANA S & ALEX P	122 NW NORRIS ST	66608 3911 NW 44TH TER	TOPEKA KS 66618-3513	3640-Warehouse-office combination
R24238	MILLER, WILLIAM C & AMY L	801 N KANSAS AVE	66608 6021 NW GLENWOOD DR	TOPEKA KS 66617	2101-Downtown row store
R24239	VANCE RENTAL PROPERTIES INC	805 N KANSAS AVE	66608 813 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24240	VANCE RENTAL PROPERTIES INC	813 N KANSAS AVE	66608 813 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24241	VANCE RENTAL PROPERTIES INC	817 N KANSAS AVE	66608 813 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24242	BROWN, GARY W & JOYCE E	821 N KANSAS AVE	66608 1055 E 251 DIAGONAL RD	LAWRENCE KS 66047	2101-Downtown row store
R24243	LINDEMUTH INC	823 N KANSAS AVE	66608 4350 NW GREEN HILLS PL	TOPEKA KS 66618-1631	2101-Downtown row store
R24244	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	831 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24245	PBA LLC	833 N KANSAS AVE	66608 508 NW 62ND ST	TOPEKA KS 66617	2101-Downtown row store
R24246	JACKSON DAVID D & ANNETTE L & GLASGOW JERRY W & LINDA L	835 N KANSAS AVE	66608 1933 NW LOWER SILVER LAKE RD	TOPEKA KS 66608-1631	2101-Downtown row store
R24247	TYLER PROPERTIES LLC	837 N KANSAS AVE	66608 631 NW TYLER CT STE 301	TOPEKA KS 66608-1799	2101-Downtown row store
R24248	RODBROWN LLC	839 N KANSAS AVE	66608 7481 74TH ST	MERIDEN KS 66512	2101-Downtown row store
R24249	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	841 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24250	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	118 NE NORRIS ST	66608 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	2650-Parking Lot (uncovered)
R24251	CHITAS INC	844 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24252	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	842 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24253	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	842 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24254	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	840 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24255	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	838 N KANSAS AVE	66608 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9950-Commercial highest and best use
R24256	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	834 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101-Downtown row store
R24257	RUDY PROPERTY MANAGEMENT LLC	830 N KANSAS AVE	66608 4911 SE 10TH ST	TECUMSEH KS 66542	2101-Downtown row store
R24258	RUDY PROPERTY MANAGEMENT LLC	828 N KANSAS AVE	66608 4911 SE 10TH ST	TECUMSEH KS 66542	2101-Downtown row store
R24259	JACKSON DAVID D & ANNETTE L & GLASGOW JERRY W & LINDA L	826 N KANSAS AVE	66608 1735 N KANSAS AVE	TOPEKA KS 66608-1254	2101-Downtown row store

R24799	WHITELEYS INC	301 NW NORRIS ST	66608	211 NW NORRIS ST	TOPEKA KS 66608-1378	3640-Warehouse-office combination
R24823	THE TOPEKA RESCUE MISSION	621 NW HARRISON ST	66608	600 N KANSAS AVE	TOPEKA KS 66608	9910-Residential highest and best use
R24824	TOPEKA RESCUE MISSION INC	630 NW TOPEKA BLVD	66608	PO BOX 8350	TOPEKA KS 66608-0350	9950-Commercial highest and best use
R24825	TOPEKA RESCUE MISSION	606 NW TOPEKA BLVD	66608	600 N KANSAS AVE	TOPEKA KS 66608	6110-Nursery / kindergarten / preschool
R24826	TOPEKA RESCUE MISSION	601 NW HARRISON ST	66608	600 N KANSAS AVE	TOPEKA KS 66608	6110-Nursery / kindergarten / preschool
R24827	TOPEKA RESCUE MISSION	615 NW HARRISON ST	66608	600 N KANSAS AVE	TOPEKA KS 66608	9910-Residential highest and best use
R24828	RAILROAD HERITAGE INC	620 NW HARRISON ST	66608	200 NW RAILROAD ST	TOPEKA KS 66608-1268	5210-Museum / science & technology center
R24829	CITY OF TOPEKA	324 NW CURTIS ST	66608	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9910-Residential highest and best use
R24830	RAILROAD HERITAGE INC	320 NW CURTIS ST	66608	PO BOX 8792	TOPEKA KS 66608-0792	3610-Warehouse distribution / storage facility
R24831	RAILROAD HERITAGE INC	200 NW RAILROAD ST	66608	PO BOX 8792	TOPEKA KS 66608-0792	5210-Museum / science & technology center
R24882	KANSAS DEPARTMENT OF WILDLIFE AND PARKS	SW 1ST ST	66603	1020 S KANSAS AVE FL 2, STE 200	TOPEKA KS 66612-1389	9520-Game retreat / wildlife reserve / fishing preserve
R25245	CITY OF TOPEKA	601 NW JACKSON ST	66608	620 SE Madison ST STE 203	TOPEKA KS 66607-1118	3610-Warehouse distribution / storage facility
R25246	RAILROAD HERITAGE INC	500 NW VAN BUREN ST	66608	200 NW RAILROAD ST	TOPEKA KS 66608-1268	5210-Museum / science & technology center
R25247	CITY OF TOPEKA	225 NW CURTIS ST	66608	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	3640-Warehouse-office combination
R25248	CITY OF TOPEKA	N KANSAS AVE	66608	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9950-Commercial highest and best use
R25249	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	409 NW CURTIS ST	66608	200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9950-Commercial highest and best use
R25250	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	415 NW CURTIS ST	66608	200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9950-Commercial highest and best use
R25251	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	417 NW CURTIS ST	66608	200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9950-Commercial highest and best use
R25252	CITY OF TOPEKA	NW CURTIS ST	66608	216 SE 6TH AVE	TOPEKA KS 66603	9950-Commercial highest and best use
R25253	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	520 NW TOPEKA BLVD	66608	200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9910-Residential highest and best use
R25259	CITY OF TOPEKA	NW POLK ST	66608	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9965-Institutional highest and best use
R25260	CITY OF TOPEKA	201 NW TOPEKA BLVD	66603	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	4000-Transportation / communication / information / utilities
R25262	CITY OF TOPEKA	NW TYLER ST	66603	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	4000-Transportation / communication / information / utilities
R25264	CITY OF TOPEKA	322 NW CRANE ST	66603	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	6000-Education / public admin / health care / other institutions
R25265	DEGGINGER FOUNDRY INC	436 NE CRANE ST	66603	436 NE Crane ST	Topeka KS 66603	3332-Glass / glassware products mfg
R25266	TOPEKA METROPOLITAN TRANSIT AUTHORITY	200 N KANSAS AVE	66603	201 N KANSAS AVE	TOPEKA KS 66603-3622	4133-Local transit systems - bus/special needs/other
R25267	TKG 125 LLC	125 N KANSAS AVE	66603	2420 SW DUANE ST	TOPEKA KS 66606	3610-Warehouse distribution / storage facility
R25268	M & D CLASSICS STORAGE LLC	129 N KANSAS AVE	66603	1808 FOXFIRE DR	LAWRENCE KS 66047-2015	3630-Warehouse-retail combination
R25269	JONES, WILLIAM H TRUST	126 NW JACKSON ST	66603	PO BOX 385	TOPEKA KS 66603	3640-Warehouse-office combination
R25270	JONES, WILLIAM H TRUST	NW JACKSON ST	66603	PO BOX 385	TOPEKA KS 66603	3640-Warehouse-office combination
R25271	JONES, WILLIAM H TRUST	100 NW JACKSON ST #5	66603	PO BOX 385	TOPEKA KS 66603	3610-Warehouse distribution / storage facility
R25272	101 N KANSAS LLC	101 N KANSAS AVE	66603	3718 SW STONEBRIDGE CT	TOPEKA KS 66610	3610-Warehouse distribution / storage facility
R25273	109 N KANSAS LLC	109 N KANSAS AVE	66603	906 S Kansas AVE STE 200	Topeka KS 66612-1211	3630-Warehouse-retail combination
R25274	JT & DV INVESTMENTS LLC	121 N KANSAS AVE	66603	5324 NW MELBA DRIVE CT	TOPEKA KS 66618-3269	3610-Warehouse distribution / storage facility
R25275	JTJ VENTURES INC	115 N KANSAS AVE	66603	109 N KANSAS AVE	TOPEKA KS 66603	3610-Warehouse distribution / storage facility
R323521	FOX, MICHAEL R TRUST	115 N KANSAS AVE	66603	531 NW TYLER CT	TOPEKA KS 66608-1834	1150-Apartment unit (single family - e.g. condo unit)
R25276	J T LARDNER CUT STONE LLC	123 NW JACKSON ST	66603	128 NW VAN BUREN ST	TOPEKA KS 66603-3316	3610-Warehouse distribution / storage facility
R25277	J T LARDNER CUT STONE LLC	134 NW VAN BUREN ST	66603	128 NW VAN BUREN ST	TOPEKA KS 66603-3316	3610-Warehouse distribution / storage facility
R25278	J T LARDNER CUT STONE LLC	132 NW VAN BUREN ST	66603	128 NW VAN BUREN ST	TOPEKA KS 66603-3316	3335-Cut stone and stone products mfg
R25279	KUEHNE, FRED J	114 NW VAN BUREN ST	66603	115 NW VAN BUREN ST	TOPEKA KS 66603-3315	3115-Beverage products mfg
R25280	LISKA, DONALD E	218 SW 1ST ST	66603	2849 SW HEREFORDSHIRE RD	TOPEKA KS 66614-4725	3230-Furniture and related products mfg
R25281	LEVIN, JOHN G	109 NW JACKSON ST	66603	115 NW VAN BUREN ST	TOPEKA KS 66603-3315	3630-Warehouse-retail combination
R25282	ASSOCIATED INVESTMENTS LLC	115 NW JACKSON ST	66603	170 GLENVIEW WEST	LAKE QUIVIRA KS 66217	3630-Warehouse-retail combination
R25283	SHELINBARGER, BOB D & DEBRA R TRUST	117 NW JACKSON ST	66603	14426 MEADOW CT	OVERLAND PARK KS 66224-396	3610-Warehouse distribution / storage facility
R25284	MJM OF TOPEKA LLC	127 NW VAN BUREN ST	66603	127 NW VAN BUREN ST	TOPEKA KS 66603-3315	2321-Mini-storage warehouse / self-storage
R25285	J T LARDNER CUT STONE LLC	320 SW 1ST ST	66603	128 NW VAN BUREN ST	TOPEKA KS 66603-3316	3640-Warehouse-office combination
R25286	LEVIN, JOHN G & JOAN RIVERS	306 SW 1ST ST	66603	115 NW VAN BUREN ST	TOPEKA KS 66603	3610-Warehouse distribution / storage facility
R25287	HANDLEY, SCOTTIE J & MELISSA J	300 SW 1ST ST	66603	300 SW 1ST ST	TOPEKA KS 66603	3610-Warehouse distribution / storage facility
R25288	LEVIN, JOHN G & JOAN RIVERS	115 NW VAN BUREN ST	66603	115 NW VAN BUREN ST	TOPEKA KS 66603	3630-Warehouse-retail combination
R25289	VANBUREN PROPERTY LLC	117 NW VAN BUREN ST	66603	1048 Brianna CT	Manhattan KS 66503	3610-Warehouse distribution / storage facility
R25290	FIRST AVENUE LEASING LLC	139 NW HARRISON ST	66603	3545 SW 6TH AVE	TOPEKA KS 66606-1985	3610-Warehouse distribution / storage facility
R25291	ROTHFUSS REAL ESTATE LLC	430 SW 1ST ST	66603	430 SW 1ST ST	TOPEKA KS 66603	3640-Warehouse-office combination
R25292	USA POSTAL SERVICE	400 SW 1ST ST	66603	500 SW GARY ORMSBY DR	TOPEKA KS 66624-9998	2175-Service garage / paint shop / detailing
R25293	A & A MEDICAL TRANSPORTATION INC	135 NW HARRISON ST	66603	135 NW HARRISON ST	TOPEKA KS 66603-3013	2175-Service garage / paint shop / detailing
R25314	CARVER, CHARLES G	115 SW HARRISON ST	66603	PO BOX 2605	TOPEKA KS 66601-2605	1101-Single family residence (detached)
R25318	CGC LLC	125 SW HARRISON ST	66603	PO BOX 2605	TOPEKA KS 66601-2605	1101-Single family residence (detached)
R25319	CGC LLC	127 SW HARRISON ST	66603	PO BOX 2605	TOPEKA KS 66601-2605	1101-Single family residence (detached)
R25320	CITY OF TOPEKA	100 SW VAN BUREN ST	66603	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2650-Parking Lot (uncovered)
R25322	SHAWNEE WOODWORK INC	103 SW VAN BUREN ST	66603	PO BOX 633	TOPEKA KS 66601-0633	3610-Warehouse distribution / storage facility
R25323	SHAWNEE WOODWORK INC	112 SW HARRISON ST	66603	PO BOX 633	TOPEKA KS 66601-0633	3230-Furniture and related products mfg
R25324	HUTTON, CHRIS A & SUSAN D	124 SW HARRISON ST	66603	201 SW TOPEKA BLVD	TOPEKA KS 66603-3059	3610-Warehouse distribution / storage facility
R25326	CGC LLC	128 SW HARRISON ST	66603	PO BOX 2605	TOPEKA KS 66601-2605	1101-Single family residence (detached)
R25327	YOUNG, CHRISTOPHER	130 SW HARRISON ST	66603	130 SW HARRISON ST	TOPEKA KS 66603	1102-Duplex
R25328	DURST, ROBERT D JR	308 SW 2ND ST	66603	1706 SW 10TH AVE	TOPEKA KS 66604-1306	1101-Single family residence (detached)
R25329	HESTING, BARBARA A TRUST	135 SW VAN BUREN ST	66603	19385 Edgerton RD	Edgerton KS 66021-9724	1101-Single family residence (detached)
R25330	HESTING, BARBARA A TRUST	133 SW VAN BUREN ST	66603	19385 Edgerton RD	Edgerton KS 66021-9724	1101-Single family residence (detached)

R25416	SANDERS, JAMES N & DONNA M	221 SW VAN BUREN ST	66603	1625 SW 26TH ST	TOPEKA KS 66611-1332	1180-Dwelling converted to apartments
R25417	SANDERS, JAMES N & DONNA M	225 SW VAN BUREN ST	66603	1625 SW 26TH ST	TOPEKA KS 66611-1332	1180-Dwelling converted to apartments
R25418	SANDERS, JAMES	213 SW VAN BUREN ST	66603	1625 SW 26th ST	TOPEKA KS 66611-1332	1101-Single family residence (detached)
R25419	SANDERS, JAMES	209 SW VAN BUREN ST	66603	1625 SW 26th ST	TOPEKA KS 66611-1332	1101-Single family residence (detached)
R25420	SANDERS, JAMES N & DONNA M	207 SW VAN BUREN ST	66603	1625 SW 26TH ST	TOPEKA KS 66611-1332	1101-Single family residence (detached)
R25421	CGC LLC	205 SW VAN BUREN ST	66603	PO BOX 2605	TOPEKA KS 66601-2605	1101-Single family residence (detached)
R25422	KDL INC	213 SW JACKSON ST	66603	4125 SW GAGE DR STE 204	TOPEKA KS 66604-1806	3610-Warehouse distribution / storage facility
R25423	ST JOSEPH CATHOLIC CHURCH	226 SW VAN BUREN ST	66603	227 SW VAN BUREN ST	TOPEKA KS 66603-3319	6610-Church / place of worship
R25424	KDL INC	225 SW JACKSON ST	66603	4125 SW GAGE DR STE 204	TOPEKA KS 66604-1806	3610-Warehouse distribution / storage facility
R25425	PAUL PROPERTIES LLC	201 S KANSAS AVE	66603	201 S KANSAS AVE	TOPEKA KS 66603	2101-Downtown row store
R25426	KDL INC	200 SW JACKSON ST	66603	4125 SW GAGE DR STE 204	TOPEKA KS 66604-1806	3610-Warehouse distribution / storage facility
R25427	LINDEMUTH INC	235 S KANSAS AVE	66603	4350 NW GREEN HILLS PL	TOPEKA KS 66618-1631	2401-General office buildings (1-4 stories)
R25428	HCFN TITLE HOLDING CORPORATION	215 SE QUINCY ST	66603	Attn: ROBIN POTTS 3801 TOPPING AV	KANSAS CITY MO 64129	3640-Warehouse-office combination
R25429	LETS HELP INC	200 S KANSAS AVE	66603	215 SE QUINCY ST	TOPEKA KS 66603-3632	2401-General office buildings (1-4 stories)
R25430	CATHOLIC CHARITIES OF NORTHEAST KANSAS INC	234 S KANSAS AVE	66603	9720 W 87TH ST	OVERLAND PARK KS 66212-456	2401-General office buildings (1-4 stories)
R25431	CITY OF TOPEKA	320 S KANSAS AVE	66603	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	6222-Correctional institutions / jail / prison
R25432	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE	66603	301 S KANSAS AVE	TOPEKA KS 66603-3462	2101-Downtown row store
R25433	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE #A	66603	301 S KANSAS AVE	TOPEKA KS 66603-3462	1150-Apartment unit (single family - e.g. condo unit)
R25434	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE #B	66603	301 S KANSAS AVE	TOPEKA KS 66603-3462	1150-Apartment unit (single family - e.g. condo unit)
R25435	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE #C	66603	224 SW GREENWOOD AVE	TOPEKA KS 66606	1150-Apartment unit (single family - e.g. condo unit)
R25436	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE #D	66603	301 S KANSAS AVE	TOPEKA KS 66603-3462	1150-Apartment unit (single family - e.g. condo unit)
R25437	WIGGINS BARBARA E	303 S KANSAS AVE #E	66603	3204 VICTORAN MANOR LN	HOUSTON TX 77047	1150-Apartment unit (single family - e.g. condo unit)
R25438	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE #F	66603	301 S KANSAS AVE	TOPEKA KS 66603-3462	1150-Apartment unit (single family - e.g. condo unit)
R25439	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE #1	66603	301 S KANSAS AVE	TOPEKA KS 66603-3462	1150-Apartment unit (single family - e.g. condo unit)
R25440	TFI LLC	300 SW JACKSON ST	66603	3103 NW BUTTON RD	TOPEKA KS 66618-1429	3342-Steel fabrication
R25441	CLINKINBEARD, STEVE	112 SW 4TH ST	66603	1848 SW HOCH RD	TOPEKA KS 66615	3610-Warehouse distribution / storage facility
R303636	STOUS RENTALS	124 SW 4TH ST	66603	120 SW 4TH ST	TOPEKA KS 66603	2101-Downtown row store
R25442	PEERLESS TYRE CO	333 S KANSAS AVE	66603	5000 KINGSTON ST	DENVER CO 80239-2522	2175-Service garage / paint shop / detailing
R25443	KRATOCHVEL, PATRICIA A	325 S KANSAS AVE	66603	501 SW 57TH ST LOT 1	TOPEKA KS 66619	2101-Downtown row store
R25444	RIVER HILL DEVELOPERS LLC	323 S KANSAS AVE	66603	2942 SW WANAMAKER DR STE A	TOPEKA KS 66614	3640-Warehouse-office combination
R25446	HAGEDORN, JAMES R	311 S KANSAS AVE	66603	PO BOX 751302	TOPEKA KS 66675	2101-Downtown row store
R25447	SMITH, GARY D	309 S KANSAS AVE	66603	2112 SW GLICK RD	TOPEKA KS 66614-9781	2101-Downtown row store
R25448	FISHER, ROBERT E, Jr	307 S KANSAS AVE	66603	PO BOX 2746	TOPEKA KS 66601	2101-Downtown row store
R25449	TFI LLC	309 SW JACKSON ST	66603	3103 NW BUTTON RD	TOPEKA KS 66618-1429	3342-Steel fabrication
R25450	VAN BUREN STREET DEVELOPMENT LLC	304 SW VAN BUREN ST	66603	301 S KANSAS AVE	TOPEKA KS 66603	6570-Charitable Institution
R25451	VAN BUREN STREET DEVELOPMENT LLC	308 SW VAN BUREN ST	66603	301 S KANSAS AVE	TOPEKA KS 66603	6570-Charitable Institution
R25452	MCABEE BODY SHOP INC	312 SW VAN BUREN ST	66603	PO BOX 246	SILVER LAKE KS 66539	2175-Service garage / paint shop / detailing
R25453	MCABEE BODY SHOP INC	316 SW VAN BUREN ST	66603	PO BOX 246	SILVER LAKE KS 66539	2175-Service garage / paint shop / detailing
R25454	PLUMBERG, TIMOTHY J	318 SW VAN BUREN ST	66603	324 SW VAN BUREN ST	TOPEKA KS 66603-3330	1101-Single family residence (detached)
R25455	PLUMBERG, TIMOTHY J	324 SW VAN BUREN ST	66603	324 SW VAN BUREN ST	TOPEKA KS 66603-3330	1180-Dwelling converted to apartments
R25456	PLUMBERG, TIMOTHY J	328 SW VAN BUREN ST	66603	324 SW VAN BUREN ST	TOPEKA KS 66603-3330	1101-Single family residence (detached)
R25457	PLUMBERG, TIMOTHY J	330 SW VAN BUREN ST	66603	324 SW VAN BUREN ST	TOPEKA KS 66603-3330	1101-Single family residence (detached)
R25458	MURPHY, JAMES C & SUSAN D	SW VAN BUREN ST	66603	7157 LAKEVIEW DR	OZAWKIE KS 66070-5176	9910-Residential highest and best use
R25459	WILCOX, CHRISTOPHER J	214 SW 4TH ST	66603	PO BOX 825	EDGEMONT SD 57735	1180-Dwelling converted to apartments
R25460	TREE OF LIFE FELLOWHIP INC	335 SW JACKSON ST	66603	1830 SW COTTONWOOD LN	TOPEKA KS 66615	2101-Downtown row store
R25461	TREE OF LIFE FELLOWHIP INC	327 SW JACKSON ST	66603	1830 SW COTTONWOOD LN	TOPEKA KS 66615	9950-Commercial highest and best use
R25462	MCABEE, RUSSELL A & BRENDA A	323 SW JACKSON ST	66603	PO BOX 246	SILVER LAKE KS 66539-0246	2175-Service garage / paint shop / detailing
R25463	MCABEE, RUSSELL A & BRENDA A	317 SW JACKSON ST	66603	PO BOX 246	SILVER LAKE KS 66539-0246	2175-Service garage / paint shop / detailing
R25464	MCABEE BODY SHOP INC	313 SW JACKSON ST	66603	PO BOX 246	SILVER LAKE KS 66539	2175-Service garage / paint shop / detailing
R25465	K P L GAS SERVICE	SW VAN BUREN ST	66603	PO BOX 889	TOPEKA KS 66601-0889	4310-Electric power generation
R25466	PENCE, GARY L & JUDITH K	300 SW HARRISON ST	66603	1745 SW BURNETT RD	TOPEKA KS 66604-3417	1180-Dwelling converted to apartments
R25467	EKLUND, MARGIE L LIVING TRUST	302 SW HARRISON ST	66603	2910 SE VIRGINIA AVE	TOPEKA KS 66605	1101-Single family residence (detached)
R25468	WILCOX PROPERTIES LLC	306 SW HARRISON ST	66603	PO BOX 385	EDGEMONT SD 57735	1180-Dwelling converted to apartments
R25469	RIVERA ALFARO, NUVIA Y	314 SW HARRISON ST	66603	314 SW HARRISON ST	TOPEKA KS 66603	1101-Single family residence (detached)
R25470	METCALFE, EDWARD RAWLON	316 SW HARRISON ST	66603	316 SW HARRISON ST	TOPEKA KS 66603-3021	1101-Single family residence (detached)
R25471	BREAKTHROUGH HOUSE INC	318 SW HARRISON ST	66603	1195 SW BUCHANan ST STE 103	TOPEKA KS 66604-1172	1320-Rooming and boarding house
R25472	FALTA, PATRICK & BARBRA	334 SW HARRISON ST	66603	334 SW HARRISON ST	TOPEKA KS 66603	1101-Single family residence (detached)
R25473	KANSAS POWER AND LIGHT COMPANY	SW VAN BUREN ST	66603	PO BOX 889	TOPEKA KS 66601	4310-Electric power generation
R25474	K P L GAS SERVICE	335 SW VAN BUREN ST	66603	PO BOX 889	TOPEKA KS 66601-0889	4310-Electric power generation
R25475	WESTERN RESOURCES INC	325 SW VAN BUREN ST	66603	PO BOX 889	TOPEKA KS 66601-0889	4310-Electric power generation
R25476	FAKHRAI MORGAN M & HIROKO KOMIYA TRUST	301 SW HARRISON ST	66603	6150 SW 34TH TER	TOPEKA KS 66614-5103	9910-Residential highest and best use
R25477	WALKER JOSEPH S & GARTH MARTIN COMBS	409 SW 3RD ST	66603	915 SW Buchanan ST	Topeka KS 66606-1429	1101-Single family residence (detached)
R25478	WALKER JOSEPH S & GARTH MARTIN COMBS	411 SW 3RD ST	66603	915 SW Buchanan ST	Topeka KS 66606-1429	2800-Retail / office / apartment combination
R25479	A DOUBLE DOLLAR LLP	413 SW 3RD ST	66603	1728 SW WILLOW AVE	TOPEKA KS 66606	1101-Single family residence (detached)
R25480	A DOUBLE DOLLAR LLP	302 SW TOPEKA BLVD	66603	1728 SW WILLOW AVE	TOPEKA KS 66606	1170-Garden apartment complex (1-3 stories)
R25481	A DOUBLE DOLLAR LLP	SW TOPEKA BLVD	66603	1728 SW WILLOW AVE	TOPEKA KS 66606	1170-Garden apartment complex (1-3 stories)

R25552	GDC TOPEKA LLC	555 S KANSAS AVE	66603	4706 BROADWAY STE 240	KANSAS CITY MO 64112	2402-General office buildings (5+ stories)
R25553	TOPEKA AREA ACCESSIBLE HOUSING INDUSTRIES INC	501 SW JACKSON ST	66603	501 SW JACKSON	TOPEKA KS 66603	2401-General office buildings (1-4 stories)
R25554	JACKSON STREET PROPERTIES LLC	509 SW JACKSON ST	66603	2408 W 86TH TER	LEAWOOD KS 66206-1520	2401-General office buildings (1-4 stories)
R25555	TOPEKA PUBLIC BUILDING COMMISSION	500 SW VAN BUREN ST	66603	900 SW JACKSON ST RM 107	TOPEKA KS 66612-1246	2401-General office buildings (1-4 stories)
R25556	HERITAGE DEVELOPMENT COMPANY	214 SW 6TH AVE	66603	1229 SW LAKESIDE DR APT 6	TOPEKA KS 66604	2401-General office buildings (1-4 stories)
R25557	ONE GAS INC	200 SW 6TH AVE	66603	100 W 5TH ST	TULSA OK 74103	2401-General office buildings (1-4 stories)
R25558	ONE GAS INC	523 SW JACKSON ST	66603	100 W 5TH ST	TULSA OK 74103	2401-General office buildings (1-4 stories)
R25559	TOPEKA AREA ACCESSIBLE HOUSING INDUSTRIES INC	519 SW JACKSON ST	66603	501 SW JACKSON	TOPEKA KS 66603	2650-Parking Lot (uncovered)
R25560	TRIPZTREE LLC	305 SW 5TH ST	66603	335 SW YORKSHIRE RD	TOPEKA KS 66606	2101-Downtown row store
R25561	TRIPZTREE LLC	315 SW 5TH ST	66603	335 SW YORKSHIRE RD	TOPEKA KS 66606	2101-Downtown row store
R25562	DUNBAR, JOHN	500 SW HARRISON ST	66603	1865 N 200 RD	BALDWIN CITY KS 66006-7132	2102-Retail store
R25563	PACIFIC COAST INVESTMENTS LLC	508 SW HARRISON ST	66603	7040 SW GREENVIEW DR	TOPEKA KS 66619	9950-Commercial highest and best use
R25564	PACIFIC COAST INVESTMENTS LLC	512 SW HARRISON ST	66603	7040 SW GREENVIEW DR	TOPEKA KS 66619	9950-Commercial highest and best use
R25565	STATE OF KANSAS	516 SW HARRISON ST	66603	900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	2650-Parking Lot (uncovered)
R25566	HEILMAN, LARRY E & SUSANNE E	310 SW 6TH AVE	66603	5233 SW 25TH ST	TOPEKA KS 66614-1618	2101-Downtown row store
R25567	GREGG OTIS N TRUST	300 SW 6TH AVE	66603	6125 SW 39th ST	Topeka KS 66610	2175-Service garage / paint shop / detailing
R327402	GREGG OTIS N TRUST	300 SW 6TH AVE	66603	6125 SW 39th ST	Topeka KS 66610	2175-Service garage / paint shop / detailing
R25568	GREGG OTIS N TRUST	525 SW VAN BUREN ST	66603	6125 SW 39th ST	Topeka KS 66610	2175-Service garage / paint shop / detailing
R25569	H & M PROPERTIES LLC	523 SW VAN BUREN ST	66603	517 SW VAN BUREN ST	TOPEKA KS 66603	2401-General office buildings (1-4 stories)
R25570	PINEGAR & SMITH BUILDING LLC	513 SW VAN BUREN ST	66603	PO BOX 555	TOPEKA KS 66601-0555	2401-General office buildings (1-4 stories)
R25571	H & M PROPERTIES LLC	517 SW VAN BUREN ST	66603	517 SW VAN BUREN ST	TOPEKA KS 66603	2401-General office buildings (1-4 stories)
R25572	H & M PROPERTIES LLC	515 SW VAN BUREN ST	66603	517 SW VAN BUREN ST	TOPEKA KS 66603	2401-General office buildings (1-4 stories)
R25573	SABATINI, JUDITH & FRANK C	521 SW VAN BUREN ST	66603	2423 SE 37TH ST	TOPEKA KS 66605-2310	2401-General office buildings (1-4 stories)
R25574	HEILMAN, LARRY E & SUSANNE E	509 SW VAN BUREN ST	66603	5233 SW 25TH ST	TOPEKA KS 66614-1618	2101-Downtown row store
R25575	CLAY SHERWOOD RENTALS LLC	509 SW HARRISON ST	66603	422 SW 6th AVE	TOPEKA KS 66603-3391	3610-Warehouse distribution / storage facility
R25576	WHITE, ALAN J & DAWN N	501 SW HARRISON ST	66603	3722 SW 35TH ST	TOPEKA KS 66614-3558	2175-Service garage / paint shop / detailing
R25577	MIDWEST PROPERTY GROUP LLC	500 SW TOPEKA BLVD	66603	90 SW PEPPER TREE LN	TOPEKA KS 66611	2401-General office buildings (1-4 stories)
R25578	RUFFIN PROPERTIES LLC	506 SW TOPEKA BLVD	66603	PO BOX 17087	WICHITA KS 67217	2102-Retail store
R25579	BROOKS JAMES & BULLOCKS-BROOKS ALICIA	516 SW TOPEKA BLVD	66603	516 SW TOPEKA BLVD	TOPEKA KS 66603-3114	2102-Retail store
R25580	CLAY SHERWOOD RENTALS LLC	518 SW TOPEKA BLVD	66603	422 SW 6TH AVE	TOPEKA KS 66603-3391	9910-Residential highest and best use
R25581	CLAY SHERWOOD RENTALS LLC	522 SW TOPEKA BLVD	66603	422 SW 6TH AVE	TOPEKA KS 66603-3391	1180-Dwelling converted to apartments
R25582	CLAY SHERWOOD RENTALS LLC	524 SW TOPEKA BLVD	66603	422 SW 6th AVE	topeka KS 66608-1244	2102-Retail store
R25583	CLAY SHERWOOD RENTALS LLC	422 SW 6TH AVE	66603	422 SW 6TH AVE	TOPEKA KS 66603-3391	2101-Downtown row store
R25584	CLAY SHERWOOD RENTALS LLC	410 SW 6TH AVE	66603	422 SW 6TH AVE	TOPEKA KS 66603-3391	3610-Warehouse distribution / storage facility
R25585	CLAY SHERWOOD RENTALS LLC	523 SW HARRISON ST	66603	422 SW 6TH AVE	TOPEKA KS 66603-3391	3610-Warehouse distribution / storage facility
R25586	FIRST UNITED METHODIST CHURCH	600 SW TOPEKA BLVD	66603	600 SW TOPEKA BLVD	TOPEKA KS 66603-3202	6610-Church / place of worship
R25587	KANSAS ST GREGORY APARTMENTS	635 SW HARRISON ST	66603	1300 SOVEREIGN ROW	OKLAHOMA CITY OK 73108	1176-High-rise apartment (8+ stories)
R25588	FRIENDS OF KCSDV INC	634 SW HARRISON ST	66603	634 SW HARRISON ST	TOPEKA KS 66603-3706	2401-General office buildings (1-4 stories)
R25589	STATE OF KANSAS	SW VAN BUREN ST	66603	900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	2402-General office buildings (5+ stories)
R25590	JAYHAWK TOWER PARTNERS LLC	201 SW 6TH AVE	66603	700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	2402-General office buildings (5+ stories)
R25591	JAYHAWK TOWER PARTNERS LLC	209 SW 6TH AVE	66603	700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	9950-Commercial highest and best use
R25593	TOPEKA INCOME TAX SERVICE INC	213 SW 6TH AVE	66603	6466 SW SUFFOLK RD	TOPEKA KS 66610-1402	2101-Downtown row store
R25594	VALLEY INC REALTORS	215 SW 6TH AVE	66603	600 SW VAN BUREN ST	TOPEKA KS 66603-3718	2401-General office buildings (1-4 stories)
R25595	VALLEY INC	600 SW VAN BUREN ST	66603	600 SW VAN BUREN ST	TOPEKA KS 66603-3718	2401-General office buildings (1-4 stories)
R25596	ALEJOS LUIS A & CHARLOTTE A TRUST - L A & C A ALEJOS TRUSTEE	614 SW VAN BUREN ST	66603	1045 SW WAYNE AVE	TOPEKA KS 66604-3940	2101-Downtown row store
R25597	LOWER PROPERTIES LLC	622 SW VAN BUREN ST	66603	501 SE 17th ST	Topeka KS 66607-6125	2101-Downtown row store
R25598	HEJTMANEK DANTON C & BRYAN JOHN J & LYKINS R DANIEL	222 SW 7TH ST	66603	222 SW 7TH ST	TOPEKA KS 66603-3717	2401-General office buildings (1-4 stories)
R25599	KENNEY, DENIS M REVOCABLE LIVING TRUST	216 SW 7TH ST	66603	1229 SW LAKESIDE DR APT 6	TOPEKA KS 66604-1669	2101-Downtown row store
R25600	KANSAS RIVER WATER ASSURANCE DISTRICT 1	212 SW 7TH ST	66603	212 SW 7TH ST	TOPEKA KS 66603-3717	2101-Downtown row store
R25601	CITY OF TOPEKA	635 SW JACKSON ST	66603	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2660-Parking garage (covered)
R25602	ELKS BUILDING PARTNERS LLC	619 SW JACKSON ST	66603	700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	2401-General office buildings (1-4 stories)
R25603	JAYHAWK TOWER PARTNERS LLC	615 SW JACKSON ST	66603	700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	2650-Parking Lot (uncovered)
R25604	F & B ENTERPRISES LLC	601 S KANSAS AVE	66603	601 S KANSAS AVE	TOPEKA KS 66603-3803	2401-General office buildings (1-4 stories)
R25605	KLATON PROPERTIES LLC	605 S KANSAS AVE	66603	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R25606	SWICKARD, MICHAEL F & AMY J	607 S KANSAS AVE	66603	1700 SW MEDFORD AVE	TOPEKA KS 66604	2101-Downtown row store
R25607	AIM STRATEGIES LLC	107 SW 6TH AVE	66603	715 SW HARRISON ST	TOPEKA KS 66603-3711	2401-General office buildings (1-4 stories)
R25608	MICHAEL R FOX TRUST	117 SW 6TH AVE	66603	815 NW VALENCIA RD	TOPEKA KS 66615-9265	2101-Downtown row store
R25609	TRAPP, CRAIG L & MELANIE K	608 SW JACKSON ST	66603	6108 SW 4TH ST	TOPEKA KS 66615	2101-Downtown row store
R25610	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	300 SE 6TH AVE	66603	200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	6210-Government offices (legislative and executive functions)
R26178	BANK IV KANSAS	700 SW TOPEKA BLVD	66603	C/O Corporate Real Estate Assessmen	Charlotte NC 28255	2211-Branch bank (drive up facility)
R26179	HUBBELL ASSET MANAGEMENT FAMILY LP	728 SW TOPEKA BLVD	66603	6442 SE 61ST ST	TECUMSEH KS 66542-9805	2522-Fast food restaurant
R26180	SIR PROPERTIES TRUST	400 SW 8TH AVE	66603	TWO NEWTON PLACE 255 WASHING	NEWTON MA 02458-1634	2402-General office buildings (5+ stories)
R26181	AIM STRATEGIES LLC	715 SW HARRISON ST	66603	715 SW HARRISON ST	TOPEKA KS 66603-3711	2401-General office buildings (1-4 stories)
R26230	KANSAS INSURANCE DEPARTMENT	420 SW 9TH ST	66612	420 SW 9TH ST	TOPEKA KS 66612-1603	2401-General office buildings (1-4 stories)
R26231	FIRST PRESBYTERIAN CHURCH OF TOPEKA KANSAS	817 SW HARRISON ST	66612	817 SW HARRISON ST	TOPEKA KS 66612-1607	6610-Church / place of worship
R26232	DILLON HOUSE LLC	404 SW 9TH ST	66612	1200 S KANSAS AVE	TOPEKA KS 66612	2401-General office buildings (1-4 stories)

R26415	CLEMMER, MARLENE	709 S KANSAS AVE #306	66603	709 S KANSAS AVE APT 306	TOPEKA KS 66603-3833	1150-Apartment unit (single family - e.g. condo unit)
R26416	ENGSTROM, JOSIAH J & ANDREA D	709 S KANSAS AVE #401	66603	709 S KANSAS AVE # 401	TOPEKA KS 66603	1150-Apartment unit (single family - e.g. condo unit)
R26417	MICHAELIS, PATRICK W & CONNIE M	709 S KANSAS AVE #301	66603	1575 BIRDIE WAY UNIT 401	LAWRENCE KS 66407	1150-Apartment unit (single family - e.g. condo unit)
R302384	DUKE, CRAIG G & DENISE A	709 S KANSAS AVE	66603	709 S KANSAS AVE UNIT 305	TOPEKA KS 66603	1150-Apartment unit (single family - e.g. condo unit)
R304829	PLEHAL, RICHARD & JUDY	709 S KANSAS AVE #304	66603	709 S KANSAS AVE APT 304	TOPEKA KS 66603-3833	1150-Apartment unit (single family - e.g. condo unit)
R324966	HJJ INVESTMENTS LLC	709 S KANSAS AVE #405	66603	5104 CODY CT	LAWRENCE KS 66049-5110	1150-Apartment unit (single family - e.g. condo unit)
R325009	PALACE PLAZA INC	709 S KANSAS AVE	66603	709 S KANSAS AVE STE 101	TOPEKA KS 66603-3832	2101-Downtown row store
R26418	BNR GRILLE THREE REAL ESTATE LLC	705 S KANSAS AVE	66603	715 SW HARRISON ST	TOPEKA KS 66603	2101-Downtown row store
R26419	K1 REALTY INVESTMENT 02 LLC	707 SE QUINCY ST	66603	2609 SW RANDOLPH CT	TOPEKA KS 66611	2401-General office buildings (1-4 stories)
R26420	PMCA OF KANSAS	115 SE 7TH ST	66603	115 SE 7TH ST	TOPEKA KS 66603-3901	2401-General office buildings (1-4 stories)
R26421	CAPITOL FEDERAL SAVINGS AND LOAN ASSOCIATION	111 SE 7TH ST	66603	700 S Kansas AVE FL 1	TOPEKA KS 66603-3894	2402-General office buildings (5+ stories)
R26422	CAPITOL FEDERAL SAVINGS AND LOAN ASSOCIATION	700 S KANSAS AVE	66603	700 S Kansas AVE FL 1	TOPEKA KS 66603-3894	2402-General office buildings (5+ stories)
R26423	GRAY HORSE FARMS LLC	712 S KANSAS AVE	66603	PO BOX 5318	TOPEKA KS 66605-0318	2401-General office buildings (1-4 stories)
R26424	PRAIRIE BLAZE LLC	716 S KANSAS AVE	66603	Attn: RANDY CLAYTON 716 S KANSAS	TOPEKA KS 66603-3808	2101-Downtown row store
R26425	PRAIRIE BLAZE LLC	718 S KANSAS AVE	66603	Attn: RANDY CLAYTON 716 S KANSAS	TOPEKA KS 66603-3808	2101-Downtown row store
R26426	PRAIRIE BLAZE LLC	720 S KANSAS AVE	66603	Attn: RANDY CLAYTON 716 S KANSAS	TOPEKA KS 66603-3808	2101-Downtown row store
R26427	EARL, JULIANN R	722 S KANSAS AVE	66603	722 S KANSAS AVE	TOPEKA KS 66603-3808	2101-Downtown row store
R26428	724 PROPERTIES LLC	724 S KANSAS AVE	66603	724 S KANSAS AVE	TOPEKA KS 66603	2101-Downtown row store
R26429	724 PROPERTIES LLC	726 S KANSAS AVE	66603	724 S KANSAS AVE	TOPEKA KS 66603	2101-Downtown row store
R26430	SPROUT PROPERTIES LLC	728 S KANSAS AVE	66603	728 S KANSAS AVE STE 200	TOPEKA KS 66603-3808	2101-Downtown row store
R26431	MUNOZ, LUZ MARIA & TOMAS A	730 S KANSAS AVE	66603	439 NE EMMETT ST	TOPEKA KS 66616-1206	2101-Downtown row store
R26432	BRIMANS LEADING JEWELERS INC	734 S KANSAS AVE	66603	734 S KANSAS AVE	TOPEKA KS 66603-3808	2101-Downtown row store
R26433	MIDWEST PROPERTY GROUP LLC	106 SE 8TH AVE	66603	90 SW PEPPER TREE LN	TOPEKA KS 66611	2101-Downtown row store
R26434	GIZMO PROPERTIES LLC	112 SE 8TH AVE	66603	112 SE 8th ST	Topeka KS 66603	2401-General office buildings (1-4 stories)
R26435	GECEA PROPERTIES LLC	114 SE 8TH AVE	66603	2900 SW MACVICAR AVE	TOPEKA KS 66611-1710	2401-General office buildings (1-4 stories)
R26436	WINDLER, MERLE F & LINDA	116 SE 8TH AVE	66603	116 SE 8TH AVE	TOPEKA KS 66603-3905	2101-Downtown row store
R26437	GRAY HORSE FARMS LLC	120 SE 8TH AVE	66603	PO BOX 5318	TOPEKA KS 66605-0318	2401-General office buildings (1-4 stories)
R26438	CAPITOL FEDERAL SAVINGS AND LOAN ASSOCIATION	723 SE QUINCY ST	66603	700 S Kansas AVE FL 1	TOPEKA KS 66603-3894	2401-General office buildings (1-4 stories)
R26439	CITY OF TOPEKA	215 SE 7TH ST	66603	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	6210-Government offices (legislative and executive functions)
R26440	LEADINGAGE KANSAS INC	217 SE 8TH AVE	66603	217 SE 8TH AVE	TOPEKA KS 66603	2401-General office buildings (1-4 stories)
R26441	KANSAS HOSPITAL ASSOCIATION	215 SE 8TH AVE	66603	215 SE 8TH AVE	TOPEKA KS 66603-3906	2401-General office buildings (1-4 stories)
R26442	CENTRAL NATIONAL BANK	800 SE QUINCY ST	66612	100 RIMROCK DR	JUNCTION CITY KS 66441	2210-Bank, credit union, or savings institution
R26443	TOPEKA METROPOLITAN TRANSIT AUTHORITY	820 SE QUINCY ST	66612	201 N KANSAS AVE	TOPEKA KS 66603-3622	4133-Local transit systems - bus/special needs/other
R26444	MARLOW, HOWARD I JR & KAREN K	214 SE 9TH ST	66612	3804 SW 40TH ST	TOPEKA KS 66610-2337	1104-Fourplex
R26445	MARLOW, HOWARD I JR & KAREN K	218 SE 9TH ST	66612	3804 SW 40TH ST	TOPEKA KS 66610-2337	1104-Fourplex
R26446	MARLOW, HOWARD I JR & KAREN K	222 SE 9TH ST	66612	3804 SW 40TH ST	TOPEKA KS 66610-2337	1104-Fourplex
R26447	KANSAS HOSPITAL ASSOCIATION	817 SE MONROE ST	66612	215 SE 8TH AVE	TOPEKA KS 66603-3906	2401-General office buildings (1-4 stories)
R26448	WESTAR ENERGY INC	800 S KANSAS AVE	66612	818 S KANSAS AVE	TOPEKA KS 66612-1203	2401-General office buildings (1-4 stories)
R26449	SAND SPRINGS LLC	818 S KANSAS AVE	66612	818 S KANSAS AVE	TOPEKA KS 66612-1203	2402-General office buildings (5+ stories)
R26450	OMEGA GROUP LLC	820 S KANSAS AVE	66612	820A S Kansas AVE	Topeka KS 66612-1203	2101-Downtown row store
R26451	KLATON PROPERTIES LLC	822 S KANSAS AVE	66612	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26452	KANSAN TOWERS LLC	830 S KANSAS AVE	66612	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614	2402-General office buildings (5+ stories)
R323492	JENSEN, BRENDAN R & BECKLEY, AMBER N	826 S KANSAS AVE	66612	1275 SW JEWELL AVE	TOPEKA KS 66604	2101-Downtown row store
R26453	KANSAN TOWERS LLC	831 SE QUINCY ST	66612	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614	2402-General office buildings (5+ stories)
R26454	KANSAN TOWERS LLC	827 SE QUINCY ST	66612	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614	2402-General office buildings (5+ stories)
R26455	KLATON REAL ESTATE LLC	823 SE QUINCY ST	66612	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2402-General office buildings (5+ stories)
R26456	RAYS RED LLC	805 S KANSAS AVE	66612	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26457	EIGHTH & JACKSON INVESTMENT GROUP	800 SW JACKSON ST	66612	PO BOX 5318	TOPEKA KS 66605	2402-General office buildings (5+ stories)
R26458	SOUTHWESTERN BELL TELEPHONE CO	812 SW JACKSON ST	66612	909 CHESTNUT ST RM 36-M-1	ST. LOUIS MO 63101	2401-General office buildings (1-4 stories)
R26459	CITY OF TOPEKA	825 S KANSAS AVE	66612	215 SE 7TH ST STE 353	TOPEKA KS 66603-3914	2660-Parking garage (covered)
R26460	CENTRE CITY DEVELOPERS LLC	825 S KANSAS AVE	66612	555 POYNTZ AVE STE 255	MANHATTAN KS 66502-0129	2401-General office buildings (1-4 stories)
R26462	CAPITOL VIEW PROPERTIES LLC	825 S KANSAS AVE	66612	825 S KANSAS AVE STE 500	TOPEKA KS 66612	2660-Parking garage (covered)
R26463	FYPM LLC	825 S KANSAS AVE	66612	825 S KANSAS AVE STE 510	TOPEKA KS 66612	2660-Parking garage (covered)
R325729	FYPM LLC	825 S KANSAS AVE	66612	825 S KANSAS AVE STE 510	TOPEKA KS 66612	2401-General office buildings (1-4 stories)
R325731	CAPITOL VIEW PROPERTIES LLC	825 S KANSAS AVE	66612	825 S KANSAS AVE STE 500	TOPEKA KS 66612	2401-General office buildings (1-4 stories)
R26464	KLATON PROPERTIES LLC	815 S KANSAS AVE	66612	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26465	KLATON REAL ESTATE LLC	813 S KANSAS AVE	66612	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26466	KLATON PROPERTIES LLC	811 S KANSAS AVE	66612	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26467	KLATON REAL ESTATE LLC	809 S KANSAS AVE	66612	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R319446	KLATON REAL ESTATE LLC	807 S KANSAS AVE	66612	3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26468	STATE OF KANSAS	300 SW 10TH AVE	66612	900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	6210-Government offices (legislative and executive functions)
R26469	MILLS BUILDING LLC	901 S KANSAS AVE	66612	Attn: KS Commercial Real Estate Servi	Topeka KS 66603	2402-General office buildings (5+ stories)
R26470	STATE OF KANSAS	900 SW JACKSON ST	66612	1000 SW JACKSON ST STE 500	TOPEKA KS 66612-1368	6210-Government offices (legislative and executive functions)
R26471	STATE OF KANSAS	120 SW 10TH AVE	66612	900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	6210-Government offices (legislative and executive functions)
R26472	FLOREZ, PANTALEON JR	933 S KANSAS AVE	66612	933 S KANSAS AVE	TOPEKA KS 66612-1210	2101-Downtown row store
R26473	TIN & TIMBER LLC	931 S KANSAS AVE	66612	931 S KANSAS AVE	TOPEKA KS 66612-1210	2101-Downtown row store

R26929	SOUTHWEST RESOURCE REAL ESTATE GROUP LLC	240 SE MADISON ST	66607 2900 E APACHE ST	TULSA OK 74110	3610-Warehouse distribution / storage facility
R324695	WIN LLC	140 SE JEFFERSON ST	66607 Attn: Discovery Furniture 1901 SW W	Topeka KS 66604-3821	3610-Warehouse distribution / storage facility
R26930	CITY OF TOPEKA	300 SE JEFFERSON ST	66607 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	6410-Fire and rescue
R26931	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	330 SE 3RD ST	66603 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9970-Recreational / cultural / entertainment highest and best us
R26932	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	301 SE 2ND ST	66603 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9970-Recreational / cultural / entertainment highest and best us
R26933	HCFN TITLE HOLDING CORPORATION	220 SE QUINCY ST	66603 Attn: ROBIN POTTS 3801 TOPPING AV	KANSAS CITY MO 64129	3640-Warehouse-office combination
R26934	CHAVIRA, URIEL	200 SE 3RD ST	66603 6767 GATEWAY W BLVD	EL PASO TX 79925	4133-Local transit systems - bus/special needs/other
R26935	TFI FAMILY SERVICES INC	308 SE MONROE ST	66603 PO BOX 2224	EMPORIA KS 66801	2401-General office buildings (1-4 stories)
R26936	JEFFERSON STREET HOTEL PARTNERS LLC	420 SE 6TH AVE	66607 700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	1332-Hotel high-rise (5+ stories)
R26937	ISG TECHNOLOGY LLC	400 SE JEFFERSON ST	66607 127 N 7TH ST	SALINA KS 67401	4240-Information services and data processing
R26938	KENNEY, DENIS M REVOCABLE LIVING TRUST	406 SE JEFFERSON ST	66607 1229 SW LAKESIDE DR APT 6	TOPEKA KS 66604-1669	3640-Warehouse-office combination
R26939	RAINBOW MOUNTAIN LLC	414 SE JEFFERSON ST	66607 414 SE JEFFERSON ST	TOPEKA KS 66607-1134	3610-Warehouse distribution / storage facility
R26940	RIER REALTY CO INC	520 SE 5TH ST	66607 708 THIRD AVE 15TH FLOOR	NEW YORK NY 10017	2401-General office buildings (1-4 stories)
R26998	ATCHISON TOPEKA & SANTA FE RAILWAY COMPANY	SE 6TH AVE	66607 PO BOX 961089	FORT WORTH TX 76161-0089	4120-Rail transportation
R26999	JAYHAWK FILE EXPRESS LLC	601 SE 5TH ST	66607 601 SE 5TH ST	TOPEKA KS 66607	3610-Warehouse distribution / storage facility
R27000	JAYHAWK FILE EXPRESS LLC	528 SE ADAMS ST	66607 601 SE 5TH ST	TOPEKA KS 66607	3610-Warehouse distribution / storage facility
R27001	BROADWING COMMUNICATIONS REAL ESTATE SERVICES LLC	501 SE ADAMS ST	66607 1122 S CAPITAL OF TEXAS HWY	AUSTIN TX 78746-6426	4234-Telephone communication
R27002	WAREHOUSE 536 LLC	536 SE ADAMS ST	66607 700 SW JACKSON ST STE 200	TOPEKA KS 66603	3610-Warehouse distribution / storage facility
R324675	WAREHOUSE 536 LLC	513 SE ADAMS ST	66607 700 SW JACKSON ST STE 200	TOPEKA KS 66603	9950-Commercial highest and best use
R27003	JEFFERSON STREET HOTEL PARTNERS LLC	536 SE JEFFERSON ST	66607 700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	1332-Hotel high-rise (5+ stories)
R27004	MADISON STREET APARTMENTS LLC	600 SE MADISON ST	66607 404 SW 9TH ST	TOPEKA KS 66612-1603	1175-Mid-rise apartment (4-7 stories)
R27005	CITY OF TOPEKA	620 SE MADISON ST	66607 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2401-General office buildings (1-4 stories)
R27006	MADISON STREET APARTMENTS LLC	600 SE MADISON ST	66607 404 SW 9TH ST	TOPEKA KS 66612-1603	1175-Mid-rise apartment (4-7 stories)
R27007	CITY OF TOPEKA	400 SE 8TH AVE	66607 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2650-Parking Lot (uncovered)
R27008	MORRIS PUBLISHING GROUP LLC	616 SE JEFFERSON ST	66607 Attn: TAX DEPARTMENT 725 BROAD S	AUGUSTA GA 30901	4213-Periodical publishing / printing
R27009	ATCHISON TOPEKA & SANTA FE RAILWAY COMPANY	610 SE 7TH ST	66607 PO BOX 961089	FORT WORTH TX 76161-0089	4120-Rail transportation
R27010	KLATON REAL ESTATE LLC	600 SE ADAMS ST	66607 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	3610-Warehouse distribution / storage facility
R27011	KLAUSMAN, JAMES BRETT	634 SE ADAMS ST	66607 4407 SW PINEBROOK LN	TOPEKA KS 66610-1621	3342-Steel fabrication
R27012	STEEL FIXTURE MFG CO	612 SE 7TH ST	66607 612 SE 7TH ST	TOPEKA KS 66607-1109	3342-Steel fabrication
R27095	KLATON IRONWORKS LLC	720 SE ADAMS ST	66607 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	3610-Warehouse distribution / storage facility
R324009	KLATON IRONWORKS LLC	720 SE ADAMS ST	66607 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	3610-Warehouse distribution / storage facility
R27096	KLATON IRONWORKS LLC	700 SE ADAMS ST	66607 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	3610-Warehouse distribution / storage facility
R27098	ACRS INVESTMENTS LLC	701 SE ADAMS ST	66607 701 SE ADAMS ST	TOPEKA KS 66607	3610-Warehouse distribution / storage facility
R27099	CITY OF TOPEKA	700 SE JEFFERSON ST	66607 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2650-Parking Lot (uncovered)
R27100	KENNEY, DENIS M REVOCABLE LIVING TRUST	SE 8TH AVE	66607 1229 SW LAKESIDE DR APT 6	TOPEKA KS 66604-1669	9950-Commercial highest and best use
R27101	TAYLOR, ROBERT C & DEBRA L	711 SE ADAMS ST	66607 711 SE ADAMS ST	TOPEKA KS 66607-1124	3610-Warehouse distribution / storage facility
R27102	ZACK TAYLOR CONTRACTING INC	709 SE ADAMS ST	66607 711 SE ADAMS ST	TOPEKA KS 66607-1124	3610-Warehouse distribution / storage facility
R27103	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	401 SE 8TH AVE	66607 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	6222-Correctional institutions / jail / prison
R27104	HUNTER GLEN LLC	911 SE ADAMS ST	66607 PO BOX 618	TOPEKA KS 66601-0618	3610-Warehouse distribution / storage facility
R27105	DANIKSCO HOLDINGS LLC	914 SE JEFFERSON ST	66607 6010 N BROADWAY	WICHITA KS 67219	2401-General office buildings (1-4 stories)
R27106	BROOKS REALTY PARTNERS LP	500 SE 10TH AVE	66607 1825 LAKEWAY DR STE 700	LEWISVILLE TX 75057-6031	2175-Service garage / paint shop / detailing
R27107	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	818 SE ADAMS ST	66607 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	6222-Correctional institutions / jail / prison
R27108	HUNTER GLEN LLC	834 SE ADAMS ST	66607 911 SE ADAMS ST	TOPEKA KS 66607-1127	3222-Paperboard / cardboard / box mfg
R27109	ATCHISON TOPEKA & SANTA FE RAILWAY COMPANY	900 SE ADAMS ST	66607 PO BOX 961089	FORT WORTH TX 76161-0089	4120-Rail transportation
R27110	CAPITAL CITY OIL INC	916 SE ADAMS ST	66607 PO BOX 618	TOPEKA KS 66601-0618	2117-Self-service gas station (may have conv store/food mart)
R32034	CAPITOL CITY OIL INC	605 SE 10TH AVE	66607 PO BOX 618	TOPEKA KS 66601-0618	3610-Warehouse distribution / storage facility
R32035	P&Q ENTERPRISES INC	603 SE 10TH AVE	66607 913 SE SHERMAN AVE	TOPEKA KS 66607-1778	3519-Salvage yard / Recycle center
R32036	CITY OF TOPEKA N TOPEKA DRAINAGE DIST	SE 10TH AVE	66607 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9970-Recreational / cultural / entertainment highest and best us
R32037	ATCHISON TOPEKA & SANTA FE RAILWAY COMPANY	SE 10TH AVE	66607 PO BOX 1738	TOPEKA KS 66601-1738	4120-Rail transportation
R32038	ATCHISON TOPEKA & SANTA FE RAILWAY COMPANY	SE 10TH AVE	66607 PO BOX 1738	TOPEKA KS 66601-1738	4120-Rail transportation
R32274	ATCHISON TOPEKA & SANTA FE RAILWAY COMPANY	SE JEFFERSON ST	66607 PO BOX 961089	FORT WORTH TX 76161-0089	4120-Rail transportation
R32898	PROMETAL FABRICATION LLC	509 SE 10TH AVE	66607 509 SE 10TH AVE	TOPEKA KS 66607	1101-Single family residence (detached)
R32899	CANO, MARIA C	505 SE 10TH AVE	66607 1215 SE 6TH AVE	TOPEKA KS 66607-1931	1101-Single family residence (detached)
R32900	HOLLOWAY, JOHN H D & ROZANNE	1000 SE JEFFERSON ST	66607 PO BOX 210	AUBURN KS 66402-0210	1180-Dwelling converted to apartments
R32901	STONE, THOMAS G	1006 SE JEFFERSON ST	66607 1021 SE JEFFERSON ST	TOPEKA KS 66607	1101-Single family residence (detached)
R32902	BANKERS TRUST COMPANY TRUSTEE FOR VENDEE MORTGAGE TRUST 1999-2	1010 SE JEFFERSON ST	66607 1010 SE JEFFERSON ST	TOPEKA KS 66607-1142	1101-Single family residence (detached)
R32903	DELGADO, DULCE R	1014 SE JEFFERSON ST	66607 1014 SE JEFFERSON ST	TOPEKA KS 66607	1101-Single family residence (detached)
R32904	RAMIRO RIZO A, JOSE	SE JEFFERSON ST	66607 1711 SE 24TH	TOPEKA KS 66605	1199-Accessory residential support use (garage/shed)
R32905	SOTO, JUAN ANTONIO DERAS	1018 SE JEFFERSON ST	66607 1018 SE JEFFERSON ST	TOPEKA KS 66607	1101-Single family residence (detached)
R32906	DELGADO, JESUS	423 SE 10TH AVE	66607 1010 SE JEFFERSON ST	TOPEKA KS 66607	9950-Commercial highest and best use
R32907	KNOEBBER THOMAS J & MARGARET LOUISE TRUST & WM F	417 SE 10TH AVE	66607 417 SE 10TH AVE	TOPEKA KS 66607-1115	3640-Warehouse-office combination
R32908	KDL INC	405 SE 10TH AVE	66607 4125 SW GAGE DR STE 204	TOPEKA KS 66604-1806	2175-Service garage / paint shop / detailing
R32909	BENNING, J W	SE MADISON ST	66607 2314 SW FILLMORE ST	TOPEKA KS 66611-1248	9910-Residential highest and best use
R32910	SMITH, TODD E	SE MADISON ST	66607 2235 NW Tyler ST	TOPEKA KS 66608-1953	9910-Residential highest and best use
R32911	SMITH, TODD E	SE MADISON ST	66607 2235 NW Tyler ST	TOPEKA KS 66608-1953	9910-Residential highest and best use
R32912	WHEAT, RANDY E JR	SE MADISON ST	66607 745 SE GOLDEN AVE	TOPEKA KS 66607-1647	9910-Residential highest and best use

R32980	SHARRETT, LEIGH ANNE	1200 SE QUINCY ST	66612 1200 SE QUINCY ST	TOPEKA KS 66612-1122	1101-Single family residence (detached)
R32981	HESTAND, NINA & STANLEY SR & KATHRYN	1206 SE QUINCY ST	66612 2712 SE HUMMER CT	TOPEKA KS 66605-1941	1101-Single family residence (detached)
R32982	HESTAND, SANDY	1208 SE QUINCY ST	66612 1208 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R32983	ONEIL, SHEILA	1212 SE QUINCY ST	66612 1212 SE QUINCY ST	TOPEKA KS 66612-1122	9910-Residential highest and best use
R32984	ANGEL, OSCAR	1214 SE QUINCY ST	66612 510 SE KOUNS ST	TOPEKA KS 66607	1101-Single family residence (detached)
R32985	KIRTDOLL, FRANK L	1220 SE QUINCY ST	66612 914 SE GOLDEN AVE	TOPEKA KS 66607-1652	3519-Salvage yard / Recycle center
R32986	VANHOLLEBEKE, STACY & ALAIN H	1231 SE MONROE ST	66612 3417 SE PARK LANE CT	TOPEKA KS 66605-2340	3610-Warehouse distribution / storage facility
R32987	HEAD, JOHN F & DOROTHY C	SE MONROE ST	66612 2721 SW GAINSBORO RD	TOPEKA KS 66614-4346	9910-Residential highest and best use
R32988	EKLUND, MARGIE L LIVING TRUST	1201 SE QUINCY ST	66612 2910 SE VIRGINIA AVE	TOPEKA KS 66605	1101-Single family residence (detached)
R32989	AGLER, DONALD G	113 SE 12TH ST	66612 PO BOX 4770	TOPEKA KS 66604	1101-Single family residence (detached)
R32990	KANSAS FUNERAL DIRECTORS ASSOCIATION SERVICES INC	1200 S KANSAS AVE	66612 1200 S Kansas AVE	Topeka KS 66612-1375	2401-General office buildings (1-4 stories)
R32991	PAUL PROPERTIES LLC	1212 S KANSAS AVE	66612 201 S KANSAS AVE	TOPEKA KS 66603	3630-Warehouse-retail combination
R32992	RUFFIN PROPERTIES LLC	1224 S KANSAS AVE	66612 PO BOX 17087	WICHITA KS 67217	2102-Retail store
R32993	PAUL PROPERTIES LLC	S KANSAS AVE	66612 201 S KANSAS AVE	TOPEKA KS 66603	9950-Commercial highest and best use
R32994	PAUL PROPERTIES LLC	116 SE 13TH ST	66612 201 S KANSAS AVE	TOPEKA KS 66603	9910-Residential highest and best use
R32995	BOYD, BONITA	118 SE 13TH ST	66612 118 SE 13TH ST	TOPEKA KS 66612-1129	1101-Single family residence (detached)
R32996	MULLIGAN, PATRICK M & DONNA S	1235 SE QUINCY ST	66612 3840 SW GAMWELL RD	TOPEKA KS 66610-1400	9910-Residential highest and best use
R32997	SCHROEDER, WILLIAM LEO & MARY ANN	1229 SE QUINCY ST	66612 1225 SE QUINCY ST	TOPEKA KS 66612	1199-Accessory residential support use (garage/shed)
R32998	SCHROEDER, WILLIAM LEO & MARY ANN	1225 SE QUINCY ST	66612 1225 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R32999	PAUL PROPERTIES LLC	SE QUINCY ST	66612 201 S KANSAS AVE	TOPEKA KS 66603	9910-Residential highest and best use
R33000	GUTZWILLER, JANICE C	SE QUINCY ST	66612 100 SE 9TH ST APT 907	TOPEKA KS 66612-1219	9950-Commercial highest and best use
R33001	PAUL PROPERTIES LLC	SE QUINCY ST	66612 201 S KANSAS AVE	TOPEKA KS 66603	9950-Commercial highest and best use
R33002	TORRES, GERARDO	1211 SE QUINCY ST	66612 1211 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33003	BARNES, HAZEL M	1209 SE QUINCY ST	66612 1740 NW TAYLOR ST	TOPEKA KS 66608-1653	9910-Residential highest and best use
R33004	RALSTON, ROBERT L & FELINDA S	1205 SE QUINCY ST	66612 1205 SE QUINCY ST	TOPEKA KS 66612-1121	1101-Single family residence (detached)
R33005	DOUBLE C LLC	1205 S KANSAS AVE	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	2101-Downtown row store
R33006	DOUBLE C LLC	115 SW 12TH ST	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	9950-Commercial highest and best use
R33007	CAMPUS GARDENS LLC	1222 SW JACKSON ST	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	9950-Commercial highest and best use
R33008	TRINIDAD, VICTOR	1228 SW JACKSON ST	66612 809 CONGRESS ST	EMPORIA KS 66801-2839	1150-Apartment unit (single family - e.g. condo unit)
R33009	HEARTLAND LAND & CATTLE LLC	1232 SW JACKSON ST	66612 3201 SW 93RD ST	WAKARUSA KS 66546-9665	1101-Single family residence (detached)
R33010	LITTLE REDBIRD FOUNDATION LLC	1234 SW JACKSON ST	66612 PO BOX 5006	TOPEKA KS 66605-0006	9910-Residential highest and best use
R33011	CITY OF TOPEKA	114 SW 13TH ST	66612 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9910-Residential highest and best use
R33012	HEARTLAND SYSTEMS LLC	112 SW 13TH ST	66612 PO BOX 5006	TOPEKA KS 66605	9910-Residential highest and best use
R33013	CAMPUS GARDENS LLC	1229 S KANSAS AVE	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	9950-Commercial highest and best use
R33016	RICHARDSON, JANET M	1235 S KANSAS AVE	66612 6301 NW 62ND ST	TOPEKA KS 66618-4202	2102-Retail store
R33019	CAMPUS GARDENS LLC	1227 S KANSAS AVE	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	1101-Single family residence (detached)
R33020	CAMPUS GARDENS LLC	1221 S KANSAS AVE	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	3610-Warehouse distribution / storage facility
R33021	CAMPUS GARDENS LLC	1211 S KANSAS AVE	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	2540-Bar / tavern / lounge
R33022	USD 501	1301 SE MONROE ST	66612 624 SW 24TH ST	TOPEKA KS 66611-1208	6121-Elementary
R33023	GARNER REMODELING AND HOME IMPROVEMENTS INC & GARNER, KEVIN C & NANCY J	1308 S KANSAS AVE	66612 117 SE 25TH	TOPEKA KS 66605	1101-Single family residence (detached)
R33024	GARNER REMODELING AND HOME IMPROVEMENTS INC & GARNER, KEVIN C & NANCY J	1306 S KANSAS AVE	66612 117 SE 25TH	TOPEKA KS 66605	2510-Full-service restaurant
R33025	G E B PROPERTIES LC	1324 S KANSAS AVE	66612 29475 W 95TH ST	DESOTO KS 66018	3630-Warehouse-retail combination
R33026	G E B PROPERTIES LC	S KANSAS AVE	66612 29475 W 95TH ST	DESOTO KS 66018	9950-Commercial highest and best use
R33027	G E B PROPERTIES LC	S KANSAS AVE	66612 29475 W 95TH ST	DESOTO KS 66018	9950-Commercial highest and best use
R33028	G E B PROPERTIES LC	110 SE 14TH ST	66612 29475 W 95TH ST	DESOTO KS 66018	3630-Warehouse-retail combination
R33029	USD 501	SE 14TH ST	66612 624 SW 24TH ST	TOPEKA KS 66611-1208	6121-Elementary
R33030	THORNTON, HARRY J & RUBY E	1300 SE MONROE ST	66612 4647 SE 2ND ST	TECUMSEH KS 66542-9420	3610-Warehouse distribution / storage facility
R33031	THORNTON, RUBY E	1310 SE MONROE ST	66612 4647 SE 2ND ST	TECUMSEH KS 66542-9420	9910-Residential highest and best use
R33032	MCNEAL, LOUISE E	1314 SE MONROE ST	66612 1314 SE MONROE ST	TOPEKA KS 66612	1101-Single family residence (detached)
R319416	MCNEAL, LOUIS E	SE MONROE ST	66612 1314 SE MONROE ST	TOPEKA KS 66612	9910-Residential highest and best use
R33033	ARNOLD, JOHN	1316 SE MONROE ST	66612 3334 TEJON 1 ST	DENVER CO 80211	9910-Residential highest and best use
R33034	WARREN, ROBT F OR CHARITA L	1322 SE MONROE ST	66612 1322 SE MONROE ST	TOPEKA KS 66612-1140	1101-Single family residence (detached)
R322154	ARNOLD, JOHN	SE MONROE ST	66612 3334 TEJON 1 ST	DENVER CO 80211	9910-Residential highest and best use
R33035	ARNOLD, JOHN	1324 SE MONROE ST	66612 3334 TEJON 1 ST	DENVER CO 80211	3610-Warehouse distribution / storage facility
R33036	ARNOLD, JOHN	1334 SE MONROE ST	66612 3334 TEJON 1 ST	DENVER CO 80211	3610-Warehouse distribution / storage facility
R33037	HILL & COMPANY INC	1424 SE MONROE ST	66612 1424 SE MONROE ST	TOPEKA KS 66612-1142	3630-Warehouse-retail combination
R33038	EAGLE STORAGE INC	323 SE 13TH ST	66612 PO BOX 326	SILVER LAKE KS 66539-0326	3630-Warehouse-retail combination
R321040	THORNTON, HARRY J & RUBY E	SE 13TH ST	66612 4647 SE 2ND ST	TECUMSEH KS 66542-9420	3630-Warehouse-retail combination
R33039	GALLEGOS, MAURICIO	1301 SE MADISON ST	66607 1301 SE MADISON ST	TOPEKA KS 66607	1101-Single family residence (detached)
R33040	BAHM DEMOLITION INC	417 SE 13TH ST	66607 PO BOX 326	SILVER LAKE KS 66539-0326	3519-Salvage yard / Recycle center
R33041	HAAG REAL ESTATE LC	326 SE 15TH ST	66607 326 SE 15TH ST	TOPEKA KS 66607-1204	3610-Warehouse distribution / storage facility
R33042	RAW CONSTRUCTION LLC	314 SE 15TH ST	66607 3807 N KANSAS AVE	TOPEKA KS 66617	3610-Warehouse distribution / storage facility
R33043	HAAG REAL ESTATE LC	340 SE 15TH ST	66607 326 SE 15TH ST	TOPEKA KS 66607-1204	3610-Warehouse distribution / storage facility
R33044	HUYETT, D LLOYD & ALICE MARIE	1435 SE MADISON ST	66607 1170 SW COLLEGE AVE	TOPEKA KS 66604-1453	4215-Commercial printing
R33045	EAGLE STORAGE INC	1417 SE MADISON ST	66607 PO BOX 326	SILVER LAKE KS 66539-0326	3519-Salvage yard / Recycle center
R33046	EAGLE STORAGE INC	1411 SE MADISON ST	66607 PO BOX 326	SILVER LAKE KS 66539-0326	3519-Salvage yard / Recycle center

R33120	RODRIGUEZ, ELIAS GARCIA & SOFIA ROJAS	1535 SE QUINCY ST	66612 1535 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33121	SIMECKA, GERALD L	1533 SE QUINCY ST	66612 Po Box 4912	Topeka KS 66604	1101-Single family residence (detached)
R33122	WILKERSON, WILLIAM R & SONDRA Y	1529 SE QUINCY ST	66612 2020 SE MADISON ST	TOPEKA KS 66607-1240	1101-Single family residence (detached)
R33123	KINNEY, LINDA L	1527 SE QUINCY ST	66612 3108 SE 28TH TER	TOPEKA KS 66605-1802	1101-Single family residence (detached)
R33124	MEDINA-ACOSTA, PERLA LIZETH & VAZQUEZ, RUFINO MEDIA & MARTINEZ, TERESA DE JESUS	1525 SE QUINCY ST	66612 1525 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33125	STEWART, THOMAS N	1523 SE QUINCY ST	66612 2710 SE JEFFERSON ST	TOPEKA KS 66605-1112	1101-Single family residence (detached)
R33126	BROWN FOUNDATION FOR EDUCATION EQUITY EXCELLENCE & RESEARCH	SE QUINCY ST	66612 PO BOX 2338	MISSION KS 66201-2338	9910-Residential highest and best use
R33127	ELMORE, MITTCHELL A	1511 SE QUINCY ST	66612 710 S G ST	Wellington KS 67152-2317	1101-Single family residence (detached)
R33128	BULLOCKS, ALICIA DAWN	SE QUINCY ST	66612 2945 SE ADAMS ST	TOPEKA KS 66605-1225	9910-Residential highest and best use
R33129	UNITED STATES OF AMERICA	1515 SE MONROE ST	66612 1709 JACKSON ST	OMAHA NE 68102-2513	6121-Elementary
R33130	BROWN FOUNDATION FOR EDUCATION EQUITY EXCELLENCE & RESEARCH	SE QUINCY ST	66612 PO BOX 2338	MISSION KS 66201-2338	9910-Residential highest and best use
R33131	JACKSON, VICKY M	1502 SE QUINCY ST	66612 1502 SE QUINCY ST	TOPEKA KS 66612-1150	1101-Single family residence (detached)
R33132	CORNERSTONE OF TOPEKA INC	1506 SE QUINCY ST	66612 1195 SW BUCHANAN ST STE 103	TOPEKA KS 66604-1172	1101-Single family residence (detached)
R33133	HENDRICKS, BRANDON	1510 SE QUINCY ST	66612 1510 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33134	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	1514 SE QUINCY ST	66612 843 N KANSAS AVE	TOPEKA KS 66608-1210	1101-Single family residence (detached)
R33135	ZAMUDIO, ESPINASA FRANC JAIME	1516 SE QUINCY ST	66612 1516 SE QUINCY ST	TOPEKA KS 66612-1150	1101-Single family residence (detached)
R33136	JONES, CHALICIA	1520 SE QUINCY ST	66612 1520 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33137	MAYS, DEMIA & MICHAEL	SE QUINCY ST	66612 1524 SE QUINCY ST	TOPEKA KS 66612	9910-Residential highest and best use
R33138	MAYS, DEMIA & MICHAEL	1524 SE QUINCY ST	66612 1524 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33139	FORBES, DORIS J	1526 SE QUINCY ST	66612 726 ELM AVE UNIT 103	LONG BEACH CA 90813-4465	1101-Single family residence (detached)
R33140	FORBES, DORIS J	1528 SE QUINCY ST	66612 726 ELM AVE UNIT 103	LONG BEACH CA 90813-4465	1101-Single family residence (detached)
R33141	BOE, NATHAN E	200 SE 17TH ST	66612 6421 SW 27TH ST	TOPEKA KS 66614-4306	1101-Single family residence (detached)
R33142	KENYON, GREGORY ALLEN	208 SE 17TH ST	66612 Po Box 8044	Topeka KS 66608-0044	9910-Residential highest and best use
R33143	FAIRBRAKE PROPERTIES LLC	212 SE 17TH ST	66612 15835 SWITZER RD	OVERLAND PARK KS 66221-933	1101-Single family residence (detached)
R33144	ARREOLA, MARIA JOSEFINA	216 SE 17TH ST	66612 2853 SW LINCOLNSHIRE CT	TOPEKA KS 66614	1101-Single family residence (detached)
R33145	FAIRBRAKE PROPERTIES LLC	220 SE 17TH ST	66612 15835 SWITZER RD	OVERLAND PARK KS 66221-933	1101-Single family residence (detached)
R33146	FAIRBRAKE PROPERTIES LLC	222 SE 17TH ST	66612 15835 SWITZER RD	OVERLAND PARK KS 66221-933	1101-Single family residence (detached)
R33147	BAILEY, JOE MURL	1529 SE MONROE ST	66612 764 MABEL JOSEPHINE DR	TRACY CA 95377-8698	1101-Single family residence (detached)
R33148	BENNING, J W	SE MONROE ST	66612 2314 SW FILLMORE ST	TOPEKA KS 66611-1248	9910-Residential highest and best use
R33149	UNITED STATES OF AMERICA	SE MONROE ST	66612 1709 JACKSON ST	OMAHA NE 68102-2513	6121-Elementary
R33150	UNITED STATES OF AMERICA	306 SE 17TH ST	66607 601 RIVERFRONT DR	OMAHA NE 68102-4226	6121-Elementary
R33152	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	SE 17TH ST	66607 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	5510-General recreation park
R33153	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	SE 17TH ST	66607 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	5510-General recreation park
R33154	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	200 SW 12TH ST	66612 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	5510-General recreation park
R33155	CITY OF TOPEKA	1207 SW JACKSON ST	66612 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9970-Recreational / cultural / entertainment highest and best us
R33156		225 SW 12TH ST	66612 225 SW 12TH ST	TOPEKA KS 66612-1345	5372-Fitness center / racquetball club
R325565		225 SW 12TH ST	66612 225 SW 12TH ST	TOPEKA KS 66612-1345	5372-Fitness center / racquetball club
R325568	JJ & J INCORPORATED	225 SW 12TH ST	66612 913 SE 29TH ST	TOPEKA KS 66605	5372-Fitness center / racquetball club
R325566	JJ & J INCORPORATED	225 SW 12TH ST	66612 913 SE 29TH ST	TOPEKA KS 66605	5372-Fitness center / racquetball club
R325567	JJ & J INCORPORATED	225 SW 12TH ST	66612 913 SE 29TH ST	TOPEKA KS 66605	5372-Fitness center / racquetball club
R33157	CITY OF TOPEKA	SW 12TH ST	66612 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9970-Recreational / cultural / entertainment highest and best us
R33158	KANSAS BAR FOUNDATION	1200 SW HARRISON ST	66612 1200 SW HARRISON ST	TOPEKA KS 66612-1806	2401-General office buildings (1-4 stories)
R33159	MELLOTT, WILLIAM F	1218 SW HARRISON ST	66612 1218 SW HARRISON ST	TOPEKA KS 66612-1806	1101-Single family residence (detached)
R33160	HLADKY, JOHN C	1224 SW HARRISON ST	66612 1224 SW HARRISON ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33161	YWCA	1272 SW HARRISON ST	66612 225 SW 12TH ST	TOPEKA KS 66612-1345	2650-Parking Lot (uncovered)
R33162		SW 13TH ST	66612 225 SW 12TH ST	TOPEKA KS 66612-1345	2650-Parking Lot (uncovered)
R33163	DAVISON, SCOTT E	1273 SW VAN BUREN ST	66612 1273 SW VAN BUREN ST	TOPEKA KS 66612	1180-Dwelling converted to apartments
R33164	BREAKTHROUGH HOUSE INC	1201 SW VAN BUREN ST	66612 1195 SW BUCHANan ST STE 103	TOPEKA KS 66604-1172	2401-General office buildings (1-4 stories)
R33165	TRINITY PROPERTIES LLC	403 SW HUNTOON ST	66612 PO BOX 4243	TOPEKA KS 66604-0243	1170-Garden apartment complex (1-3 stories)
R33166	SCHULTIES, ELSIE LOUISE	415 SW HUNTOON ST	66612 5029 S 168TH AVE E	TULSA OK 74134-7180	1180-Dwelling converted to apartments
R33167	CITY OF TOPEKA	421 SW HUNTOON ST	66612 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9950-Commercial highest and best use
R33168	S AND L PROPERTIES LLC	1248 SW TOPEKA BLVD	66612 5029 S 168TH EAST AVE	TULSA OK 74134-7180	1180-Dwelling converted to apartments
R33169	SCHULTIES, ELSIE LOUISE	1254 SW TOPEKA BLVD	66612 5029 S 168TH AVE E	TULSA OK 74134-7180	1180-Dwelling converted to apartments
R33170	KANSAS OSTEOPATHIC FOUNDATION	1258 SW TOPEKA BLVD	66612 1260 SW TOPEKA BLVD	TOPEKA KS 66612-1815	9950-Commercial highest and best use
R33171	KANSAS ASSN OF OSTEOPATHIC MED	1260 SW TOPEKA BLVD	66612 1260 SW TOPEKA BLVD	TOPEKA KS 66612-1815	2401-General office buildings (1-4 stories)
R33172	KANSAS OPTOMETRIC ASSOCIATION	1266 SW TOPEKA BLVD	66612 1266 SW TOPEKA BLVD	TOPEKA KS 66612-1815	2401-General office buildings (1-4 stories)
R33173	KANSAS OPTOMETRIC ASSOCIATION	1270 SW TOPEKA BLVD	66612 1266 SW TOPEKA BLVD	TOPEKA KS 66612-1815	9950-Commercial highest and best use
R33174	PRICE, JUDY J	1275 SW HARRISON ST	66612 3600 SE ADAMS ST	TOPEKA KS 66605-2839	1180-Dwelling converted to apartments
R308069	PRICE, CHARLES & JUDY	410 SW 13TH ST	66612 3600 SE ADAMS	TOPEKA KS 66605	1180-Dwelling converted to apartments
R33175	ALLMON, NEAL B & CRAWSHAW, JAMES R	1273 SW HARRISON ST	66612 1273 SW HARRISON ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33176	BRANTLEY, TODD F	1271 SW HARRISON ST	66612 1271 SW HARRISON ST	TOPEKA KS 66612-1805	1101-Single family residence (detached)
R33177	TOVEY, LARRY F	1267 SW HARRISON ST	66612 1267 SW HARRISON ST	TOPEKA KS 66612-1805	1101-Single family residence (detached)
R33179	KANSAS BAR FOUNDATION	1257 SW HARRISON ST	66612 1200 SW HARRISON ST	TOPEKA KS 66612-1806	2401-General office buildings (1-4 stories)
R33266	HARRISON STREET INVESTMENTS LLC	1301 SW HARRISON ST	66612 1250 E 130TH AVENUE, #C	THORNTON CO 80241	1170-Garden apartment complex (1-3 stories)
R33267	KANSAS ASSOCIATION OF PUBLIC EMPLOYEES INC	1300 SW TOPEKA BLVD	66612 1300 SW TOPEKA BLVD	TOPEKA KS 66612-1817	2401-General office buildings (1-4 stories)
R33268	AMERICAN LEGION DEPT OF KS	1314 SW TOPEKA BLVD	66612 1314 SW TOPEKA BLVD	TOPEKA KS 66612	2401-General office buildings (1-4 stories)

R33338	LANDRUM, THELMA J	1403 SW VAN BUREN ST	66612 1403 SW VAN BUREN ST	TOPEKA KS 66612-1339	1101-Single family residence (detached)
R33339	REICHART, DUSTIN	309 SW 14TH ST	66612 1001 SE QUINCY ST	TOPEKA KS 66612	9910-Residential highest and best use
R33340	REICHART, DUSTIN	SW 14TH ST	66612 1001 SE QUINCY ST	TOPEKA KS 66612	9910-Residential highest and best use
R33341	MACFEE, PATRICK T	317 SW 14TH ST	66612 317 SW 14TH ST	TOPEKA KS 66612-1319	1101-Single family residence (detached)
R33342	MACFEE, DAVID J	SW HARRISON ST	66612 1404 SW HARRISON ST	TOPEKA KS 66612-1810	9910-Residential highest and best use
R33343	MACFEE, DAVID J & SUSAN	1404 SW HARRISON ST	66612 1404 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33344	MACFEE, DAVID J	1406 SW HARRISON ST	66612 1404 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33345	URISTA, ROSE ELVA & HIPOLITO	1408 SW HARRISON ST	66612 1408 SW HARRISON ST	TOPEKA OK 66612	1101-Single family residence (detached)
R33346	MACFEE, DAVID J	1414 SW HARRISON ST	66612 1404 SW HARRISON ST	TOPEKA KS 66612-1810	9910-Residential highest and best use
R33347	GARCIA, JOHN L & PATSY L	1418 SW HARRISON ST	66612 18420 S US HIGHWAY 75	SCRANTON KS 66537-9138	1180-Dwelling converted to apartments
R33348	CARPENTER, KENNETH L REVOCABLE TRUST	1420 SW HARRISON ST	66612 1424 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33349	CARPENTER, KENNETH L REVOCABLE TRUST	1424 SW HARRISON ST	66612 1424 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33350	HUSTON, TODD & ANGELA	1426 SW HARRISON ST	66612 1426 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33351	PENNER, SANDRA D	1430 SW HARRISON ST	66612 1430 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33352	PENNER, SANDRA D	SW HARRISON ST	66612 1430 SW HARRISON ST	TOPEKA KS 66612-1810	9910-Residential highest and best use
R33353	PENNER, SANDRA D	1436 SW HARRISON ST	66612 1430 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33354	IREY, MARVIN W	1441 SW VAN BUREN ST	66612 PO BOX 4102	TOPEKA KS 66604-0102	1180-Dwelling converted to apartments
R33355	COBIN, DAVID & GLORIA V & LEONARD SR	1437 SW VAN BUREN ST	66612 1437 SW VAN BUREN ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33356	COBIN, LEONARD F	1433 SW VAN BUREN ST	66612 1437 SW VAN BUREN ST	TOPEKA KS 66612-1339	1101-Single family residence (detached)
R33357	COBIN, LEONARD F	1429 SW VAN BUREN ST	66612 1437 SW VAN BUREN ST	TOPEKA KS 66612-1339	9910-Residential highest and best use
R33358	RAJAS, OLIVIA & VILLA ROMAN	1427 SW VAN BUREN ST	66612 1427 SW VAN BUREN ST	TOPEKA KS 66612-1339	1101-Single family residence (detached)
R33359	LAIBLE, LESLIE L & JANE E	1423 SW VAN BUREN ST	66612 2308 SW FAIRLAWN CT	TOPEKA KS 66614-1434	1101-Single family residence (detached)
R33360	SONJA PROPERTY MANAGEMENT LLC	1419 SW VAN BUREN ST	66612 111 RIVERVIEW DR #B	WAMEGO KS 66547-1932	1101-Single family residence (detached)
R33361	CALDWELL, MARGUERITE M & JONES, ANNETTE & GIBSON, JONATHAN	SW VAN BUREN ST	66612 5422 2ND ST NW	WASHINGTON DC 20011-6624	9910-Residential highest and best use
R33362	COBIN, FELICIA V	1411 SW VAN BUREN ST	66612 PO BOX 67364	TOPEKA KS 66667-0364	1101-Single family residence (detached)
R33363	JAUREGUI, STEVE & HUERTA, ROSA M	1407 SW VAN BUREN ST	66612 537 NE GRATTAN ST	TOPEKA KS 66616	1101-Single family residence (detached)
R33364	CORNERSTONE OF TOPEKA INC	1401 SW HARRISON ST	66612 1195 SW BUCHANAN ST STE 103	TOPEKA KS 66604-1172	1102-Duplex
R33365	WAGGENER S S ETAL	1400 SW TOPEKA BLVD	66612 1400 SW TOPEKA BLVD	TOPEKA KS 66612	2401-General office buildings (1-4 stories)
R33366	WADE, DENNIS D TRUST	1408 SW TOPEKA BLVD	66612 5145 NW 35TH ST	TOPEKA KS 66618-3616	6511-Medical / dental office or clinic
R33367	PHELPS, FRED W & MARGIE M	1414 SW TOPEKA BLVD	66612 PO BOX 1886	TOPEKA KS 66601-1886	2401-General office buildings (1-4 stories)
R33368	KEAGY, DONALD J	1420 SW TOPEKA BLVD	66612 1426 SW TOPEKA BLVD	TOPEKA KS 66612-1819	1102-Duplex
R33369	KEAGY, DONALD J	1424 SW TOPEKA BLVD	66612 1426 SW TOPEKA BLVD	TOPEKA KS 66612-1819	1102-Duplex
R33370	STATE OF KANSAS	1430 SW TOPEKA BLVD	66612 900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	2401-General office buildings (1-4 stories)
R33371	STATE OF KANSAS	SW HARRISON ST	66612 900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	2401-General office buildings (1-4 stories)
R33372	CARPENTER, KENNETH L REVOCABLE TRUST	1423 SW HARRISON ST	66612 1424 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33373	POORE, JAY K & SHERI L	1421 SW HARRISON ST	66612 5925 SW 34TH TER	TOPEKA KS 66614-4508	1101-Single family residence (detached)
R33374	WATERS, ALLEN D	1417 SW HARRISON ST	66612 1417 SW HARRISON ST	TOPEKA KS 66612-1809	1101-Single family residence (detached)
R33375	WADE, DENNIS D TRUST	1413 SW HARRISON ST	66612 5145 NW 35TH ST	TOPEKA KS 66618-3616	6511-Medical / dental office or clinic
R33376	CORNERSTONE OF TOPEKA INC	1407 SW HARRISON ST	66612 1195 SW BUCHANAN ST STE 103	TOPEKA KS 66604-1172	1102-Duplex
R33377	CORNERSTONE OF TOPEKA INC	1405 SW HARRISON ST	66612 1195 SW BUCHANAN ST STE 103	TOPEKA KS 66604-1172	1102-Duplex
R33378	CORNERSTONE OF TOPEKA INC	1403 SW HARRISON ST	66612 1195 SW BUCHANAN ST STE 103	TOPEKA KS 66604-1172	1102-Duplex
R33515	VILLAGRAND, MARTIN	1501 SW HARRISON ST	66612 1534 SW TOPEKA BLVD	TOPEKA KS 66612	1101-Single family residence (detached)
R33516	STATE OF KANSAS DEPARTMENT OF HUMAN RESOURCES	415 SW 15TH ST	66612 401 SW TOPEKA BLVD	TOPEKA KS 66603-3151	2401-General office buildings (1-4 stories)
R33517	NORTH MARKET COMPANY	1506 SW TOPEKA BLVD	66612 500 N MARKET ST	WICHITA KS 67214-3514	1101-Single family residence (detached)
R33518	NORTH MARKET COMPANY	1508 SW TOPEKA BLVD	66612 500 N MARKET ST	WICHITA KS 67214-3514	2401-General office buildings (1-4 stories)
R33519	HENDERSON, CURTIS L	1516 SW TOPEKA BLVD	66612 1516 SW TOPEKA BLVD	TOPEKA KS 66612	2401-General office buildings (1-4 stories)
R33520	M & M PROPERTIES A PARTNERSHIP	1520 SW TOPEKA BLVD	66612 2238 SW LOWELL LN	TOPEKA KS 66614-5019	6511-Medical / dental office or clinic
R33521	M & M PARTNERSHIP	1526 SW TOPEKA BLVD	66612 2238 SW LOWELL LN	TOPEKA KS 66614-5019	9950-Commercial highest and best use
R33522	ALBERT, ALYCE DIANE & EDWARD	1530 SW TOPEKA BLVD	66612 PO BOX 8485	TOPEKA KS 66608	9950-Commercial highest and best use
R33523	VILLAGRAN, MARTIN	1534 SW TOPEKA BLVD	66612 1534 SW TOPEKA BLVD	TOPEKA KS 66612-1845	1101-Single family residence (detached)
R33524	URISTA, ROSA ELVA	308 SW 16TH ST	66612 1222 SE LONG ST	TOPEKA KS 66607	1101-Single family residence (detached)
R33525	OSUNA, ANA M	1535 SW HARRISON ST	66612 1535 SW HARRISON ST	TOPEKA KS 66612-1811	1101-Single family residence (detached)
R33526	IJAMS, CLAYTON D	1529 SW HARRISON ST	66612 1529 SW HARRISON ST	TOPEKA KS 66612-1811	1101-Single family residence (detached)
R33527	M & M PROPERTIES A PARTNERSHIP	1525 SW HARRISON ST	66612 2238 SW LOWELL LN	TOPEKA KS 66614-5019	6511-Medical / dental office or clinic
R33528	HENDERSON, CURTIS L	1517 SW HARRISON ST	66612 1516 SW TOPEKA BLVD	TOPEKA KS 66612	9910-Residential highest and best use
R33529	LOPEZ, ALFREDO & ALMA NAVA	1515 SW HARRISON ST	66612 2925 SE AQUARIUS DR	TOPEKA KS 66605-1887	9910-Residential highest and best use
R33530	NAVA, ALMA	1509 SW HARRISON ST	66612 1509 SW HARRISON ST APT 4	TOPEKA KS 66612-1879	1180-Dwelling converted to apartments
R33531	MUNOZ, EMILIO	1505 SW HARRISON ST	66612 1505 SW HARRISON ST	TOPEKA KS 66612-1811	1101-Single family residence (detached)
R33532	CHASE, CURTISS L & ISABEL M	1501 SW VAN BUREN ST	66612 1501 SW VAN BUREN ST	TOPEKA KS 66612-1341	1101-Single family residence (detached)
R33533	CHASE, MARY JOSEPHINE & GERALD BURTON	315 SW 15TH ST	66612 1500 SW HARRISON ST	TOPEKA KS 66612-1812	1101-Single family residence (detached)
R33534	CHASE, MARY JOSEPHINE & GERALD BURTON	1500 SW HARRISON ST	66612 1500 SW HARRISON ST	TOPEKA KS 66612-1812	1180-Dwelling converted to apartments
R33535	DORSEY, TELLIS J	1504 SW HARRISON ST	66612 PO BOX 1406	TOPEKA KS 66601-1406	1101-Single family residence (detached)
R33536	HERNANDEZ, JOSE, Jr	1508 SW HARRISON ST	66612 7114 WOODRUFF	FORT LUPTON CO 80621	1101-Single family residence (detached)
R33537	BUNDRIDGE, LEONARD W	1512 SW HARRISON ST	66612 1240 SE LOCUST ST	TOPEKA KS 66607	1101-Single family residence (detached)
R33538	LEE, LEVI V, Jr	SW HARRISON ST	66612 1316 NE MADISON ST	TOPEKA KS 66608	9910-Residential highest and best use
R33539	POORE, JAY K & SHERI L	1520 SW HARRISON ST	66612 5925 SW 34TH TER	TOPEKA KS 66614-4508	1101-Single family residence (detached)

R33606	BRADBERRY-AUSTIN, MYRTLE LEE & BRADBERRY, FLOYD	1604 SW TOPEKA BLVD	66612 1604 SW TOPEKA BLVD	TOPEKA KS 66612-1840	1101-Single family residence (detached)
R33607	COTTONWOOD INVESTMENTS	1610 SW TOPEKA BLVD	66612 1610 SW TOPEKA BLVD	TOPEKA KS 66612-1840	2401-General office buildings (1-4 stories)
R33608	LR RENTALS LLC	1620 SW TOPEKA BLVD	66612 5120 SW 34TH ST	TOPEKA KS 66614	1101-Single family residence (detached)
R33609	BBMI INC	1624 SW TOPEKA BLVD	66612 1824 S Kansas AVE	Topeka KS 66612-1435	1101-Single family residence (detached)
R33610	KANSAS TIRE & AUTO INC	1634 SW TOPEKA BLVD	66612 5120 SW 34TH ST	TOPEKA KS 66614-3927	2174-Automobile service center
R33611	LR RENTALS LLC	1631 SW HARRISON ST	66612 5120 SW 34TH ST	TOPEKA KS 66614	9910-Residential highest and best use
R33612	LR RENTALS LLC	1621 SW HARRISON ST	66612 5120 SW 34TH ST	TOPEKA KS 66614	1101-Single family residence (detached)
R33613	POORE, JAY & SHERI	1617 SW HARRISON ST	66612 5925 SW 34TH TER	TOPEKA KS 66614-4508	1101-Single family residence (detached)
R33614	ASBURY, JOSHUA T & ADAM	SW HARRISON ST	66612 6324 SW 28TH ST	TOPEKA KS 66614-5230	9910-Residential highest and best use
R33615	VILLA, AURELIO H & IMELDA	1609 SW HARRISON ST	66612 1609 SW HARRISON ST	TOPEKA KS 66612-1841	1101-Single family residence (detached)
R33616	SHUTES, DANIEL D	1605 SW HARRISON ST	66612 1605 SW HARRISON ST	TOPEKA KS 66612-1841	1101-Single family residence (detached)

RESOLUTION NO. 9016

A RESOLUTION INTRODUCED BY CITY MANAGER BRENT TROUT ESTABLISHING THE CITY OF TOPEKA'S POLICY FOR TAX INCREMENT FINANCING.

WHEREAS, the City of Topeka, Kansas (the "City") recognizes that it is essential to stimulate economic growth and development of new commercial enterprise in order to provide services, employment and tax revenues for the benefit of the community; and

WHEREAS, it is further recognized that the stimulation of balanced economic development is a joint responsibility of the private and public sectors, working closely together to create a positive business environment and induce commercial development and expansion in the City; and

WHEREAS, the economic development program goals of the City include economic diversification, broadening of the property tax base, stimulation of private investment, enhancement and support of new development, creation and quality employment opportunities, and increased per capita income; and

WHEREAS, to meet these economic development goals, the City recognizes the need to occasionally assist in the redevelopment of property located within the City by the creation of Tax Increment Financing ("TIF") redevelopment districts; an economic development vehicle established by K.S.A. 12-1770 et seq. for the financing of qualified redevelopment projects; and

WHEREAS, the City finds it in the best interest of the public it serves to establish certain policies and guidelines for the consideration of proposals that may be presented to the City by private developers requesting TIF assistance; and

WHEREAS, all prospective TIF projects must be carefully evaluated by the City because the character of tax revenues generated by different developments can vary widely, and in most cases will impact other taxing jurisdictions in the Topeka community; and

WHEREAS, the City desires to use TIF for projects that demonstrate the highest public benefit by eliminating blight, financing desirable public improvements, strengthening the employment and economic base, increasing property values, reducing poverty, creating economic stability, upgrading older neighborhoods, facilitating economic self-sufficiency, and implementing the Comprehensive Plan and economic development goals of the City; and

WHEREAS, each TIF application submitted to the City will be evaluated on its own merits, and an evaluation of the proposal will be performed by a TIF Committee comprised of City staff and/or consultants; and

WHEREAS, all projects must demonstrate financial and economic reasons such that but for TIF assistance, conditions of blight, extenuating circumstances regarding the site, location, or other factors preclude the viability of project.

NOW, THEREFORE, THE TAX INCREMENT FINANCING REDEVELOPMENT DISTRICT POLICY FOR THE CITY OF TOPEKA, KANSAS WILL BE AS FOLLOWS:

SECTION ONE: PREFERENCES AND REQUIREMENTS. The following criteria are to be used by members of the City's TIF Committee, with input from appropriate staff, to evaluate applications for the creation of a TIF redevelopment district and/or project plan:

1. The City seeks to encourage the redevelopment of larger scale projects that positively impact multiple land uses and bring economic activity to surrounding neighborhoods.

2. Each TIF project plan application must demonstrate that "but-for" the use of TIF, the project is not feasible and would not be completed without the proposed TIF assistance. The City (through staff or its advisors and consultants; and at its sole discretion) will conduct the but-for analysis and the applicant shall be responsible for providing all information reasonably requested by the City to conduct such analysis.

   The City will generally seek to target a level of TIF incentive sufficient to provide the applicant with a market rate of return, including the effects of the incentives, but the City, at its discretion, may choose to provide a greater rate of return to the applicant in exchange for extraordinary benefits to the public.

   The City will prefer projects where less than twenty percent (20%) of the project's costs (excluding any interest on private financing) are expected to be paid from public incentives.

3. The City places priority on TIF redevelopment districts in areas of greatest need such as any approved neighborhood revitalization area, redevelopment planning area, and/or other similar areas where significant public/private investment has been directed consistent with the infill growth policies of the comprehensive plan.

4. The City would prefer projects that request utilization of only incremental property taxes generated by the TIF project, not any other taxes.

5. The City will give preference to TIF project plan applications that provide tangible, immediate public benefits (such as constructing high-priority infrastructure at the project's cost, producing high-wage jobs, making quality jobs available in highly-distressed neighborhoods, etc.).

6. The City has a preference for development which brings new businesses. If businesses are to be relocated from other areas of the city to the proposed TIF project plan area, the applicant must provide sufficient justification to indicate why the City should subsidize such relocation.

7. The City will require a negotiated minimum private expense requirement for the developer and a maximum permitted reimbursement amount to the developer.

8. The applicant will include in its TIF project plan application a uses-by-source-of-funding schedule illustrating the project costs that will be reimbursed from TIF and any other incentive program (public or private) for which the applicant has or plans to apply.

9. The City must be reasonably satisfied of the applicant's financial stability and ability to fulfill its obligations under the proposed Redevelopment Agreement. To this end, the City may reasonably request financial information from the application and its guarantors, if any, as a condition of the project's approval.

   The City will treat as confidential any such sensitive financial information provided by the applicant or its guarantors to the City's advisors or legal counsel and will, if requested, enter on the City's behalf into a non-disclosure agreement; provided, however, that such advisors or legal counsel must have the right under such agreement to convey their conclusions about the applicant's ability to meet the requirements above based upon its review.

10. For third-party requests to create TIF redevelopment districts, the City will require that the applicant certify that it intends to submit a Redevelopment Plan and begin negotiating a Redevelopment Agreement within a reasonable period of time (generally sixty (60) to ninety (90) days) following creation of the TIF district.

SECTION TWO: DEVELOPMENT AGREEMENT. Concurrent with the City's review of an application for a TIF project plan, the City will negotiate a Development Agreement to be considered and adopted by the Topeka Governing Body concurrent with its consideration of approval of the TIF project plan.

The development agreement will reflect the above preferences, all agreements and requirements to be considered by the Governing Body.

The applicant and/or developer must demonstrate that all real property taxes and assessments currently due on any real property owned by the applicant and located within the City limits have been paid and, furthermore, that the applicant is not indebted to the City. If the applicant is a business entity, this requirement will apply to any owner, member, or partner. If the applicant is a corporation, this requirement will apply to any shareholder holding a five (5) percent or greater interest.

Each TIF redevelopment project plan approved will expire not later than the 20th anniversary of the date upon which the Topeka Governing Body takes action to approve such project plan.

SECTION THREE: FEES.

City Cost Reserve

At the point in time of an application for TIF redevelopment district is initiated by a third-party, such applicant shall deposit $30,000 with the City to cover the City's Application Fee and its direct costs (including costs related to its outside advisors, consultants and counsel) associated with the review and evaluation of the application for a TIF redevelopment district, the review

and evaluation of the application for the initial TIF project plan or plans and the negotiation of the Development Agreement. Staff may adjust the deposit if the applicant intends to or has submitted an application for consideration of establishment of a community improvement district (CID).

Should an applicant make application within an existing TIF redevelopment district for a new or modified TIF project plan, it shall similarly deposit $30,000 with the City to cover the costs of such review.

The City shall return any balance from this reserve upon the applicant's withdrawal of all applications then pending, or the conclusion of the approval processes.

Costs charged to the reserve are TIF eligible costs to the extent permitted by law.

Application Fee
The City shall charge a non-refundable application fee, paid from the City Cost Reserve, for each application as follows:

Application to create or modify a TIF redevelopment district	$5,000

The application fee is a TIF eligible cost.

TIF Administration Service Fee
During the life of the TIF, the City will charge an administrative fee of two percent (2%) against the tax increment generated from the project prior to disbursement of the increment to the developer or bond trustee to cover the administrative costs incurred by the City for the administration of, and other City costs associated with each approved TIF Project. Such administrative service fee shall be in addition to the TIF application fee and any other fees associated with the TIF Project.

Additional Costs
City bond issuance costs will be paid from proceeds of TIF bonds issued.

City-Initiated Developments
The City reserves the right, at its sole discretion, to reduce or waive the above fees if a redevelopment project is City initiated and/or it is determined to be in the best interest of the City to do so.

Payments in Lieu of Taxes (PILOT)
Where applicable, the City may negotiate a payment in lieu of taxes requirement with the developer.

SECTION FOUR: DESIGN CRITERIA. Development proposals under a TIF application are expected to meet the highest design standards for commercial, industrial, multi-family, and mixed use buildings, as adopted by the Topeka Planning Commission and Governing Body. Development proposals that demonstrate innovative design that exceeds the design standards are encouraged.

SECTION FIVE: METHOD OF FINANCING. The City's general policy is that development should pay for itself. As a result, the City will consider general obligation or general fund support of TIF bonds only in extraordinary cases and typically only on City-initiated projects.

If the method of financing includes special obligation bonds, then the City's costs of executing any bond financing, including the costs of its counsel and advisors, shall be included in the bond financing.

SECTION SIX: AUTHORITY OF GOVERNING BODY. The Governing Body reserves the right to deviate from any policy, but not any procedure set forth in state law, when it considers such action to be of exceptional benefit to the City or extraordinary circumstances prevail that are in the best interests of the City.

SECTION SEVEN: PROCEDURES. The City Manager shall develop procedures for administering the TIF process, including but not limited to the filing and processing TIF applications.

SECTION EIGHT: EFFECTIVE DATE. This Resolution shall take effect May 16, 2018.

ADOPTED and APPROVED by the Governing Body on May 15, 2018.

CITY OF TOPEKA, KANSAS

Michelle De La Isla, Mayor

ATTEST:

Brenda Younger, City Clerk

CITY OF TOPEKA
TAX INCREMENT FINANCING DISTRICT ("TIF") PROCEDURES

Effective Date: May 16th, 2018

The City's Tax Increment Financing (TIF) policy can be found at https://www.topeka.org. Please review these procedures and complete along with Application for Tax Increment Financing (TIF) District form.

Sections:

I POLICY APPLICABILITY
II DEFINITIONS
III APPLICATION PROCESS
IV DISTRICT ESTABLISHMENT
V PROJECT FEASIBILITY
VI DEVELOPMENT AGREEMENT
VII METHOD OF PROJECT FINANCING
VIII BOND FINANCING GUIDELINES

I. POLICY APPLICABILITY.

The following procedures are established under the authority of the City Manager and are intended to provide guidance in establishing a Tax Increment Financing District ("TIF" or "District") in accordance with the Governing Body TIF Policy as approved by Resolution No. 9016 on May 15, 2018. The TIF Policy is incorporated herein by reference. These procedures may be waived by the City Manager, if such waiver is in the best interest of the City and does not conflict with any statutory or procedural requirement of state law. If any part of this procedure conflicts with state law, the latter shall control.

The TIF Procedures and Application are appropriate for when a TIF project plan occurs simultaneously with a TIF district. If the TIF district alone is being requested, then a modified application and procedures document may be requested.

II. DEFINITIONS.

Capitalized terms (other than proper names) in this procedures document have the meanings shown below:

Finance Team means the City Manager, Deputy City Manager, Finance Director, City Attorney, and the City's financial advisor

III. APPLICATION PROCESS.

A. TIF Application. An applicant shall make application for a TIF by filing with the City Clerk an electronic copy of the application to cclerk@topeka.org.

B. Fees.

1. Application Fee. A non-refundable application fee in the amount of $5,000.00, made payable to the City of Topeka, shall accompany the TIF Application.

2. City Cost Reserve. Once the application is received and reviewed, if the project is proceeding, the City and developer shall execute a funding agreement for a deposit of $30,000 to cover the City's costs of evaluating the requests which may include but not necessarily be limited to direct costs of the City's financial and legal advisors.

3. TIF Administrative Fee if District is Approved. An annual administrative fee of 2% of the annual TIF revenue generated within the District shall be charged by the City to reimburse it for services rendered in the administration and supervision of the Project. Such TIF Administration Fee shall be deducted by the City (a) in the case of property taxes, when the City receives property taxes from the County and (b) in the case of sales tax (or other locally-levied taxes), when the City makes the required transfers into the TIF fund.

4. Amendments. The City Manager may establish City fees, for amendments and modifications to the District financing documents that occur throughout the term. In addition, the applicant shall be responsible for all City Consultant fees associated with any such amendment request.

C. Preliminary Review and Pre-Application Meeting. Prior to submittal of a formal application, an applicant is encouraged to meet with the Finance Team to discuss a proposed project and possible TIF financing. These discussions are preliminary and are not binding on the applicant, the review committee, or the Governing Body. If the City utilizes any consultants to assist with the preliminary evaluation, the applicant shall be responsible to pay the associated costs, provided the City has first notified the applicant of such request and received their consent.

IV. DISTRICT ESTABLISHMENT.

The establishment of the district shall generally follow the guidelines established by State statute K.S.A. 12-1770 et seq. The Governing Body will consider setting the required public hearing to create a TIF District once a complete application is delivered to, reviewed by and recommended for action by the Finance Team, and the Applicant has paid any required fees (including entering into the funding agreement).

A. Reviewing and Establishing the Redevelopment District. Upon receiving the recommendation of the Finance Team, including a determination by the City Attorney that the proposed district area potentially qualifies for TIF under Kansas law, the Governing Body shall determine whether to reject the application for creation of a redevelopment district or to further consider the request. The Governing Body must conclude that redevelopment of the proposed area is necessary to promote the general and economic welfare of the City. If such a finding is made the Governing Body may adopt a resolution.

1. Redevelopment District Resolution – Notice of Public Hearing. The resolution shall state that the City is considering the establishment of a redevelopment district; additionally, it shall: (1) give notice that a public hearing will be held to consider the establishment of a redevelopment district and fix the date, hour and place of such hearing; (2) describe the proposed boundaries of the redevelopment district; (3) describe a proposed comprehensive plan that identifies all of the proposed redevelopment project areas and that identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each development project area; (4) state that a description and map of the proposed redevelopment district are available for inspection at a time and place designated; and (5) state that the Governing Body will consider findings necessary for the establishment of a redevelopment district. Such resolution shall be an expression of good faith intent, but shall not in any way bind the City to establishing a redevelopment district.

2. Public Notice and Hearing. No redevelopment district shall be established, nor TIF granted, by the City prior to notice and a public hearing as required by the Act. The date fixed for the public hearing shall be not less than 30 or more than 70 days following the date of the adoption of the resolution fixing the date of the hearing. The resolution shall be published by the City Clerk once in the official city newspaper not less than one week nor more than two weeks preceding the date fixed for the public hearing. A copy of the resolution providing for the public hearing shall be mailed certified mail, return receipt requested by the City Clerk to the Shawnee County Board of Commissioners, and the board of education of any school district levying taxes on property within the proposed district or proposed redevelopment project area, if known. Copies also shall be sent by certified mail, return receipt requested by the City Clerk to each owner and occupant of land within the proposed district or proposed redevelopment project area, if known, not more than 10 days following the date of the adoption of the resolution.

3. Shawnee County Board of Commissioners and Board of Education. No privately owned property subject to ad valorem taxes shall be acquired

and redeveloped under the provisions of the Act and this Policy if the Shawnee County Board of County Commissioners or the Board of Education levying taxes on such property determines by resolution adopted within 30 days following the conclusion of the public hearing for the establishment of the redevelopment district will have an adverse effect on such county or school district. If the City has established the redevelopment district prior to receiving such timely notice from the BOCC or School Board, the City shall, within 30 days of receipt of such resolution pass an ordinance terminating the redevelopment district.

4. Establishing the Redevelopment District. Upon the conclusion of the public hearing, the Governing Body may pass an ordinance establishing the redevelopment district. The ordinance shall make findings that the proposed redevelopment district is an eligible area and the conservation, development or redevelopment of such area is necessary to promote the general and economic welfare of the City; contain the district plan as approved, which shall identify all of the proposed redevelopment project areas and identify in a general manner all of the buildings, facilities and improvements that are proposed to be constructed or improved in each redevelopment project area; contain the legal description of the redevelopment district; and establish the redevelopment district. Any addition of area to the redevelopment district or any substantial change to the district plan shall be subject to the same procedure for public notice and hearing as is required for the establishment of the redevelopment district.

B. Reviewing and Approving the Redevelopment Project Plan.

1. The Redevelopment Project Plan. The City shall prepare a redevelopment project plan in consultation with the City Planning Commission. The Planning Commission must determine that the redevelopment project plan is consistent with the comprehensive general plan for the development of the City and this action must occur before the Governing Body adopts a resolution providing notice of a public hearing to consider adoption of the redevelopment project plan. The Redevelopment project plan shall include: (1) a summary of the feasibility study, described below, which shall be an open record; (2) a reference to the district plan that identifies the redevelopment project area that is set forth in the project plan being considered; (3) a description and map of the redevelopment area to be redeveloped; (4) the relocation assistance plan, if applicable; (5) a detailed description of the buildings, facilities and improvement proposed to be constructed or improved in such area; and (6) any other information the governing body deems necessary to advise the public of the intent of the project plan. Where the Governing Body determines that it will or may issue full faith and credit tax increment bonds to finance the

redevelopment project, in whole or in part, the resolution shall also include notice thereof. Any project shall be completed within 20 years from the date of the approval of the project plan.

2. Notice and Public Hearing. No redevelopment project plan shall be approved by the City prior to notice and a public hearing as required by the Act. The date fixed for the public hearing shall be not less than 30 or more than 70 days following the date of the adoption of the resolution fixing the date of the hearing. The resolution shall be published by the City Clerk not less than one week or more than two weeks preceding the date fixed for the public hearing. A sketch clearly delineating the area in sufficient detail to advise the reader of the particular land proposed to be included within the project area shall be included with the resolution. A copy of the resolution providing for the public hearing shall be mailed certified mail, return receipt requested by the City Clerk to the Shawnee County Board of Commissioners, the board of education of any school district levying taxes on property within the proposed redevelopment project area. Copies also shall be sent by certified mail, return receipt requested by the City Clerk to each owner and occupant of land within the proposed redevelopment project plan area not more than 10 days following the date of the adoption of the resolution.

3. Governing Body Adoption. Following the public hearing, the Governing Body may adopt the redevelopment project plan by ordinance passed upon a 2/3 vote. Any substantial changes as defined in K.S.A. 12-1770a, as amended, shall be subject to a public hearing following publication of notice thereof at least twice in the official city newspaper.

V. PROJECT FEASIBILITY.

A. Statutory Feasibility Study. The City will prepare the statutory feasibility study based upon information provided by the applicant.

B. Demonstration of Financial Capacity to Perform. Each TIF project plan application must include evidence that the applicant:

1. Has a complete capital stack established with sources and uses in balance;

2. Has the financial ability to complete the project, on time, as proposed;

3. Has a firm, demonstrable commitment from a lending institution(s) for any private borrowing required to complete the project;

4. Has the financial wherewithal to make the equity contribution to the project required to secure such borrowing(s);

5. Has a reasonable basis for its project cost estimates, with preference provided to applications that include professionally-estimated project costs; and

6. Has the capacity, for itself or through experienced operators, to operate the project profitably over its lifecycle.

C. But-For Test:

1. Each TIF project plan application must demonstrate that "but-for" the use of TIF, the project is not feasible and would not be completed without the proposed TIF assistance. The City (through staff or its advisors and consultants, at its sole discretion) will conduct the but-for analysis and the applicant shall be responsible for providing all information reasonably requested by the City to conduct such analysis.

2. The City's but-for requirement is a greater burden than the statutory burden for approval of a TIF project plan. The City shall, in its reasonable discretion, select the calculation methodology for such but-for analysis but it shall generally compare the return of the project and/or its developer taking into account TIF and other incentives against market rates of return for similar projects developed on "greenfield" sites (that is, those without the physical and legal impediments leading to the request for TIF). The but-for analysis will use time value of money discounting using reasonable assumptions (at the discretion of the City).

3. The but-for analysis shall take into account all incentives requested by the development from any governmental or other source (such as the Greater Topeka Partnership), not just those benefits provided by the TIF.

4. The City generally will seek to target a level of TIF incentive sufficient to provide the applicant with a market rate of return, including the effects of the incentives, but the City, at its discretion, may choose to provide a greater rate of return to the applicant in exchange for extraordinary benefits to the public.

5. The City will generally agree to permit the applicant to provide sensitive financial information to the City's advisors or legal counsel on the City's behalf under non-disclosure agreement, provided, however, that such advisors or legal counsel must have the right under such agreement to convey their conclusions about the applicant's ability to meet the

requirements above based upon its review.

D. Information to Be Submitted with a Project Plan Application:

1. Information in support of the requirements in paragraph (B) of this section

2. Current financial statements of the applicant and owner and/or operating entity if different from the Applicant (2 years); P&L (2 years); and Balance Sheet (2 years)

3. Market studies which identify target markets, analysis of competition, demographics, market rents and sales prices, letters of intent/interest from prospective tenants. The City may reasonably request of the applicant, at the applicant's cost, a thorough, third-party market analysis identifying: (1) the likelihood of success of the business mix proposed for the TIF project plan area; and (2) the potential economic impacts on existing businesses and corresponding tax revenues should the TIF project plan develop as proposed

4. A ten-year detailed operating pro forma for the Applicant/project

5. A schedule describing all incentives requested and/or granted in support of the project from any governmental entity

6. A uses-by-source-of-funding schedule illustrating the project costs that will be reimbursed from TIF and any other incentive program (public or private) for which the applicant has or plans to apply.

7. If businesses are to be relocated from other areas of the city to the proposed TIF project plan area, the applicant must provide sufficient justification to indicate why the City should subsidize such relocation.

8. A schedule identifying whether the TIF project plan is expected to create net new "quality jobs" in the city. The City defines a quality job as one that is (a) full-time (greater than 32 hours per week); (b) pays a wage equal to or greater than the average wage within the Topeka MSA; and (c) provides a basic benefit package including access to affordable health insurance, paid time off and the opportunity to participate in a retirement plan.

VI. DEVELOPMENT AGREEMENT.

A. Timing. The Governing Body will take action on project plan approval, project planning/zoning approvals and a development agreement concurrently.

B. Contents. Among other things, the Development Agreement will provide for:

a. A minimum private expense requirement for the developer and maximum permitted reimbursement amount to the developer.
b. Specific developer performance requirements, matching the proposed improvements provided in the TIF project plan application.
c. Consequences for developer non-performance, including reductions in the amount of incentives available, reductions in the maximum permitted reimbursement amount and/or acceleration of the date of expiration of the TIF.
d. The mechanics for reimbursement of TIF-eligible expenses.
e. The mechanics for establishing base year values for non-ad valorem taxes captured by the TIF.
f. Payment-in-lieu-of-tax requirements.
g. Conditions under which the applicant could request the City issue special obligation TIF bonds on its behalf.

VII. METHOD OF PROJECT FINANCING.

A. Certificate of Completion.

1. As noted in the Policy, Projects may be financed by a variety of methods. Before payment will be made to applicant, the City must issue a Certificate of Completion. Multiple Certificates of Completion may be issued for projects with approved phases.

2. The request for Certificate of Completion shall include an affidavit of the applicant certifying:

a. Project improvement is an approved TIF eligible cost and identify its priority for reimbursement, if any;
b. Project was constructed in accordance with all applicable laws and codes;
c. Cost was incurred for authorized project improvements;
d. Cost has not previously been submitted for reimbursement;
e. Cost reflects the actual cost expended; and

B. Reimbursement.

1. If pay as you go financing is used, the applicant shall submit to the

Director of Finance copies of all invoices supporting its request for reimbursement, accompanied by a Certificate of Completion. Invoices must be submitted quarterly and such submission must occur at least thirty (30) days prior to any quarterly disbursement period or applicant shall have to wait until the next quarterly disbursement period.

2. The Director of Finance shall attempt to determine the eligibility of the cost within thirty (30) days of the submittal. If the Director determines the nature or amount of the request for reimbursement is outside the scope of the Act or the Development Agreement, Developer may appeal this decision in accordance with the procedure in Chapter 2.145 of the Topeka Municipal Code. Any reimbursement payment shall be stayed pending a determination by the hearing officer.

3. Requests for reimbursement shall be denied unless submitted before the Project is closed or within thirty (30) days thereafter.

E. Appeals. No suit to set aside assessments or otherwise question the validity of the proceedings for the District establishment or Project authorization shall be brought 30 days after publication of the resolution or ordinance creating the District. No suit to set aside the CID sales tax may be brought 30 days from the publication of the ordinance or resolution declaring the intent to impose the CID sales tax. No protest petition pertaining to the issuance of full faith and credit bonds may be brought 60 days following the date of public hearing to create or modify the District.

VIII. BOND FINANCING GUIDELINES.

The City's general policy is that development should pay for itself. As a result, the City will consider general obligation or general fund support of TIF bonds only in extraordinary cases and typically only on City-initiated projects. If TIF bonds are issued for the project, the following guidelines shall be applied:

1. The City will give priority considerations to TIF applications that request only pay-as-you-go financing.

2. For third-party applications, the City will generally not consider full faith and credit TIF bonds or TIF bonds with other City credit enhancements.

3. The City will consider providing the applicant with the right to seek permit issuance of "special obligation" bonds (i.e. supported solely from TIF revenues) in the City's sole discretion. The City may include in the development agreement specific conditions precedent to this right becoming

available (minimum leasing commitments, minimum revenue thresholds, etc.).

4. The City's financial advisor will manage the bond issuance process on the City's behalf, including advising the City on the selection of members of the bond financing deal team (to include, but not be limited to, underwriters, trustees, feasibility consultants, etc.).

5. The City's bond counsel will serve as bond counsel on all TIF bond transactions.

6. For any bond financing, all City fees for itself, its counsel and advisors, will be paid from TIF bond proceeds (or by the applicant through an equity contribution to the financing).

7. For any special obligation bond financing, the City may impose an issuance fee of up to $50,000 to cover its staff costs involved in preparing and managing the financing. Additionally, the City will charge to the TIF fund an additional one percent (1%) annually on all TIF collections for ongoing administration of the bonds.

8. If required by bond counsel, the applicant agrees to be a party to the tax compliance agreement and/or continuing disclosure agreement (if applicable) on any TIF bond transaction.

CITY OF TOPEKA

Brent Trout

Brent Trout, City Manager

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Councilmember Ortiz**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Camping Ordinance**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**006 Communication / 003 Requests**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:	**Defer to PHS Committee 05-08-18. Update (90-Day) 08-07-18. Defer (until Sept 4th) 08-21-18. Update (90-Day) 09-04-18. Update (90-Day) 12-04-18. Update (90-Day) 03-05-19. Update (90-Day) 09-03-19**	**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

UPDATE and possible ACTION on the proposed camping ordinance. *(90-day update from the meeting of June 4, 2019.)*

Voting Requirement: Action would require at least six (6) votes of the Governing Body.

(Governing Body Rule 8.5(c) requires that each item referred to a committee shall be acted upon on or before any deadline set by the Governing Body or ninety (90) calendar days of the date upon which it was referred, whichever occurs first. The last update provided by the Public Health and Safety Committee related to the proposed camping ordinance occurred on June 4, 2019. Action or a subsequent update on the proposed camping ordinance is required on or before December 3, 2019.)

VOTING REQUIREMENTS:

Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

The Public, Health and Safety Committee Chair will provide an update to the Governing Body on the proposed Camping Ordinance as required by Governing Body Rules and Procedure 8.5(c).

STAFF RECOMMENDATION:

Staff makes no recommendation.

BACKGROUND:

On May 8, 2018, a proposed ordinance addressing camping was referred to a Public Health and Safety (PHS) Committee with a report due back to the Governing Body on September 1, 2018. Since that time, several PHS Committee meetings have been conducted (June 15, 2018; July 20, 2018; August 27, 2018; November 30, 2018; and March 29, 2019). The initial purpose of these meetings was to discuss the proposed Camping Ordinance. The discussion topic has become much broader over time, which has been reflected in each of the updates provided to the Governing Body (August 7, 2018; September 4, 2018; December 4, 2018; and March 5, 2019). A decision will ultimately be made regarding the underlying ordinance. The PHS Committee may take any of the following actions as set out in Section 8.5(b) of the Governing Body Rules and Procedures:

1. Recommend approval of the item.
2. Recommend approval, with amendments.
3. Recommend that the item not be approved.
4. Make no recommendation (no second means no recommendation).

Governing Body Rule 8.5(c) requires that each item referred to a committee shall be acted upon on or before any deadline set by the Governing Body or ninety (90) calendar days of the date upon which it was referred, whichever occurs first. The last update provided by the PHS Committee related to the proposed Camping Ordinance occurred on June 4, 2019. Action or a subsequent update on the proposed Camping Ordinance is required on or before December 3, 2019.

BUDGETARY IMPACT:

Not Applicable

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Proposed Camping Ordinance - May 8, 2018
March 29, 2019 PHS Committee Meeting Minutes (DRAFT)
November 30, 2018 PHS Committee Meeting Minutes (DRAFT)
August 27, 2018 PHS Committee Meeting Minutes
July 20, 2018 PHS Committee Meeting Minutes
June 15, 2018 PHS Committee Meeting Minutes
Governing Body Meetings - Excerpt of Minutes
Question and Answer Summary - May 8, 2018 Governing Body Meeting Packet
Homeless Outreach Presentation - June 15, 2018 PHS Committee Meeting
Riverfront Map - May 8, 2018 Governing Body Meeting Packet

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Brent Trout City Manager, creating Article III of Chapter 9.45 of the Topeka Municipal Code concerning Camping.

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 9.45.340, which said section reads as follows:

Purpose.

(a) Camping on public and private property. The streets and public areas within the city should be readily accessible and available to residents and the public at large for their intended uses. The use of these areas for camping purposes or storage of personal property interferes with the rights of others to use the areas for which they were intended. Such activity can constitute a public health and safety hazard which adversely impacts neighborhoods and commercial areas. Camping on private property without the consent of the owner, proper sanitary measures and for other than a minimal duration adversely affects private property rights as well as the public health, safety, and welfare of the residents of the city. The purpose of this chapter is to maintain streets and other public and private areas within the city in a clean, sanitary and accessible condition and to adequately protect the health, safety and public welfare of the community.

(b) Personal property stored on public property. The unauthorized use of public areas for the storage of personal property interferes with the rights of other members of the public to use public areas for their intended purposes and can create a public health or safety hazard that adversely affects residential and commercial areas.

The purpose of this chapter is to maintain public areas in clean, sanitary and accessible condition to prevent the misappropriation of public areas for personal use, and to promote the public health and safety by ensuring that public areas remain readily accessible for their intended uses.

Section 2. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.45.350, which said section reads as follows:

Definitions.

Unless the particular provisions or the context otherwise requires, the definitions contained in this section shall govern the construction, meaning, and application of words and phrases used in this section.

"Camp" means to reside in or use any public or private property for one or more nights for living accommodation purposes, such as sleeping activities or making preparations to sleep (including the laying down of bedding for the purpose of sleeping); or storing personal property (including, but not limited to, clothing, sleeping bags, bedrolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar material); or making any fire, regularly cooking meals, using any tents, or living in a parked vehicle. These activities constitute camping when it reasonably appears, in light of all the circumstances, that a person(s) is using public or private property as a living accommodation.

"Personal property" means any and all tangible property, and includes, but is not limited to, goods, materials, merchandise, tents, tarpaulins, bedding, sleeping bags, hammocks, personal items such as luggage, backpacks, clothing, documents and medication, and household items.

"Public property" means public parks and all property that is owned, managed or maintained by the City, including but not limited to streets, sidewalks, alleys, easements, and public right-of-way.

"Store, stored or storing" means to put aside or accumulate for use when needed, to keep for safekeeping, and/or to place or leave in a location.

"Street" includes every highway, avenue, lane, alley, court, place, parkway, curbs, bikeway or other public way which is open to public use.

"Tent" includes any tarp, cover, structure or shelter, made of any material that is not open on all sides and which hinders an unobstructed view behind or into the area surrounded by the tarp, cover, structure or shelter.

Section 3. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.45.360, which said section reads as follows:

Unlawful camping.

(a) It is unlawful and a public nuisance for any person to camp in the following areas:

(1) Any public property; or

(2) Any private property without the consent, in writing, of the property owner.

(b) Nothing in this chapter is intended to prohibit or make unlawful, activities of an owner of property that are normally associated with, and incidental to, the use of the property.

Section 4. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.45.370, which said section reads as follows:

Enforcement.

A law enforcement officer shall not issue a citation or make an arrest unless all of the following conditions apply:

(a) The person fails to comply with the officer's order to leave the property immediately and remove the person's personal property.

(b) The person is not in need of medical or human services assistance.

(c) Upon a determination by the officer that the person may be in need of medical or human services assistance, the person declines the opportunity to be transported to either a hospital or public shelter.

Section 5. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.45.380, which said section reads as follows:

Disposition of personal property.

(a) It shall be unlawful to fail to remove attended stored personal property within 24 hours of receiving written notice pursuant to this section.

(b) All stored personal property on public property may be impounded by the city in accordance with this section.

(c) Personal property placed on public property shall be deemed to be stored personal property if it has not been removed within 24 hours of service of written notice, requiring such removal. Moving personal property to another public property location or returning personal property to the same block on a daily or regular basis shall not be considered to be removing the personal property from public property. A law enforcement officer may remove and impound such stored personal property after providing 24 hours written notice.

(d) Personal property placed on public property located within ten feet of any entrance, exit, driveway or loading dock may be removed and impounded at any time without prior notice. Post-removal notice shall be provided as set forth in TMC 9.45.390.

(e) Personal property placed on public property which has a clearly posted closure time may be removed and impounded after the closure time, without prior notice. Post-removal notice shall be provided as set forth in TMC 9.45.390.

(f) In the event personal property placed on public property poses an immediate threat to the health or safety of the public, it may be removed without prior notice and discarded.

(g) Evidence of a crime or contraband may be removed from public property without prior notice.

Section 6. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.45.390, which said section reads as follows:

Notice.

(a) Pre-removal notice. The written notice required by TMC 9.45.380 shall be deemed to have been served if a written notice is served on the person storing the personal property, or is posted conspicuously on or near the personal property. The written notice shall contain the following:

(1) A general description of the personal property to be removed.

(2) The location from which the personal property will be removed.

(3) The date and time the notice was posted.

(4) A statement that the personal property will be impounded if not

removed from public areas within 24 hours.

(5) A statement that moving stored personal property to another location on public property shall not be considered to be removing personal property from public property.

(6) The location where the removed personal property will be stored, including a telephone number and the internet website of the city through which a person may receive information as to impounded personal property.

(7) A statement that impounded personal property may be discarded or otherwise disposed of if not claimed within 90 days after impoundment.

(b) Post-removal notice. Upon removal of stored personal property, written notice shall be conspicuously placed in the area from which the personal property was removed. The written notice shall contain the following:

(1) A general description of the personal property removed.

(2) The date and approximate time the personal property was removed.

(3) A statement that the personal property was stored on public property in violation of TMC 9.45. 380.

(4) The location where the removed personal property will be located, including a telephone number and internet website of the city through which a person may receive information as to impounded personal property.

(5) A statement that impounded personal property may be discarded or otherwise disposed of if not claimed within 90 days after impoundment.

Section 7. That The Code of the City of Topeka, Kansas, is hereby amended

by adding a section, to be numbered 9.45. 400, which said section reads as follows:

Storage and disposal.

(a) Except as specified herein, impounded personal property shall be moved to a place of storage.

(b) Except as specified herein, impounded personal property shall be stored by the city for 90 day after which time, if not claimed, it may be discarded or otherwise disposed of. The city shall not be required to undertake any search for, or return, any impounded personal property stored for longer than 90 days.

(c) The city shall maintain a record of the date any impounded personal property was received and discarded or disposed of.

(d) The owner or any other person entitled to the impounded personal property may repossess the personal property prior to its disposal upon submitting satisfactory proof of ownership. A person may establish proof of ownership by, among other methods, describing the location and date when the personal property was impounded from the public property, and providing a reasonably specific and detailed description of the personal property.

Section 8. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 9.45.410, which said section reads as follows:

Penalty.

Any person who violates the provisions of this article is guilty of a misdemeanor. Upon conviction, a person shall be sentenced to a fine not to exceed four hundred and ninety-nine dollars ($499) and/or imprisonment not to exceed thirty (30) days.

Section 8. This ordinance shall take effect and be in force from and after its

passage, approval and publication in the official City newspaper.

Section 9. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 10. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the City Council on _____.

CITY OF TOPEKA, KANSAS

_____
Michelle De La Isla, Mayor

ATTEST:

_____
Brenda Younger, City Clerk

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

PUBLIC HEALTH AND SAFETY COMMITTEE

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
Fax: 785-368-3958
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Date: March 29, 2019
Time: 3:30 p.m.
Location: Holliday 1st Floor Conference Room, Holliday Bldg 620 SE Madison

Committee members present: Councilmembers Karen Hiller, Sylvia Ortiz.

Committee members absent: Councilmember Aaron Mays

City staff present: Brent Trout, City Manager; Mary Feighny, Deputy City Attorney; Sergeant Joshua Klamm, Topeka Police Department; Sasha Haehn and Corrie Wright, Neighborhood Relations

Call to Order

Councilmember Ortiz called the meeting to order. Committee members and staff introduced themselves.

Election of 2019 Chair

Councilmember Hiller nominated Councilmember Ortiz to serve as the Chair. Councilmember Ortiz accepted the nomination. Councilmember Mays was absent. Councilmember Ortiz will serve as the 2019 Committee Chair with a vote of 2:0:1.

Discussion: 2019 Goals with regard to the proposed Public Camping Ordinance and Alternative Programs

Councilmember Ortiz provided a brief overview of the proposed ordinance and the work that has been assigned out to various staff. Councilmember Ortiz then asked those staff members to provide an update on their work.

Corrie Wright from the Neighborhood Relations Department serves on the Homeless Task Force. Ms. Wright provided an update on the Shelter Plus Care program that began a Housing First approach in February with a new provider. This approach is encouraged by the Department of Housing in Urban Development and has been around since 1990, but current research has been showing positive trends. Ms. Wright met with Dr. Russell Burton and his team who transported unsheltered individuals to the meeting. Thirty-one (31) vouchers, which included forty-three (43) people, were distributed on February 25th, 2018 and March 4th, 2018. As of the Public Health & Safety meeting date, twelve (12) households with nineteen (19) individuals have been able to get off of the streets and into a residence. Ms. Wright noted that with the City ID program

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initiated by SGT Josh Klamm and the Topeka Police Department, Valeo, and Dr. Burton, this program has seen the early success that it has. Ms. Wright noted that the Shelter Plus Care program is full, however would like to see a second round of individuals go through the program and get off of the streets.

Councilmember Ortiz inquired with Ms. Wright about the number of organizations that compose the Homeless Task Force, noting that she believed it to be around forty-seven (47). Ms. Wright confirmed she believed it to be around that estimate and will provide the Council Assistant, Liz Toyne with that information to be shared with the committee members.

Councilmember Ortiz called SGT Josh Klamm to the podium to provide an update on the projects he has been working on.

SGT Klamm will provide Councilmembers Hiller and Mays with the example City ID application. Since the beginning of the City ID program in November of 2018, 160 IDs have been created, with another sixty (60) applications on SGT Klamm's desk. Volunteers In Police Service (VIPS) have been manning a desk in the front lobby of the Law Enforcement Center weekly to assist with the applications and taking a current photo of applicants. Out of the 163 IDs, about 25 of those have been converted to State IDs. TPD partnered with the state to help individuals obtain their state ID in order to get copies of birth certificates, social security cards, and eventually a six year validity driver's license or permanent ID. Having identification will allow individuals to apply for jobs and housing. This pilot program is going smoothly.

With regard to the ordinance, SGT Klamm noted that if an unsheltered individual was arrested, the police department would have to gather and store their belongings during the time they were held. A shipping container was purchased and has been placed at the police impound lot and will be used for storing items collected.

Councilmember Ortiz inquired with the rapport that has been established between SGT Klamm and members of the unsheltered community. SGT Klamm responded that working alongside these individuals has been going well. Donations from local churches and organizations have been coming in and with the warmer weather, SGT Klamm expects to meet more unsheltered individuals.

Councilmember Ortiz inquired about the staff assigned to the Homeless Outreach Team (HOT). SGT Klamm noted that the team consisted of himself, one officer and that a second officer had been assigned to the team, but was going through training and it would be a few months before that second officer would be ready to help with the team. Councilmember Hiller appreciated the report.

Councilmember Ortiz inquired if Councilmember Hiller had additional comments or questions. Councilmember Hiller noted her appreciation in taking part of the discussion and the work that the 2018 committee members, staff and community members had been doing with regard to the ordinance as well as addressing some of

the challenges that are facing the unsheltered population of the city.

Councilmembers Ortiz and Hiller expressed gratitude to Dr. Russell Burton's work with partnering with staff as well as the unsheltered members of the community.

Public Input

Pamela Burkhart is a participant in the Shelter Plus Care program and provided her testimony to the committee.

Dr. Russell Burton addressed the committee. Dr. Burton noted that having the proposed camping ordinance sitting in committee is distressing to the unsheltered population who will be effected if the ordinance passes.

Councilmember Ortiz noted that the ordinance is not something that the committee nor Governing Body are planning to pass the ordinance any time soon. As the committee continues to review various programs and community work, there is a possibility that the ordinance may be deemed as no longer necessary.

McCall Enloe addressed the committee to share his testimony about his experience with the Shelter Plus Care program as well as his feelings of apprehension regarding the proposed ordinance. Mr. Enloe felt encouraged by the work that is being done with the new initiative of the Shelter Plus Care program.

David is a community member who resides near the river and provided testimony with the help he has received from the City ID program. David would like to see a program to help someone in a similar financial circumstance. Councilmember Ortiz asked Corrie Wright to meet with David and see what additional assistance might be available for him.

Jake Wall, a concerned citizen, addressed the committee inquiring if a date of postponement to the ordinance could be provided, noting that many of the unsheltered population lives in fear that the ordinance could be passed at any time and would directly affect their way of life. Councilmember Ortiz noted that the committee is not in a hurry to pass this ordinance and had Mary Feighny, Deputy City Attorney, comment on the steps of the process that would be taken prior to the proposed ordinance taking effect.

Mary Feighny noted that the committee will give an update to the Governing Body in June of 2019. Ms. Feighny noted that the process to approve the camping ordinance will not be rushed. Another piece that will be considered along with the camping ordinance is the traffic and pedestrian safety ordinance with yet another larger committee would have to meet and agree on a strategy before the ordinances would be considered. Mr. Wall was encouraged to hear that any final action regarding the ordinance was a long way out. Councilmembers Ortiz and Hiller made additional comments regarding the processes to work through the various aspects and details of

the ordinance.

Other Items Before the Committee

Councilmember Hiller noted that the topic of Code Compliance had been discussed.

Councilmember Ortiz inquired with City Manager Trout if Code Compliance had been reviewed by the RPI program. Mr. Trout noted that the session regarding the nuisance abatement process had been completed using the RPI process and that a presentation to the Governing Body would be provided in April. Mr. Trout further explained that having further discussion regarding some of the definitions found in the International Property Maintenance Code could change the way staff administers it. Mr. Trout stated that the committee should focus on the policy that the Council wants to have implemented by staff. Mr. Trout recommended that committee members create a list of concerns that they have for staff regarding Code Compliance and areas they want to discuss.

A community member going by the name Lieutenant Dan addressed committee members to inform them that the current Code Compliance standards were part of the reason for him being on the street.

Schedule Next Meeting(s)
Councilmember Hiller suggested meeting monthly to begin working through the Code Compliance tasks and discussing the Public Camping Ordinance periodically as necessary. Councilmember Ortiz agreed with City Manager Trout, that a list be created and shared with staff so that staff can begin working on requesting information.

Adjourn
Councilmember Ortiz asked Liz Toyne to meet with Councilmember Mays and recap the meeting as well as to assist the committee in developing a list to share with the City Manager. A schedule of meetings can then be developed after consultation with the City Manager.

Councilmember Ortiz adjourned the meeting.

Meeting video can be viewed at: https://youtu.be/7UEgUK5kQ6g

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CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

PUBLIC HEALTH AND SAFETY COMMITTEE

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
Fax: 785-368-3958
www.topeka.org

Date: November 30, 2018
Time: 3:00 p.m.
Location: Holliday 1st Floor Conference Room, Holliday Bldg 620 SE Madison

Committee members present: Councilmembers Sandra Clear, Sylvia Ortiz (Chair) and Mike Padilla

City staff present: Luther Ganieany, Topeka Police Legal Advisor; Lisa Robertson, City Attorney; Brent Trout, City Manager; Sergeant Joshua Klamm, Topeka Police Department; Sasha Haehn and Corrie Wright, Neighborhood Relations; Councilmember Mike Lesser

Call to Order
Councilmember Ortiz called the meeting to order.

Approve Minutes from August 27, 2018 meeting
Councilmember Padilla moved to approve the minutes. The motion seconded by Councilmember Clear. The motion carried unanimously. (3-0)

Reports and Follow-Ups from Organizations
Tawny Stottlemeier, Community Action and Homeless Taskforce – addressed the Committee and presented on the visit to Riverhaven in Ventura, California to research their designated camping area. Following the presentation, Ms. Stottlemeier noted that Ventura recited the term "Our citywide homeless strategy includes..." In addition, there are eight community police officers, 12 Ambassadors who are employed by the City, four cleaning crew members, a shower pod and pop-up medical/services, medical respite beds, and the public campaign against Panhandling.

Donald, community member, inquired with Tawny Stottlemeier as to how rent could be paid for members like him who have a disability and cannot work. Councilmember Ortiz stated that the conditions of the place of California are not necessarily what Topeka will be doing.

Dr. Russell Burton, community member, inquired as to the proposed way that individuals would be paying rent should Topeka adopt that portion of Riverhaven's model. Ms. Stottlemeier noted that she was not necessarily encouraging Topeka to adopt this model, however was providing information from their visit. Ms. Stottlemeier

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noted that for the individuals in Riverhaven, many paid their rent by governmental subsidies.

Ms. Stottlemeier provided feedback on behalf of Mark DeGraff from the Topeka Rescue Mission who conducted surveys with the unsheltered population in Topeka. The Street Outreach team and Valeo spoke to unsheltered community members and asked the question "If a designated campsite for you to live was created with centralized resources, would you consider moving?". Out of 21 citizens interviewed, 20 replied they would not consider moving. Some of the words provided as feedback were "segregated", "concentration camp", with several also voicing concern about crime. Councilmember Ortiz inquired as to where the interviews took place and where those individuals reside. Ms. Stottlemeier noted that she was not aware of the exact locations, however it took place across the whole city. Councilmember Clear inquired about the information provided previously about interviews that had been conducted with the homeless population that yielded an opposite response. SGT Klamm noted that at the time of his interviews, there was more of an interest in the topic from the unsheltered population rather than a strong opinion of being "for" or "against" the idea.

Corrie Wright provided an update to some of the questions presented by committee members at the August 27th meeting which included:

- A day center in the downtown area was proposed. Corrie confirmed that a few organizations within the Homeless Taskforce were interested in assisting with a day service program.
- Topeka Metro Bus Pass – Free passes were already provided. SGT Klamm has received those and will be getting them to unsheltered residents. Continued efforts will be done.
- Care Shelters & Respite Beds – Mary Tibbets (Stormont Vail) and Carrie Allen (Homeless Taskforce), visited these places. Mary Tibbets provided a report to the committee.
    - Mary Tibbets read a letter which was also provided to the committee members on behalf of the Homeless Taskforce. The taskforce does not recommend the placement of a blanket ban on sleeping and living on public property. Such a ban would be difficult and expensive to enforce, as well as the Constitutional restrictions that may arise with such a ban. Further, the taskforce has not found supported evidence that a designated camping area has been effective. Such areas found in other communities have actually had negative impacts. The Taskforce instead asks the committee to adopt and implement a formal, community-wide strategy to address homelessness. A recommendation of strategy to the Governing Body from the Taskforce include:
        - housing first approaches
        - supportive housing
        - temporary housing
        - individualized case management & advocate supports
        - mobile medical, food, and shower opportunities
        - medical respite
        - public awareness outreach

- strong and communitywide use of the Homeless Management Information System (HMIS) and Coordinated Entry Systems
- Other poverty-fighting measures such as addiction and recovery treatments, jobs and skills training, affordable and quality childcare, reliable transportation, crisis mitigation, and more.

Councilmember Clear inquired as to some of the items that the Taskforce mentioned and if those items were found to be successful in other communities. Ms. Tibbets as well as Rev. Barry Feaker (Topeka Rescue Mission), noted that most of the items were on target for showing success with re-establishing unsheltered individuals into the community.

Ms. Tibbets also provided the committee with information about medical respite.

- Chesney Park nursing resources – Ms. Wright will check into that option for street homeless.

Councilmember Ortiz noted that in past meetings, a number of these were addressed.

Councilmember Ortiz inquired with SGT Klamm as to the activity of the task force that was put into place by the TPD. SGT Klamm noted that the force is still only one officer, however more active.

SGT Klamm also provided follow up information regarding the ID program. The City ID card is moving forward. Day Labor services will help with employment if individual has ID card. In addition, many banks in the city will also accept the ID to set up an account. Some of the check cashing places are willing to cash a payroll check with this ID card. SGT Klamm has also reached out to a group of realtors for apartment complexes to see what other options for service might be available with this card. SGT Klamm also met with the Topeka Rescue Mission, Department of Revenue, Vital Statistics and will accept the City ID to issue a 1 year state of KS temporary ID. Once that is received, the Vital Statistics. Once the temporary card has been issued, individuals can go to Vital Statistics and receive their birth certificate. They have one year to do this. Once that is completed, individuals are then able to take the birth certificate back to the Department of Revenue where they will be issued the permanent state identification card that is valid for six years. SGT Klamm noted that to his knowledge, no other state has this type of partnership with an ID program.

Valeo is also donating efforts to this program.

Councilmember Ortiz inquired as to the length of time that the City ID cards are valid for. SGT Klamm noted that on the card, it states a one year expiration date. That date is simply to help with updating Information and photo. SGT Klamm is taking latitude and longitude as the location of the camp where an individual is staying. The idea is that pins can be dropped onto a map to see where individuals are at.

Councilmember Padilla inquired as to if the other local law enforcement entities (Shawnee County Sheriff's Office, TPD, KHP) will recognize this as an identification. SGT Klamm noted that a press release will be going out Tuesday, December 4th to explain the program. All officers at roll calls, and Power DMS training will be able to find out about it.

Councilmember Clear congratulated SGT Klamm on the program and the ID.

Councilmember Ortiz asked SGT Klamm to send information to the other entities prior to the press release on Tuesday.

Shipping Containers – SGT Klamm has looked into the cost of a shipping container. TPD will cover the cost of that and the Impound Lot will find a place to put the container upon direction. Used shipping containers that have been overseas twice and are in good condition run around $4,000. If custom work needs to be done, that will raise the cost a bit more. Nothing has been purchased yet. Waiting to see what the Governing Body decision is before continuing to move forward on that.

Councilmember Ortiz called Rev Barry Feaker to address the committee and inquired about property that was owned by TRM to use as a designated site. Rev Feaker stated that property is available, however he does not feel personally that it would be a good fit. With that, he would be open to discussing more if the city really wanted to move forward with this opportunity. Rev Feaker also congratulated SGT Klamm and the Police Department on the ID program noting this is the exact type of innovative solution that is needed to continue moving forward. Councilmember Ortiz stated that the committee had been discussing this topic for months and there are 49 organizations, including the Topeka Rescue Mission, that have come forward to help with finding the right solution for our unsheltered population. Rev. Feaker also noted that Topeka is a giving community and feels that the community is at the right place now to continue moving forward but suggested looking for something more sustainable as a solution rather than a camp site.

Councilmember Ortiz inquired about the MOU. SGT Klamm noted that it is signed and ready to go, but he did not bring it to the meeting today. Councilmember Ortiz asked Luther Gainey to bring the copy to the next meeting.

Councilmember Ortiz inquired with City Manager Trout as to the possibility to set up an account to accept private sector funds. Mr. Trout noted that it is a possibility. Lisa Robertson, Legal, will speak with Nick Hawkins in Finance to set something up. Councilmember Ortiz would like to see that move forward and become active as soon as possible.

Public Input

Councilmember Ortiz opened the floor for individuals to come up and speak.

DRAFT

Pat Houghton, or Cowboy - Addressed the committee. He does not feel a designated camp site should be established and does not want more rules dictating how the homeless should live. Councilmember Clear inquired with Mr. Houghton as to how to remove those members who are causing problems with the businesses. Mr. Houghton noted that most of those individuals who are causing problems are likely going to get themselves into trouble with PD. Councilmember Clear inquired if Mr. Houghton would take a house and move off of the street if it was offered to him to which Mr. Houghton stated that he would. He provided some of his life testament. He also suggested that the concrete pad located in Little Russia would make a great place for a campsite, however it is currently owned by the railroad.

Donald O. – Addressed the committee and noted that his is labeled as street homeless. He feels as though this is an unfair label. He did not choose to live in a tent, however has to stay somewhere and the shelter living lifestyle does not work for him. Donald is appreciative of individuals such as SGT Klamm who come to check on him and provide simple assistance. He prefers to be left alone. Councilmember Clear inquired if Donald was would accept help if it was offered to him. Donald prefers to be left alone and does not want to be bothered. Donald stated that the businesses that are having problems with homeless individuals need to call the police. Councilmember Padilla spoke with Donald to let him know that goal of the members of this committee and group is to not make individuals feel labeled or judged, but to provide assistance. Donald suggested a housing program using the abandoned houses around the city.

Robert Rangel Jr. – Provided his testimony to the committee. He would like to see the committee follow through with some of these plans to help the homeless. He noted that all of the people have a story and it is important.

Richard Harrison, also known as sick Rick – Communicated that he does not feel NOTO is treating the unsheltered fairly, and noted that many of the homeless individuals are not causing problems.

Jennifer Couch – Addressed the committee and provided her testimony. She does not have any other options if the tents are taken away.

Luther Lohff – Is a veteran and came to Topeka because there are no laws against being homeless. He provided his testimony, and feels that there are many members of the community that are not able to be helped by the Rescue Mission. Mr. Lohff likes the idea of a regulated campground. Councilmember Ortiz inquired if Mr. Lohff would accept help if it was provided. He responded that he would.

Diana Bloom – Spoke to the committee. She noted that she has gone by the river to see what they need help with and noted that many are needing assistance with basic contacting of services, an ID, etc. Many of the people who she spoke to also noted that they were unhappy with the Rescue Mission and the number of rules that are required to be followed in order to receive services. Ms. Bloom suggested having trash receptacles and water available in the time between working out a decision.

Dr. Russell Burton addressed the committee and provided testimony. He showed some photographs to the committee about where encampments currently are.

Councilmember Lesser stated he would like to allow Rev Feaker respond.

Rev Feaker addressed the committee. One note he made was that regardless of the situation, if the weather is below 40 degrees, any individual is allowed to enter the Rescue Mission.

Adjourn
Councilmember Ortiz adjourned the meeting.

Meeting video can be viewed at: https://youtu.be/8hb3-kWNenY

DRAFT

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

PUBLIC HEALTH AND SAFETY COMMITTEE

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
Fax: 785-368-3958
www.topeka.org

Date: August 27, 2018
Time: 3:00 p.m.
Location: Holliday 1st Floor Conference Room, Holliday Bldg 620 SE Madison

Committee members present: Councilmembers Sandra Clear, Sylvia Ortiz (Chair) and Mike Padilla

City staff present: Luther Ganieany, Topeka Police Legal Advisor; Lisa Robertson, City Attorney; Brent Trout, City Manager; Sergeant Joshua Klamm, Topeka Police Department; Sasha Haehn and Corrie Wright, Neighborhood Relations

Call to Order

Councilmember Ortiz called the meeting to order.

Approve Minutes from July 20, 2018 meeting

Councilmember Padilla moved to approve the minutes. The motion seconded by Councilmember Ortiz. Councilmember Clear was absent for the vote. The motion carried unanimously. (2-0-1)

Reports and Follow-Ups from Organizations

- Councilmember Clear arrived
- Corrie Wright, Department of Neighborhood Relations and liaison for the Homeless Taskforce, provided committee members a letter and addressed the committee with the following highlights:
    - Suggested building a designated camping area, California has weather proof tents (link provided below). This idea would have access to water, restrooms, and the tents are roughly $2,500 each and the Taskforce recommended having 20 tents to begin with. Community conversations would take place to help fund the program privately without using City tax dollars. Ms. Wright will speak with Luther Ganieany, Legal, to research legal matters that might come up.
    - Educate business owners about their legal rights regarding calling police.
    - Creating a day center in the downtown area which would provide a place out of the weather to socialize, have access to a light meal, and activities to keep individuals from loitering around the downtown area, which has been a concern from many citizens.

    - Options for free bus passes, to hopefully entice individuals to travel for a job, or social services that they may be in need of.
    - Funding for the Topeka Police Department to have homeless outreach officers.
    - A group of members from the Homeless Taskforce went out and interviewed a number of homeless individuals to get their input. These interviews were videotaped and could be provided to the committee to view at a following meeting.
- Councilmember Padilla inquired about the interview with homeless individuals to find out what would be needed for living or what the holdup is as to why they are staying on the street.
    - Brett Martin with United Way discussed his interviews with homeless campers along the Kansas River and noted that many of the individuals were not generally transient, and were willing to gain assistance if it were made available. They would prefer a designated camping area with cover.
    - Council members were interested in watching the video of interviews.
    - No children were present and there are a total of 53 known households camping.
    - Sergeant Klamm: There may be camps on the west side, but not a large number. They conducted outreach with individuals prior to discussing their situation. Some they talked with were chronically homeless. Some have various barriers to finding alternative housing. A facility with water or designated area would be positive, but some issues within the community may have to be worked out. His team will be in charge of homeless outreach. This team would begin with one officer until more manpower/resources are dedicated. Another concern was what to do with belongings if the homeless individual is arrested, they are supposed to hold their stuff for 90 days. TPD is currently looking at a shipping container to keep at the impound lot. This option is cost effective. Councilmember Padilla asked how this population sustains themselves with food and other necessities. SGT Klamm noted the individuals go to the Mission, Let's Help and travel to get water and bring it back to the camp within walking distance.
    - Councilmember Clear queried if the individuals who were interviewed provided an accurate representation to the homeless camping community as a whole. SGT Klamm noted that in addition to the seven individuals who were interviewed, he had spoken to about four the week prior and all parties confirmed a similar response. They would be interested in living in a designated area as long as basic commodities would be available. SGT Klamm suggested doing a more in depth survey with more of the population to have a more rounded answer. Councilmember Clear noted that having a designated camping area would allow authorities to say "yes" instead of so many "no's" with regard to where homeless individuals could be or not be. SGT Klamm met with Barry Feaker of the Topeka Rescue Mission and the Mission is interested in having more conversations about having space near the Mission for an outdoor camping area.

- SGT Klamm stated another hurdle is the issue of identification. This process is difficult under current state requirements. Houston, Texas has a program that their police department set up which allows homeless individuals to obtain a Social Security card and birth certificate. SGT Klamm provided the committee with an example of the Identification Letter. SGT Klamm has more follow up to do with state organizations to inquire about the possibilities of TPD being able to run a similar program, but felt this program would be relatively easy to run and would not utilize a lot of resources or man power to do it. Councilmember Ortiz asked Legal to draft something for this project. Councilmember Ortiz also noted that individuals who were in need of a copy of their birth certificate, or social security card, if it is on file, could go to the Department of Child and Family Services and receive one free of charge.
- Councilmember Ortiz inquired with Luther Ganieany about the status of the MOU. Mr. Ganieany noted that the MOU is in the final stages, however is not ready to date.
- Councilmember Ortiz instructed SGT Klamm to send team information to Liz Toyne (Council Assistant).
- Mary Tibbitts with Stormont Vail addressed the committee and noted that health care services are not a high priority on homeless list. Ms. Tibbitts informed the individuals that the team met with about GraceMed, and offered it as a secondary option to going to the Emergency Room. Ms. Tibbitts noted that in her experience with working with homeless individuals, health care is not generally a priority unless there is an immediate emergent need. Councilmember Ortiz asked Ms. Tibbits to provide Liz Toyne with her contact information.

- Councilmember Ortiz went down her check list
  - Legal Updates: Luther Ganieany noted a designated campground would be considered an alternative to housing but requested the committee to give thought to how this campground would remain clean/sanitary, as this would be a big issue.
  - Councilmember Clear and Ortiz asked Frank Henderson, with Topeka Rescue Mission and Liz Toyne to follow up with Barry Feaker to invite him to attend the next committee meeting.
  - Councilmember Ortiz asked Corrie Wright to reach out to Topeka Metro to see what they can offer.
  - Community Action – was not present at the meeting, but would be invited to attend the next meeting.
  - Beds and caring shelters - Corrie Wright noted that funding is an issue but had some ideas. Ms. Wright will be going to another community with Mary Tibbitts to see respite homes that hospitals run.
  - City Manager – Councilmember Ortiz asked Brent Trout to inquire with Doug Gerber and the Finance Department about setting up an account to receive funds from private sector
  - JUMP – Councilmember Ortiz inquired with the organization as to if they had determined a definition of what affordable housing was – no definition

was provided.
    - Councilmember Ortiz noted that Chesney Park NIA and Stormont nurses offer blood pressure check, diabetic testing, etc for free and asked Corrie Wright to look into that resource as an option.
    - Councilmember Ortiz commended all of the entities that attended the meeting noting that this process is long and appreciated their attendance and input.
- Councilmember Padilla inquired with City Legal as to if camping is allowed on any city easements. Luther Ganieany noted that yes, if the area is public/city property. If it is on private property, individuals can be asked to move. Councilmember Padilla suggested the campground as a better option and would urge homeless to go to that location.
- Councilmember Padilla inquired if the homeless know what resources are available to them and where to if they know how to access them. SGT Klamm responded that the individuals do have good networking and are very resourceful. The ID program would be easy to do for small amount of money.

Public Input
None

Adjourn
Councilmember Ortiz adjourned the meeting.

Meeting video can be viewed at: https://youtu.be/L7JSC-ZUlnc

Link for referenced Tents: http://worldshelters.org/shelters/u-dome

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

PUBLIC HEALTH AND SAFETY COMMITTEE

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
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Date: July 20, 2018
Time: 3:00 p.m.
Location: LEC, Classroom A; 320 S. Kansas Ave Ste 100

Committee members present: Councilmembers Sandra Clear, Sylvia Ortiz (Chair) and Mike Padilla

City staff present: Brenda Younger, City Clerk; Luther Ganieany, Topeka Police Legal Advisor; Lisa Robertson, City Attorney; Brent Trout, City Manager; Sergeant Joshua Klamm, Topeka Police Department; Sasha Haehn, Director of Department of Neighborhood Relations; and Corrie Wright, Division Director of Housing Services.

Call to Order
Councilmember Ortiz called the meeting to order.

Approve Minutes from June 15, 2019 meeting
Councilmember Clear moved to approve the minutes. The motion seconded by Councilmember Padilla carried unanimously. (3-0-0)

Presentations

Luther Ganieany showed a TED Talks video to the committee. The link to that video is provided below.

Councilmember Ortiz inquired with SGT Joshua Klamm about an upcoming program that is similar to the one introduced in the video. SGT Klamm confirmed that the Homeless Outreach Taskforce (HOT) program is in the finishing stages of completion and requires approval of Police Chief Bill Cochran.

Public Input

- Frank Anderson, Director of Homeless Services at the Topeka Rescue Mission (TRM), noted that TRM has a Street Reach program, however would be interested in partnering with the City of Topeka in an alternative program such as the one presented in the video. Mr. Anderson noted that TRM would have resources to assist with providing a staff member to drive a van and to provide sack lunches. Councilmember Ortiz inquired with Mr. Anderson about the requirement of having a place for individuals to sleep for the evening after completing a day's work. Mr. Anderson noted that he was aware of the regulations at TRM and that although TRM is not a public shelter, TRM would be willing to provide a bed for individuals who were within compliance of TRM's policies. Councilmember Sandra Clear referred to the letter provided to the committee by Barry Feaker, Director of TRM, and inquired if the Homeless Service Work Program (HSWP) is something that could be done in addition to the ordinance. Councilmember Clear also inquired if the ordinance could be in effect with the program coming into action

at a later time if it was not ready at the same time. Mr. Anderson noted that the program is not currently in place, but is a proposal of something to go in tandem with the ordinance. Lisa Robertson, City Attorney, commented that there are elements of the ordinance that would have to be met, however the entire plan would not have to happen at the time the ordinance would go into effect.

- Corrie Wright, Division Director of Housing Services with the City of Topeka and member of the Homeless Task Force, commented that she had been in attendance of recent Homeless Task Force meetings. Carrie Allen, Vice-Chair of the Homeless Task Force, read a letter to the committee introducing the organization and possible ways in which they could be of assistance. Ms. Allen also noted that there are questions that the task force had which were not currently being addressed by the proposed ordinance. Ms. Allen asked for a delay in voting on the ordinance, however noted that the request was not a dismissal of the ordinance altogether. Ms. Allen provided committee members a letter and asked that the decision of the ordinance be delayed an additional three (3) months to allow for more discussion to be had concerning feasibility issues. Councilmembers Clear and Padilla had a few inquiries but both shared a feeling of wanting to move the ordinance forward sooner rather than later.
- Tawny Stottlemire, with Community Action, provided Committee members with a letter that listed commends from Community Action members. Ms. Stottlemire stated that Community Action also supported the Homeless Task Force and requested more time to put a program in place prior to passing the ordinance. Community Action is working toward the same goal as the Governing Body is hoping to accomplish with this ordinance.
- Councilmember Clear inquired as to how past ordinances with public assistance has been handled, specifically to define what the roll of the City government is. Doug Gerber, Deputy City Manager, noted that there are many rolls in which the City could and should be involved with partnering to address this issue. Mr. Gerber noted that the Governing Body are the policy makers, and that the topic of public camping is at the forefront of being addressed in many cities. Many of the City's departments are directly effected by this issue as well as by the requirements listed in the ordinance. Mr. Gerber felt that input and participation from the committee as well as from the organizations that are in attendance are critical for this ordinance to be successful. Councilmember Clear inquired as to the depth of research that needed to be done prior to passing the ordinance. Deputy City Manager Gerber felt that once the major topics had been discussed, the ordinance could be passed. There will always be a potential for a lawsuit, however if circumstances can be mitigated to reduce the frequency and likeliness of this occurring, the Governing Body could feel comfortable passing the ordinance.
- Ximena Garcia inquired with committee members about the type of community they wanted Topeka to be. Ms. Garcia expressed disproval of the ordinance as well as the tax increase. Councilmember Clear acknowledged Ms. Garcia's remarks and noted that there have been a number of businesses within the City that are being hurt by individuals who are camping on public property. There is a cost of cleaning up past campsites as well as health issues occurring within the sites.
- Councilmember Padilla inquired with City staff about the difference of private and public property, specifically wanting to address enforcing current ordinances that cover trespassing. Councilmember Padilla inquired if the trespass ordinance will be different from the proposed camping ordinance. Luther Ganieany noted that because it is public property, it would be interfering on the individual's Constitutional right to be in that space. Lisa Robertson noted that the trespassing ordinance could be enforced on private property, however unless there was an immediate danger, the trespass ordinance would not be able to be enforced on public property.
- Steve Schiffelbein, with Topeka JUMP, addressed the committee and advocated for a homeless employment program. Mr. Schiffelbein also suggested that the committee clearly state the intent of the ordinance.

- Councilmember Ortiz inquired about an update on a current permit process for camping on the river. Lisa provided committee members with an email as well as with a verbal update.
- Councilmember Ortiz felt that another public meeting should be held to develop a team to work on this camping ordinance.
- Councilmember Ortiz noted that anyone wishing to be on the committee to provide input should call the Liz Toyne in the Council Office at 785-368-1670. The following list are items to be reported on at the next Public Health and Safety Committee meeting:
    - Homeless Task Force to reach out to the residents who are currently camping under the Kansas Ave Bridge in North Topeka.
    - TPD report update on Homeless Outreach program
    - City Legal update or report on anything they may deem necessary
    - Topeka Rescue Mission report any detail of proposed program
    - Corrie Wright, meet with the Homeless Task Force President and bring back ideas about a sub-committee
    - Invitation for Community Action and Ms. Ximena Garcia to be at the next meeting.
    - Homeless Task Force to provide the number of beds and "Caring Shelters" that could be committed by agencies on the task force.
    - Doug Gerber and the City's Finance Department follow up if an account could be set up to receive donations. If that is not a possibility, other ideas that could be done.
    - JUMP to follow up with definition of what specifically "affordable housing" means
    - SGT Klamm to report about the issue of storage
    - Homeless Task Force to provide update on what organization would provide medical assistance as needed and the round the clock supervision
- Lisa Robertson and Luther Ganieany expanded on the research that had been completed regarding the wording of the ordinance.
- Reverend Sarah Oglesby-Dungan provided a departing prayer

Set Next Meeting
Within a month

Adjourn
Councilmember Ortiz adjourned the meeting.

Meeting video can be viewed at: https://youtu.be/VcY8vGAZe7A

TED Talks Presentation can be viewed at:
https://www.ted.com/talks/richard_j_berry_a_practical_way_to_help_the_homeless_find_work_and_safety#t-728108

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

PUBLIC HEALTH AND SAFETY COMMITTEE

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
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Date: June 15, 2018
Time: 3:30 p.m.
Location: Holliday Building, 1st Floor Conference Room – 620 SE Madison

Committee members present: Councilmembers Sandra Clear, Sylvia Ortiz (Chair) and Mike Padilla

City staff present: Brenda Younger, City Clerk; Luther Ganieany, Topeka Police Legal Advisor; Lisa Robertson, City Attorney; Brent Trout, City Manager; Sergeant Joshua Klamm, Topeka Police Department; Sasha Haehn, Director of Department of Neighborhood Relations; and Corrie Wright, Division Director of Housing Services.

Call to Order
Councilmember Ortiz called the meeting to order.

Appoint Committee Chair
Councilmember Clear moved to appoint Councilmember Ortiz. The motion seconded by Councilmember Padilla carried unanimously (3-0-0)

Approve Minutes from September 28, 2017 meeting
Councilmember Clear moved to approve the minutes. The motion seconded by Councilmember Padilla carried unanimously. (3-0-0)

Introduction of TMC 9.45 Article III: Camping on Public and Private Property
Lisa Robertson, City Attorney, reported staff presented two separate ordinances to the Governing Body on May 8, 2018. She stated the ordinance relating to camping on public and private property was referred to the Public Health and Safety Committee; and the ordinance relating to traffic and pedestrian safety was referred to a Special Committee appointed by the Deputy Mayor that will work independently from the Public Health and Safety Committee. She stated Luther Ganieany, Topeka Police Legal Advisor, has performed extensive research on the matter and will provide a presentation to the Committee. She requested Committee members discuss what was important to them and what they would like to be included in the ordinance.

Luther Ganieany, Topeka Police Legal Advisor, reported the camping ordinance presented to the Committee for consideration would serve as (1) an enforcement piece of camping on public or private property without permission of the property owner; and (2) establish protections for personal property. He highlighted the challenges, complexity, resources and services available to assist with the issue; compliance measures as well as the legal obstacles outlined in the Pottinger Protocols and Exceptions. He stated staff was recommending a collaboration of agencies including law enforcement as well as behavioral health and social service providers resulting in tailored interventions that connect people with housing, social services and treatment. He reported

the agency partnership would meet the community goal of reducing the number of people inhabiting public spaces. He continued discussion on the Homeless Outreach Team (H.O.T) a program created for the purpose of educating and serving as a resource guide for social services offered through outreach and diversion. He noted enforcement of the proposed camping ordinance would serve as a last resort in dealing with homelessness.

Councilmember Clear questioned if the ordinance could be approved without having the H.O.T. Program in place; how the proposed ordinance would influence property rights of business owners; and what efforts are being made by the current Homeless Task Force in regards to addressing camping on public property.

Luther Ganieany stated the ordinance could be approved without the program being in place and business owners would still have their traditional property rights.

Corrie Wright, Division Director of Housing Services, reported the Homeless Task Force currently has several outreach teams that are involved in the community. She stated with regard to the homeless campsites and how it relates to criminalization the Homeless Task Force would welcome the opportunity to discuss the issue in more detail at their next meeting and report back to the Committee with what they believe may be viable options to address the matter. She noted the Homeless Task Force consists of approximately 40 members representing various organizations in the community with the goal to address homelessness in Topeka.

Councilmember Ortiz encouraged the Homeless Task Force to get involved in the process as they will be crucial to the success of the program and helping to manage the homeless community.

Corrie Wright reported the goal of the Homeless Task Force was to help homeless people get into a shelter no matter what; however, there is only one shelter in Topeka and not all individuals are allowed in the shelter for various reasons such as behavioral and medical issues or substance abuse.

Councilmember Clear asked if a homeless person could be sent to a shelter located in another city.

Luther Ganieany reported a homeless person from the Topeka community would need to be placed in a local shelter as it would become a problem to try and transport homeless people to other communities.

Councilmember Ortiz noted many times the services offered to homeless people are refused.

Corrie Wright reported recently the Homeless Task Force has implemented a coordinated assessment of the individuals included in their database receiving resources in the community for the purpose of providing additional services to individuals as needed.

Councilmember Ortiz questioned how the ordinance would address repeat offenders and how long would personal possessions be held.

Luther Ganieany reported the repeat offenders would not be able to establish a camp because outreach efforts will be documented and if they pursue staying at the campsite then the enforcement piece would take effect. He noted personal property would be held for 90 days from the date seized.

Councilmember Clear asked if the Mission refuses people due to lack of available space and if the Mission enforces mandatory therapeutic or religious programing for their occupants.

Mike Foster, Topeka Rescue Mission, reported homelessness was a problem throughout the city and the Mission works to accommodate any person who seeks their services and would not reject a person due to lack of space. He stated he would need clarification on the term "therapeutic" and the Mission has no religious requirements; however, they do offer a voluntary chapel service. He stated they do require repeat offenders to participate in therapy programs.

Luther Ganieany clarified that therapeutic and religious requirements could be offered; however, these requirements could not be a mandatory condition for a person to receive shelter.

Councilmember Ortiz questioned if the Mission would consider serving as a bed site if the H.O.T. program was implemented.

Mike Foster reported the Mission would welcome the opportunity to work with the City in addressing homeless efforts; however, the Topeka Rescue Mission was not considered a public shelter.

Councilmember Padilla referenced businesses located west of Wannamaker and reported the business owners have problems with homeless people camping on their private property. He questioned if this would be considered criminal trespassing.

Luther Ganieany stated a person must have written permission from the property owner to occupy the area; however, the same protocol would apply in regards to offering outreach services and encourage the person to vacate the area without requiring enforcement or arrest.

Councilmember Clear questioned if they should include language in the ordinance that would address camping permits issued by other agencies along the river and in other areas of the city.

Lisa Robertson stated initially there were discussions relating to the City implementing a permitting process; however, it would be ideal if another agency implements a permitting process and that process could be referenced in the ordinance.

Councilmember Ortiz requested City Attorney Robertson determine if the Kansas Department of Wildlife, Parks and Tourism was in the process of implementing a permitting system as mentioned by Councilmember Hiller and report back at the next Committee meeting. She requested Corrie Wright gather input from the Homeless Task Force and report back at the next Committee meeting.

Topeka Police Sgt. Joshua Klamm, Behavior Health - Crisis Intervention Team (CIT), reported TPD has been working to create a Homeless Outreach Team that will fall under the umbrella of the CIT. He stated officers will receive mandatory training to become CIT Certified. He provided an overview of the program and noted it should be fully implemented by August or September; however, the biggest obstacle will be sufficient manpower.

Councilmember Padilla stated he was encouraged by the creation of the Homeless Outreach Team; however, proper training and selection of officers will be crucial in the success of the program.

Topeka Police Sgt. Klamm questioned enforcement of the ordinance as it relates to individuals that are intoxicated and would not be allowed to stay at the Topeka Rescue Mission as well as those individuals that

are banned indefinitely from the Topeka Rescue Mission.

Councilmember Ortiz expressed the importance of creating a public-private partnership that could address special circumstances such as those described by Sgt. Klamm.

Councilmember Lesser questioned where the burden would fall in regards to obtaining proof of permission for a person to camp on private property. He cautioned the Committee in creating language that would burden the property owner.

Luther Ganieany stated the proposed ordinance would require the person camping on private property to provide written permission to occupy the property.

Brent Trout, City Manager, stated he appreciates the deliberate process being used to consider the ordinance being proposed. He commended Committee members for involving all the necessary players to ensure a positive outcome. He expressed the importance of people feeling comfortable in their community while assisting those in need and taking personal rights into consideration.

Pat DeLapp expressed concern with the regulations of the Topeka Rescue Mission and suggested finding a federally funded alternative organization that could handle those individuals that are noncompliant with the regulations of the Topeka Rescue Mission. He suggested the City create a general form that could be signed annually by property owners prohibiting camping on private property. He noted it would be difficult to confirm if the written permission being presented was legitimate.

Councilmember Ortiz announced the Homeless Task Force would meet on July 11, 2018, and the next Public Health and Safety Committee meeting would be scheduled after that date.

Other Business
Councilmember Ortiz reported on an incident that occurred involving two large goats running at large in her neighborhood. She requested staff review the code section that would address the issue to avoid it from happening in the future.

Upon no other items being presented to the Committee for consideration, Councilmember Ortiz adjourned the meeting at 4:59 p.m.

Meeting video can be viewed at https://www.topeka.org/citycouncil/public-health-safety-committee/

CITY OF TOPEKA

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The following are the excerpt of the minutes of the Governing Body regarding the Traffic & Pedestrian Safety Ordinance and the Camping Ordinance.

MAY 8, 2018 MINUTES

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, May 8, 2018. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Clear, Ortiz, Emerson, Padilla, Jensen, Mays and Lesser -7. Mayor Michelle De La Isla presided -1. Absent: Councilmembers Hiller and Coen -2.

ORDINANCE introduced by City Manager Brent Trout, creating Chapter 10.80 in Title 10 of the Topeka Municipal Code concerning Traffic and Pedestrian Safety was presented.

Brent Trout, City Manager, distributed a revised map of the arterial streets that would be affected by the ordinance.

Councilmember Ortiz moved to adopt the ordinance. The motion was seconded by Councilmember Clear.

Councilmember Lesser stated he supports the ordinance in theory. He reported that many constituents have contacted him about the issue as well as community stakeholders including the Topeka Fire Department, Topeka Police Department and Barry Feaker, Topeka Rescue Mission, would like to further discuss the issue before the Governing Body considers the ordinance. He suggested a special committee be created, made up of eight members consisting of Governing Body members, community leaders and representatives from the Topeka Fire and Police Departments to discuss and research the issue for a period not to exceed three months, with a final report being presented to the Governing Body by September 1, 2018.

Councilmember Ortiz spoke in opposition of creating a special committee and suggested referring the ordinance to the Policy and Finance Committee which would allow input from community stakeholders and staff.

Councilmember Clear questioned what issues need to be considered in committee and noted the Governing Body sets policy to be implemented by staff.

Councilmember Lesser stated he believes consideration should be given to the legal ramifications of the ordinance; a concrete enforcement plan needs to be in place; and more input needs to be gathered from the agencies that would be directly impacted.

Councilmember Jensen stated a special committee would provide a good opportunity to partner with community organizations to help solve the issue.

Councilmember Lesser made a substitute motion to refer the ordinance to a special committee made up of eight members consisting of Governing Body members, community leaders and representatives from the Topeka Fire and Police Departments, followed by discussion and research for a time period not to exceed three months, and presenting a final report to the Governing Body by September 1, 2018. The motion was seconded by Councilmember Jensen.

Mayor De La Isla spoke in support of referring the ordinance to a special committee to provide an opportunity to research and take an overall look at what should be considered to solve this serious issue in the community.

Councilmember Padilla expressed concern with the safety of firefighters and pedestrians soliciting in medians. He stated discussions should be held to consider what others offer in regards to providing different perspectives and possible solutions. He spoke in support of referring the ordinance to a special committee.

Councilmember Emerson spoke in support of referring the ordinance to a council and/or special committee for further review.

The substitute motion to refer the ordinance to a special committee made up of eight members consisting of Governing Body members, community leaders and representatives from the Topeka Fire and Police Departments, followed by discussion and research for a time period not to exceed three months, and presenting a final report to the Governing Body by September 1, 2018, carried. Councilmembers Clear and Ortiz voted "no." The Mayor does not vote. (5-2-0)

ORDINANCE introduced by City Manager Brent Trout, creating Article III of Chapter 9.45 of the Topeka Municipal Code concerning Camping was presented.

Councilmember Lesser moved to refer the ordinance to a special committee made up of eight members consisting of Governing Body members, community leaders and representatives from the Topeka Fire and Police Departments, followed by discussion and research for a time period not to exceed three months, and presenting a final report to the Governing Body by September 1, 2018. The motion was seconded by Councilmember Jensen.

Councilmember Clear spoke in opposition of referring the ordinance to a special committee as there are many local agencies that directly address the same issues outlined in the ordinance, including the Homeless Taskforce.

Councilmember Ortiz stated she concurs with Councilmember Clear; however, she suggested referring the ordinance to the Public Health and Safety Committee.

Councilmember Padilla spoke in support of referring the ordinance to a committee and expressed the importance of addressing the serious issue in Topeka.

Councilmember Lesser stated he believes this continues to be a complex issue that needs to be addressed and considered by experts in the community.

Councilmember Emerson made a friendly amendment to refer the ordinance to the Public Health and Safety Committee.

Councilmember Lesser accepted the friendly amendment. The second concurred.

The motion to refer the ordinance to the Public Health and Safety Committee with the intent of presenting a final report by September 1, 2018 carried. Councilmember Clear voted "no." The Mayor does not vote. (6-1-0)

AUGUST 7, 2018 MINUTES

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, August 7, 2018. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Coen and Mays -8. Mayor De La Isla presided -1. Absent: Councilmember Lesser -1.

DISCUSSION regarding the Special Committee consideration of the proposed ordinance addressing Pedestrian/Traffic Safety was presented. *(This ordinance was referred to a Special Committee on May 8, 2018.)*

Councilmember Jensen, Special Committee Chair, provided an update on the process to date. He reported the Committee has taken a three phase approach to the issue (1) Review the

language of the proposed ordinance to ensure it was clear and understandable; (2) What would the fallout be if the homeless are displaced; and (3) How long would it take to implement and enforce the ordinance. He referenced the Camping ordinance currently being reviewed by the Public Health and Safety Committee and how it relates to Pedestrian and Traffic Safety ordinance and would suggest the Governing Body discuss the two issues as a whole. He noted as a result of the discussions that have already taken place, it will be necessary to locate a funding source to help solve the issues if the ordinance was approved.

Councilmember Clear suggested the Governing Body determine if the issue should be considered a City priority and allocate funds to help solve the problem.

DISCUSSION regarding the Public Health and Safety Committee consideration of the proposed ordinance addressing Camping was presented. *(This ordinance was referred to the Public Health and Safety Committee on May 8, 2018.)*

Councilmember Ortiz, Public Health and Safety Committee Chair, provided an update on the committee meetings and discussions with area organizations to determine the needs of the community. She reported other opportunities are being discussed including private funding as well as the inclusion of State and local partners to help assist.

Lisa Robertson, City Attorney, stated the final report on both the Pedestrian/Traffic Safety ordinance and Camping ordinance are due September 1, 2018. She notified the Governing Body an item would be placed on the August 21, 2018, Governing Body agenda, for the purpose of providing the Governing Body an opportunity to consider how they would like to proceed with the ordinances.

Councilmember Ortiz stated she would prefer to allow time to fully evaluate and discuss the issue to have the most effective outcome in assisting individuals in the community.

Teresa Miller asked the Governing Body to address camping in residential areas, specifically tents, vans and mobile homes on residential backyard properties.

Councilmember Clear stated it was her goal to eliminate camping in residential areas.

AUGUST 21, 2018 MINUTES

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, August 21, 2018. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Mays, Coen and Lesser -9. Mayor De La Isla presided -1.

ACTION regarding the Traffic and Pedestrian Safety Ordinance Final Report due on September 1, 2018, was presented.

Councilmember Jensen, Special Committee Chair, provided an update on the Committee process to date. He stated rather than set a date certain for completion of a report and review of the proposed Traffic/Pedestrian Safety Ordinance, the Special Committee's desire was to collaborate with the Public Health and Safety Committee, which was charged with reviewing the proposed Camping Ordinance. He also stated by doing this it would provide for a more coordinated effort and would allow Committee members, City staff and community partners to use their time in a more efficient manner; particularly since the underlying obstacles are similar and the ultimate end goals are virtually the same. He noted following the completion of the Public Health and Safety Committee meeting set for August 27, 2018, the joint committee could convene and elect a chairperson from among its members. He reported the joint committee would continue to report back every 90 days as set out in the Governing Body Rules, as progress was being made with possible anticipated action items. He stated he believes, given where both

committees are in the process, this type of motion would seem appropriate and could be made following Councilmember Ortiz's report from the Public Health and Safety Committee.

Councilmember Clear reported the Homeless Task Force has expressed concern with combining the two issues. She questioned how the two issues are associated and encouraged the Governing Body to determine what problem they are trying to address.

Councilmember Jensen stated they need to solve the problem concerning the "displacement of people" whether it relates to panhandling or camping.

Councilmember Lesser stated there continues to be legal issues associated with these types of ordinances passed by other cities; therefore, they must have options in place for individuals who do not have the ability to comply with the ordinances.

Councilmember Ortiz asked Luther Ganieany, Topeka Police Legal Advisor, to provide comments on the legality of the ordinances. She reported the Public Health and Safety Committee will continue to work on finding a proper solution to the problem.

Luther Ganieany, Topeka Police Legal Advisor, reported staff conducted extensive research and drafted the ordinance based on cities that have been successful in how they enforce the ordinance. He expressed the importance of the activities not being criminalized and making certain there are alternatives in place to address the issue.

Councilmember Jensen stated he believes they all have the same goal - to provide individuals with assistance where needed.

Councilmember Jensen moved to defer the final report until September 4, 2018. The motion was seconded by Councilmember Clear.

Councilmember Hiller questioned the need for additional data on how traffic/pedestrian safety and panhandling are connected as well as additional data on the different situations associated with camping so the Governing Body could make informed decisions. She reminded the Governing Body that committees do not have to make a recommendation if more time was needed to research issues.

The motion to defer the final report until September 4, 2018, carried unanimously. (10-0-0)

ACTION regarding the Camping Ordinance Final Report due on September 1, 2018, was presented.

Councilmember Ortiz, Public Health and Safety (PHS) Committee Chair, announced the next PHS Committee meeting would be held on August 27, 2018, at 3:00 p.m. at the Holiday Building located at 620 SE Madison. She encouraged everyone to attend as there would be a report from the Homeless Task Force.

Pastor Marcus Clark expressed concern with how the homeless problems are affecting the overall aesthetics of the city as it relates to economic development and downtown revitalization. He encouraged those involved to have bigger conversations about how to help manage the problem through viable solutions instead of enabling the problem through tolerance.

Councilmember Ortiz stated the PHS committee was working with other organizations in the research of viable options for safe havens for those individuals struggling with drug, alcohol and mental health issues as well as homelessness.

Councilmember Hiller reported the same problems exist across the nation and in other countries. She encouraged people to give to the organizations that assist individuals in need by providing different types of resources instead of giving cash directly to the homeless or those that panhandle.

Councilmember Ortiz moved to defer the final report until September 4, 2018. The motion seconded by Councilmember Jensen carried unanimously. (10-0-0)

SEPTEMBER 4, 2018 MINUTES

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, September 4, 2018. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Ortiz, Emerson, Padilla, Mays, Coen and Lesser -7. Deputy Mayor Jensen presided -1. Absent: Mayor De La Isla and Councilmember Clear -2.

ACTION to create a committee to consider the similar underlying issues associated with the camping ordinance and the traffic and pedestrian safety ordinance which will consist of five governing body members: Deputy Mayor Jensen; Councilmembers Ortiz, Clear, Lesser and Padilla; as well as five members of the community to be appointed by Deputy Mayor Jensen and Councilmember Ortiz, was presented.

Deputy Mayor Jensen reported the newly created committee would address the issue of homelessness and the displacement of persons as well as poverty. He stated the Special Committee and Public Health and Safety Committee would continue to act upon each ordinance as needed and provide an update regarding each committee's progress on each ordinance every 90 days as required by Governing Body Rule 8.5(c) until work has been completed.

Councilmember Ortiz stated she agrees with the proposal and the consolidation of efforts to address the issue.

Councilmember Lesser moved to create a committee to consider the similar underlying issues associated with the camping ordinance and the traffic and pedestrian safety ordinance which will consist of five governing body members: Deputy Mayor Jensen; Councilmembers Ortiz, Clear, Lesser and Padilla; as well as five members of the community to be appointed by Deputy Mayor Jensen and Councilmember Ortiz. The motion seconded by Councilmember Padilla carried unanimously. (8-0-0)

ACTION regarding the Final Report due on September 1, 2018, for the proposed Traffic and Pedestrian Safety ordinance was presented. *(Deferred from the meeting of August 21, 2018.)*

Deputy Mayor Jensen, Special Committee Chair, stated there was nothing further to report on the ordinance language at this time. He stated the Committee would report back in 90 days as required by the Governing Body Rules and Procedures.

Andy Fry expressed concern with using relevant data relating to the traffic and pedestrian safety ordinance as it relates to panhandling.

ACTION regarding the Final Report due on September 1, 2018, for the proposed Camping ordinance was presented. *(Deferred from the meeting of August 21, 2018.)*

Councilmember Ortiz, Public Health and Safety Committee Chair, reported the Committee would need to meet again to gather additional information; consider designating camping areas, i.e. campgrounds through the inclusion of several organizations to help create a viable solution. She noted the Committee would report back in 90 days to the Governing Body.

Councilmember Padilla stated it was important to have different perspectives in solving the issues as there was no quick fix to the problem. He expressed his appreciation to all those involved in the process.

DECEMBER 4, 2018

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, December 4, 2018. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Coen and Lesser -8. Mayor De La Isla presided -1. Absent: Councilmember Mays -1.

UPDATE and possible ACTION on the proposed Camping ordinance was presented.

Councilmember Ortiz, Public Health and Safety Committee Chair, provided an update on the process. She reported there are 48 organizations that want to be a part of the solution as well as they have heard testimony from a number of the homeless. She commended the Topeka Police Department, specifically Sergeant Klemm for efforts in providing identification of the homeless population for the purpose in assisting with social security and health benefits as well as documenting the location of where the homeless person was located.

Councilmember Clear stated the issue continues to require a delicate balance for all people involved. She noted she has enjoyed the process of understanding the situation and getting to know all the people that are affected by the problem.

Councilmember Padilla stated understanding the problem will be critical to finding a solution, learning the perspective of a homeless person and how it relates to freedom of choice as well as providing safety for them.

Councilmember Lesser commended Councilmember Ortiz for her leadership in organizing and understanding the situation and people involved with the subject matter. He stated it will be important to help constituents understand how the process will progress as a whole as well as the wellbeing of the homeless.

Councilmember Ortiz thanked Topeka Police Chief Bill Cochran for creating the Outreach Team and the work they continue to do to help with the issue.

UPDATE and possible ACTION on the proposed traffic and pedestrian safety ordinance was presented.

Councilmember Jensen, Special Committee Chair, expressed his appreciation for the collaboration of City government and community partners with the goal of helping people. He stated the Committee would wait until the Public Health and Safety Committee has finished their work on the Camping ordinance and then consolidate efforts and solutions.

Teresa Miller expressed concern with excessive panhandling relating to traffic safety, NW 25th and NW Rochester continue to create safety issues.

Councilmember Hiller expressed her appreciation to both Committees for working to assist people with helping themselves by truly researching the root cause of the problem.

UPDATE and possible ACTION on examination of similar underlying issues associated with the Camping and Traffic Pedestrian Safety ordinances, including the five non-Governing Body members who have been appointed to serve as members of such Committee was presented.

Brent Trout, City Manager, stated there would be nothing to report until both Committees have completed their work on their respective ordinances.

Teresa Miller expressed concern with the people living in vehicles, creating safety issues in neighborhoods and the lack of authority Community Officers have in addressing the issues.

MARCH 5, 2019

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, March 5, 2019. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Ortiz, Emerson, Padilla, Jensen, Mays and Coen -7. Mayor De La Isla presided -1. Absent: Councilmembers Clear and Lesser -2.

UPDATE and possible ACTION on the proposed camping ordinance was presented.

Councilmember Ortiz, Public Health and Safety Committee Chair, reported another meeting will be scheduled in the near future as well as discussions with the City Attorney and Corrie Wright, Housing Services Division Director, to determine a plan. She stated she believes the fire under the Kansas Avenue Bridge and other issues continue to be very concerning and

noted the State was working with Impact Avenues and other organizations to help address the homeless problem in the community.

Russell Burton stated approximately 55 homeless persons have been contacted to received Shelter Plus Care Program vouchers which allowed them to obtain shelter during the cold weather as well as other contacts have been made for housing options for homeless recipients. He expressed his appreciation to the Governing Body and City staff for their efforts in helping solve the homeless problem without causing legal ramifications for those involved.

Randy Evans, Sheryl Richardson and Randy Rangel thanked City staff and the Governing Body for their assistance in providing them much needed shelter.

Mayor De La Isla thanked the individuals for speaking to the Governing Body about homeless issues. She stated the City may not have all the resources to fix the homeless problem; however, they will continue to work with community partners on the issue to make it better and offer resources.

Councilmember Ortiz thanked everyone involved in the process which has evolved into a great initiative to help address serious issues in the community.

Councilmember Padilla thanked staff and everyone involved for being patient and allowing them to help work on a resolution to address many issues in the community related to homelessness.

Councilmember Hiller questioned how the Governing Body would like to proceed with the ordinance.

Councilmember Ortiz stated the ordinance will remain in Committee until all information could be reviewed in detail, community organizations are able to partner with the City and provide a safe place for the homeless as required by the proposed ordinance.

UPDATE and possible ACTION on the proposed traffic and pedestrian safety ordinance was presented.

Councilmember Jensen stated the traffic and pedestrian safety ordinance will be delayed until the homeless issues have been addressed and a resolution decided upon. He reported the majority of the individuals working on these issues are volunteers; therefore, they must be mindful of their time and make sure they are not overwhelmed and provided the resources to make sound decisions.

Councilmember Coen referenced the Traffic Safety Map outlining traffic safety accidents included in the agenda packet. He asked for further clarification as to why the downtown area (Topeka Boulevard to Kansas Avenue from SW 4th to 10th Streets) has been rated as a congested area *i.e.* "boxed in."

Brent Trout, City Manager, reported he would consult with the City Traffic Engineer and report back to the Governing Body.

Councilmember Hiller asked if Special Committee members would serve a one year term in the same manner as all other Council Committees.

Lisa Robertson, City Attorney, reported a term limit was not established for the Special Committee; therefore, the term of service will continue until the issue has been resolved.

Camping Ordinance
Questions and Answers

Q: ***What does the ordinance do?***

A: The ordinance prohibits individuals from camping on public property; or on private property without having in their possession the owner's express written consent.

Q: ***What is 'camping?'***

A: The primary intent of the ordinance is to keep people from living on sidewalks, alleys, and other public areas. 'Camping' is broadly defined to include bedding, sleeping bags, blankets, luggage, cookware, and tents, which, taken as a whole, make it appear that the person is using the property as a living area.

Q: ***What is 'public property?'***

A: 'Public property' means public parks and all property that is owned, managed, or maintained by the City, including streets, sidewalks, alleys, public right of way, and easements; and, thus subject to City enforcement efforts.

Q: ***Does 'public property' include the levees and areas close to the Kansas River?***

A: Yes. The City owns a portion of the property (located along the levee units located on the Kansas River and Shunga Creek), and is responsible for the operation and maintenance of other portions of the property that comprises these levee units.

Q. ***Would the ordinance apply to parks since those are owned by the County now?***

A. Yes. As part of the transfer of ownership to the County, the City agreed to continue to enforce City ordinances on these properties.

Q. ***Would the ordinance apply to a person sleeping in a car or camper parked on the street?***

A. Yes. Sleeping in a vehicle parked on a public street is included in the definitions of 'camp' and 'public property.'

Q: ***Would the ordinance prohibit a parent/child weekend campout at the Zoo, Black Friday campouts in retail parking areas, campouts along City-owned property along the Kansas River, or other similar activities?***

A: No. The ordinance will not prohibit activities that may typically occur in association with the particular property involved. Common sense and good judgment will be applied. There will likely be designated camping areas established for camping along the Kansas River, for which a corresponding permit will be required.

Q: ***How will the ordinance be enforced?***

A: A citation may be issued, or an arrest may be made, only if:

(1) the person fails to comply with TPD's order by leaving and taking his or her personal property with him or her; and

(2) the person is not in need of medical or social service assistance; or

(3) if it appears that the person is in need of medical or social service assistance, the person declines TPD's offer to transport the person to either a hospital or shelter.

Q: ***What is the time frame within which personal property must be removed?***

A: This ordinance requires that personal property be removed from public property within 24 hours of receiving 'pre-removal notice,' as provided in the ordinance. A pre-removal notice would not be required for removing unauthorized personal property from privately-owned property, due to trespass.

Q: ***What will the 'pre-removal notice' say?***

A: It will contain a general description of the personal property and the location from which such property will be removed; the date and time the notice was posted; a warning that the property will be impounded if not removed from public areas within 24 hours and that simply moving the property to another location on public property will not suffice; a warning that the property will be discarded if not claimed within 90 days, accompanied by information related to where the property is being stored and instructions, including contact information on how it can be retrieved.

Q: ***What if the person just moves the property to another location?***

A: This is not considered 'removing' the property - so the person would still be in violation.

Q: ***What happens if the 24 hour period has expired and the property is still there?***

A: TPD will take photos of the property, then remove it; taking it to the impound lot for storage. TPD will leave a 'post-removal notice,' as provided in the ordinance. A post-removal notice would not be required for removing unauthorized personal property from privately-owned property, due to trespass.

Q: ***What will the 'post-removal notice' say?***

A: It will contain a general description of the personal property removed; the date an approximate time it was removed; a statement of that violation (personal property stored on public property); a warning that the property will be discarded if not claimed within 90 days, accompanied by information related to where the property is being stored and instructions, including contact information on how it can be retrieved.

Q: ***How are these notices served if the person is not present at the time?***

A: If the apparent owner of the personal property is gone, pre-removal notice will be posted conspicuously on or near the personal property and post-removal notice will be posted conspicuously in the area from which the personal property was removed.

Q: ***How can an owner get his or her personal property back?***

A: Both the 'pre-removal notice' and the 'post-approval notice' will provide appropriate contact information, via telephone numbers or emails or City website. The person will need to show some proof of ownership by indicating the location and date that property was seized, as well as a description of the property.

Q: ***What happens to the personal property if it is not retrieved by the owner?***

A: This ordinance requires that personal property be moved within 24 hours of receiving the 'pre-removal notice' provided for in the ordinance. If the property is not moved, TPD will remove it, leave a 'post-removal notice' and subsequently hold the property for 90 days. If the property is not claimed within this 90-day period of time, TPD may dispose of the property by discarding it or selling it at auction.

Q: ***What's the penalty if convicted?***

A: Misdemeanor. Fine of up to $499 and 30 days in jail.

HOMELESS OUTREACH TEAMS

COORDINATION OF SERVICES

Challenges



Challenges



Challenges



Challenges


DIRECTION
246 deg(T)
39.06306°N
095.66655°W
ACCURACY 5 m
DATUM WGS84
Kansas avenue bridge
along bank
2018-01-09
08:40:10-06:00

Challenges



Challenges

- On a single night in 2017, 553,742 people were experiencing homelessness in the United States.

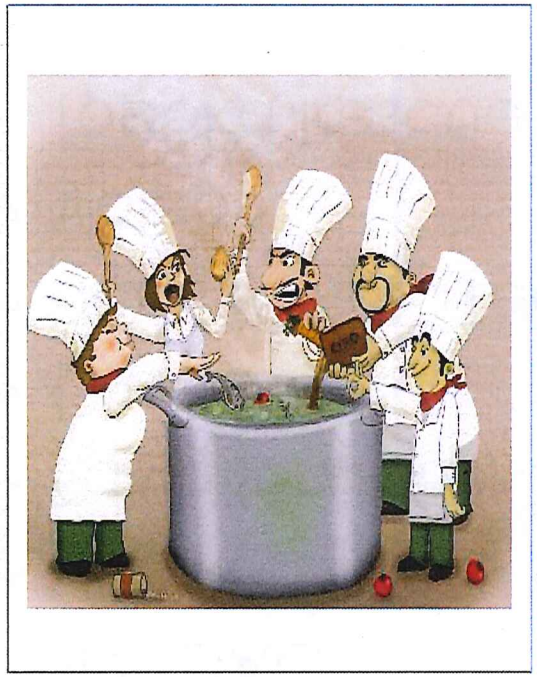
- Approximately two thirds (65%) were staying in emergency shelters or transitional housing programs, and about one third (35%) were in unsheltered locations.

US Department of Housing and Urban Development: *The 2017 Annual Assessment Report to Congress*, December 2017

Challenges

- 2018 Topeka Point-In-Time Count
  - 419 People experiencing homelessness (Increased from 356 in 2017)
  - 66% of people were in an emergency shelter
  - 17% of people were in transitional housing
  - **15% of people were unsheltered**
  - **419 x 15% = 62.85**

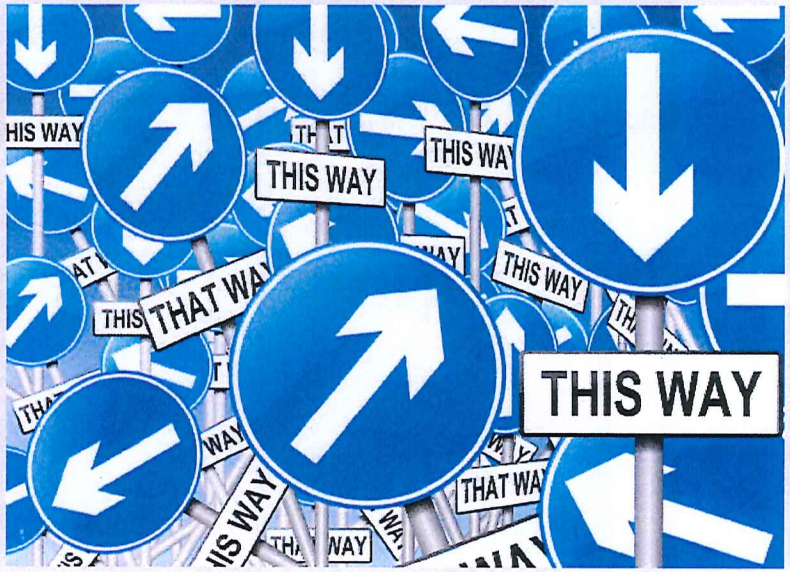
Complexity



- Multiple City Departments
- Municipal Code Limitations
- Numerous Social Service Organizations
- Policy and Advocacy Groups
- Neighborhood and Business Groups

Resources & Services

- HRADAC
- VA
- Salvation Army
- GraceMed
- HOPE/CABHI Team
- Valeo
- Topeka Rescue Mission
- Topeka/Shawnee County Homeless Task Force
- Continuum of Care
- Many, many others …



Compliance Measures

Unlawful Camping – Enforcement Limitations

Being homeless cannot be criminalized.

- Ability to comply vs. willingness to comply



Legal Obstacles

- **Eighth Amendment – Cruel & Unusual Punishment**
- **Fundamental Right to Travel**
- "...[E]nforcement of laws that prevent homeless individuals who have no place to go from sleeping, lying down, eating, or performing other harmless life-sustaining activities burdens their right to travel."Pottinger, 810 F.Supp. at 1580
- "arresting the homeless for the harmless acts which they are forced to perform in public infringes on their fundamental right to travel." Id.

Pottinger v. City of Miami, 810 F.Supp. 1551 (S.D. Fla. 1992)

Legal Obstacles

- "It should be uncontroversial that punishing conduct that is a universal and unavoidable consequence of being human violates the Eighth Amendment – **if a person literally has nowhere else to go**, then enforcement of an anti-camping ordinance against that person **criminalizes them for being homeless**."

U.S. Department of Justice brief filed in *Bell v. City of Boise et al (2015)*

Pottinger Protocols

Pursuant to a settlement finalized in 2013, the City of Miami agreed to adopt certain law enforcement protocols that:

1. Apply to government interaction with homeless and their personal property.

2. Define "homeless" person" as an individual who "lacks a fixed, regular, and adequate night time residence and has a primary residence that is:

    - A public or private shelter;
    - A place of institutionalization; or
    - A public or private place not designed as a regular sleeping accommodation for human beings.

Pottinger v. City of Miami, 810 F.Supp. 1551 (S.D. Fla. 1992)

Pottinger Protocols

3. Require documentation of government contacts with homeless persons, specifically:

- Document outreach efforts, transports to shelter, refusals of shelter, etc. in a "field information (FI) card" or equivalent.

- Document arrests in an arrest affidavit.

- File all records with Police Department.

Pottinger v. City of Miami, 810 F.Supp. 1551 (S.D. Fla. 1992)

Pottinger Protocols

4. Defined "life sustaining conduct misdemeanors" as:

   - Misdemeanors "which a homeless individual commits by the mere fact that he or she is without shelter, and must conduct life sustaining activities, such as **eating**, **sleeping**, **sitting**, **congregating** or **walking in public**."

5. Defined "available shelter" as:

   - At least 24 hours, with "dignity and respect",
   - A bed or mat at least 3 inches think,
   - At no cost to the homeless person,
   - Within the city. (Or county, if person agrees),
   - No mandatory religious or therapeutic programming.

Pottinger v. City of Miami, 810 F.Supp. 1551 (S.D. Fla. 1992)

Pottinger Protocols

6. Require "available shelter" in order for the government to enforce "life sustaining conduct misdemeanors" against a homeless person.

   - No "available shelter" = no enforcement.
   - "Available shelter" + acceptance = no enforcement.
   - "Available shelter" + refusal = enforcement.

7. Establishes protections for personal property.

   - If a homeless person is arrested, police must secure their property.

Pottinger v. City of Miami, 810 F.Supp. 1551 (S.D. Fla. 1992)

Pottinger Protocols

8. Requires training of law enforcement personnel

- The settlement required the city of Miami to implement training to ensure that police officers and other city officials who deal with homeless individuals are sensitive to the "unique struggle and circumstances of homeless persons."

- Specialized mission (H.O.T.)

Pottinger v. City of Miami, 810 F.Supp. 1551 (S.D. Fla. 1992)

Pottinger Exceptions

- Nothing in *Pottinger* precludes an arrest for any felony or any misdemeanor that is not "life-sustaining conduct" regardless of whether there is available shelter.

- Nothing in *Pottinger* says how many available shelter beds must be acquired in your jurisdiction or who must own and operate them.

Pottinger v. City of Miami, 810 F.Supp. 1551 (S.D. Fla. 1992)

SEARCHING OUT SOLUTIONS

Constructive alternatives to the criminalization of homelessness.

JUNE 2012

Three Recommendations:

1. Creation of Comprehensive and Seamless Systems of Care
2. Collaboration among Law Enforcement and Behavioral Health and Social Service Providers
3. Alternative Justice System Strategies

SOLUTION 2:

Collaboration between law enforcement and behavioral health and social service providers results in tailored interventions that connect people with housing, services, and treatment and meet the community's goal of reducing the number of people inhabiting public spaces.

- Outreach and engagement involving police and service provider collaboration to link people with supportive housing and avoid their arrest.

SOLUTION 2:

- Cross-training of police officers and service providers to facilitate information sharing and promote ongoing coordination.

- Crisis Intervention Teams (CIT) with specially trained police officers working with behavioral health professionals to respond to crises involving people with mental illness.

H.O.T. Program - Architecture

System to operationalize and document all of these recommendations

- Outreach Efforts – referrals to social services
- Diversion – avoid entering criminal justice system
- Case Management – documenting efforts
- Local Code – ensure safety and rule of law

H.O.T. Program - Architecture

- ***Educate*** about social services (resource guide).
- ***Encourage*** referral to those services through outreach and diversion.
- ***Enforce*** the criminal code as a last resort (camping ordinance).



City of Topeka Property (Riverfront)

source: Shawnee County Appraiser

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Councilmember Brendan Jenson**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Traffic and Pedestrian Safety Ordinance**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**006 Communication / 003 Requests**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:	**Defer to Special Committee 05-08-18. Update (90-Day) 08-07-18. Defer (until Sept 4th) 08-21-18. Update (90-Day) 09-04-18. Update (90-Day) 12-04-18. Update (90-Day) 03-05-19. Update (90-Day) 06-04-19. Update (90-Day) 09-03-19.**	**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

UPDATE and possible ACTION on the proposed traffic and pedestrian safety ordinance. *(90-day update from the meeting of June 4, 2019.)*

Voting Requirement: Action would require at least six (6) votes of the Governing Body.

(Governing Body Rule 8.5(c) requires that each item referred to a committee shall be acted upon on or before any deadline set by the Governing Body or ninety (90) calendar days of the date upon which it was referred, whichever occurs first. The last update provided by the Special Committee related to the proposed Traffic and Pedestrian Safety Ordinance occurred on June 4, 2019. Action or a subsequent update on the proposed ordinance is required on or before December 3, 2019.)

VOTING REQUIREMENTS:

Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

The Special Committee Chair will provide an update to the Governing Body on the proposed Traffic and Pedestrian Safety Ordinance as required by Governing Body Rules and Procedure 8.5(c).

STAFF RECOMMENDATION:

Staff makes no recommendation

BACKGROUND:

On May 8, 2018, a proposed ordinance addressing Traffic and Pedestrian Safety was referred to a Special Committee with a report due back to the Governing Body on September 1, 2018. Since May 8, 2018, the Special Committee has conducted meetings on July 9, 2018 and July 18, 2018, for the purpose of discussing the ordinance. Multiple updates have been provided to the Governing Body on August 7, 2018; September 4, 2018; December 4, 2018; and March 5, 2019. The last two reports have indicated that the Special Committee continues to await the conclusion of efforts being undertaken by the Public Health and Safety Committee.

Governing Body Rule 8.5(c) requires that each item referred to a committee shall be acted upon on or before any deadline set by the governing body or ninety (90) calendar days of the date upon which it was referred, whichever occurs first. The last update provided by the Special Committee related to the proposed Traffic and Pedestrian Safety Ordinance occurred on June 4, 2019. Action or subsequent update on the proposed Traffic and Pedestrian Safety Ordinance is required on or before December 3, 2019.

BUDGETARY IMPACT:

Not Applicable

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Proposed Traffic/Pedestrian Safety Ordinance - May 8, 2018
Special Committee Meeting Minutes (DRAFT) - July 18, 2018
Special Committee Meeting Minutes - July 9, 2018
Governing Body Meetings - Excerpt of Minutes
Question and Answer Summary - May 8, 2018 Governing Body Meeting Packet
Traffic Safety Map - May 8, 2018 Governing Body Meeting Packet

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Brent Trout City Manager, creating Chapter 10.80 in Title 10 of the Topeka Municipal Code concerning Traffic and Pedestrian Safety.

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 10.80.010, which said section reads as follows:

Findings.

The governing body makes the following findings:

(a) The high volume of motor vehicles travelling on congested roadways in the city makes mixing pedestrian and the moving, slowing or temporarily stopping of motor vehicles in the same space, at the same time, inherently dangerous.

(b) Pedestrians distracting drivers from the task of driving by approaching a stopped vehicle, attracting and/or attempting to attract the attention of the driver of a motor vehicle for the purpose of inducing that driver to slow or stop the vehicle to facilitate the transfer of anything by the pedestrian to the driver or passenger is hazardous to public safety, both for occupants of motor vehicles and for pedestrians.

(c) The prohibitions set forth in this chapter are narrowly tailored to serve the significant interest of promoting and protecting the public health, safety and welfare and that these prohibitions leave open ample alternative channels of communication throughout the city.

(d) It is the intent of this chapter to protect the health, safety and general welfare of the citizens of the city, to assure the free, orderly, undisrupted movement of

motor vehicles on designated highways within city limits, and to provide for the safety and interests of pedestrians and of occupants of motor vehicles located on designated roadways within the city and to reduce the number of pedestrian and motor vehicles occurring within the city.

(e) Pedestrians are increasingly using highways and roadways in ways for which the roads were not designed or intended. These uses include approaching vehicles when stopped or in use or staying upon medians and in the public right of way for purposes other than crossing the highway. These activities create safety hazards for pedestrians and distract drivers, making automobile accidents more likely. This chapter is designed to decrease the safety hazards by restricting such activity. These safety concerns are most acute in the busiest streets within the city identified as arterial streets and those within a congested area.

Section 2. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 10.80.020, which said section reads as follows:

Definitions.

"Arterial streets" includes the following:

S.W. Wanamaker between S.W. 29th Street and S.W. 10th Avenue

S.W. Fairlawn between S.W. 29th Street and S.W. Huntoon Street

S.W. Gage between S.W. 29th Street and S.W. Huntoon Street

S.W. 21st Street between S.W. Wanamaker and S.W. Gage

S.W. 29th Street between S.W. Wanamaker and S.E. Adams Street

"Congested areas" means all streets and portions of streets, excluding alleys, within the area bounded by (a): S.W. MacVicar Avenue on the west; S.W Topeka

Boulevard on the east; S.W. 6th Avenue on the north; and S.W. 21st on the south; and (b) S. W. Topeka Boulevard on the west; Interstate 70 on the east; S.W. 4th Street on the north; and S.W. 10th Avenue on the south.

"Designated roadway" includes roadways, shoulders, islands, public right-of-ways or medians of any arterial streets and streets within a congested area.

"Driver" means every person who drives or is in actual physical control of a motor vehicle.

"Motor vehicle" means every vehicle which is self-propelled.

"Pedestrian" means any person afoot.

"Public right-of-way" means the entire width of the area from property line to property line including that area between the roadway and the abutting private property line.

"Roadway" means the portion of a highway improved, designed or ordinarily used for vehicular travel.

"Vehicle" means every device in, upon, or by which any person or property is or may be transported upon a highway, except devices moved by human power.

Section 3. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 10.80.030, which said section reads as follows:

Prohibition: Entering or Staying Upon Designated Roadway.

(a) It shall be unlawful for any person to go upon any designated roadway or remain alongside any designated roadway and approach a vehicle stopped on the roadway or attempt to attract the attention of the driver or occupant of a motor vehicle for the purpose of inducing the driver of the motor vehicle to remain stopped, slow or

stop the vehicle to facilitate a transfer of anything from the driver or occupant of the vehicle to the pedestrian or the transfer of anything by the pedestrian to the driver or occupant.

(b) No person shall be upon the median of a designated roadway unless that person is in the process of crossing the roadway.

(c) No person shall activate a pedestrian crosswalk signal for any purpose other than to stop traffic to allow such person to cross the roadway.

(d) It is prima facie evidence of a violation of subsection (b) and (c) if the person stays on the median or at the intersection through two consecutive opportunities to legally cross the roadway. This may include a change in the traffic control signal or lack of traffic. After two such consecutive opportunities, such person shall not be considered to be using the crosswalk for purposes of the exception in subsection (f)(1).

(e) No driver or operator of a motor vehicle shall park, stop, or leave standing a vehicle on a designated roadway or suddenly decrease the speed of such vehicle or deviate from a traffic lane for the purpose of responding to persons violating subsection (a), (b), or (c).

(f) Exceptions. This chapter does not apply to:

(1) Persons using a crosswalk to cross the roadway.

(2) Persons engaged in law enforcement, emergency, or rescue activities, including providing assistance to an injured or disabled vehicle or person.

(3) Persons engaged in repair or maintenance activities of highways under the direction of the city or state.

(4) Streets or portions thereof that have been closed pursuant to authorization from the City, including but not limited to special events permitted pursuant to Chapter 12.70.

Section 4. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 10.80.040, which said section reads as follows:

Penalty.

Any person who violates the provisions of TMC 10.80.030 is guilty of a misdemeanor. Upon conviction, a person shall be sentenced to a fine not to exceed four hundred and ninety-nine dollars ($499) and/or imprisonment not to exceed thirty (30) days.

Section 5. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 10.80.050, which said section reads as follows:

Severability.

If any section, subsection, sentence, clause, or other provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 7. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 8. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the City Council on _____.

CITY OF TOPEKA, KANSAS

_____
Michelle De La Isla, Mayor

ATTEST:

_____
Brenda Younger, City Clerk

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

Special Committee – Traffic & Pedestrian Safety

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
Fax: 785-368-3958
www.topeka.org

Location: Topeka Police Department, 320 S. Kansas Ave., LEC Classroom A

Date: July 18, 2018

Time: 3:00 p.m.

Attendance
Committee members Deputy Mayor Brendan Jensen, Councilmember Michael Lesser, Leiutenant Aaron Jones (TPD), Chief Craig Duke (TFD), Bill Persinger (Valeo), Barry Feaker (Topeka Rescue Mission), Brian Cole (SNCO DOC).

Absent: Councilmember Michael Padilla, excused

1) Call to Order/Introductions
Meeting was called to order by Deputy Mayor Brendan Jensen. Committee members introduced themselves.

2) Approval of Minutes
Barry Feaker made a motion to approve the minutes from the July 9, 2018 meeting. Brian Cole seconded the motion. Minutes were approved.

3) Discussion by Committee
Major topics included:

- Brian Cole reminding all that the topic is a public safety concern. Limiting distractions, of any kind, in congested areas will help to keep people safe. And that the issue of panhandling is a separate issue. Mr. Cole made the recommendation to focus the meeting toward clearing up congested intersections.

- Councilmember Lesser wanted to add that the data gathered to measure where accidents occur should be the focus and not finding relevance in the specific causes of those accidents.

- Deputy Mayor Jensen stated the goal of the ordinance is to prevent accidents and injuries between vehicles and pedestrians, or vehicle collisions. A significant fallout will occur with this ordinance in that there are a number of individuals who participate in their constitutional right to panhandle. Deputy Mayor Jensen suggested looking at the proposed ordinance as it stands and if the committee agrees on the

language within the ordinance, the next focus would be on how to mitigate the challenge of individuals who are panhandling.

- Luther Ganieany considered discussion about the number of accidents that was brought up at the July 9th meeting and one clear issue coming from this will be a constitutional one. The framework must be narrowly tailored to further a compelling government interest. The government interest is where there is potential for an issue. There is still a chance that the City would be sued, and could lose that lawsuit. The committee's compelling government interest in this ordinance is public safety. The legal issue is whether or not proof must be provided. That is not something that can be known until a potential case would occur. Some discussion was had between committee members and Mr. Ganieany to clarify the various legalities. Mr. Ganieany then showed a video that highlighted an alternative program to address the issue of panhandling in the City of Albuquerque, New Mexico. (The link to this video can be found at the bottom of the minutes). Video feedback included:

    - Mr. Ganieany noted that this alternative program not only collected panhandlers for the day to do work, but it also took an educational approach for the public, letting them know where their donation money is spent.
    - Deputy Mayor Jensen inquired if the program was successful because it was already in place, or if we thought something similar might be successful in our city.
    - Reverend Barry Feaker appreciated the idea presented in the video and noted some of the infrastructure that is currently set up in the city. Reverend Feaker would prefer to start the program prior to putting the ordinance into place.
    - Deputy Mayor Jensen clarified that the Governing Body initially sent this ordinance to the Special Committee because there was a feeling that there would be a need for both, an ordinance as well as a program, and not just passing the ordinance.
- There was some back and forth discussion between committee members as to if the ordinance should be passed first or begin the program first.
- Bill Persinger inquired if there was a way to separate the ordinance into various phases which would allow for a phase one to be implemented sixty (60) days after passing the ordinance followed by a second and third phase being implemented after some of the programs are better established.
- Brian Cole noted that there is an inmate work program, and is able to attest to the success of offering work to someone who is currently without a job. Mr. Cole was concerned with some of the insurance and worker's compensation restrictions that may apply to the City doing a program such as this as well as if having panhandlers perform some of the same type of work as the inmate crews. Overall, Mr. Cole was interested in finding out more as to this opportunity.

- Bill Persinger suggested having a private for-profit business step in to assist this effort or perhaps a private non-profit organization to have public/private partnership with the City.
- Deputy Mayor Jensen noted that having some more information would be helpful for a future meeting. However, would like to see if the committee could come to an agreement on passing the ordinance as it stands at this point.
- Mr. Persinger noted that he would feel more comfortable having more information and input from the community prior to passing the ordinance. Mr. Persinger appreciates the ordinance as it is written, however would like to have a program in place prior to putting the ordinance into effect.
- The committee held more conversation regarding the order of the ordinance and the program. The committee discussed placing one in action prior to the other, having both occur simultaneously, and having the ordinance go into place however limiting the penalty portion for an amount of time allowing the program and public education piece to develop.
- Deputy Mayor Jensen inquired with Reverend Feaker as to how quickly he felt the program portion could begin. Reverend Feaker felt that the program could possibly begin as early as the end of 2018, however more likely 2019. Reverend Feaker also noted that having adequate shelter in place would be necessary, reminding committee members that the Rescue Mission has standards that not everyone wants to or can follow. Additional shelter would need to be made available.
- Bill Persinger echoed Reverend Feaker's comments noting that the program could easily be successful if there were enough resources and enough will.
- Deputy Mayor Jensen inquired with Luther Ganieany about the possibility of introducing the ordinance and having it go into effect immediately however the citation aspect being held for a determined and noted period of time. Mr. Ganieany noted that the only risk of going forward with this would be that there would be no consequence.
- There was further discussion from the committee members regarding potential set-backs including mental/behavioral health, any background check processes, public education and pushing that information out so that the programs can be funded adequately, traffic issues.
- Fire Chief Duke inquired with Mr. Ganieany as to what the likelihood would be of panhandlers simply moving the intersection or location to continue their behavior. Mr. Ganieany noted that individuals would be legally allowed to move. If a program got started and signs for the general public were posted around the city, not only those listed intersections, it would help to educate, encourage and then enforce the ordinance.
- Councilmember Lesser provided an example of San Francisco where secured donation boxes are set up all over the town and commercials are played asking people to make their donation in those boxes rather than

handing money to an individual directly. The boxes note the many organizations which split the money to help people in need.

- Chief Duke elaborated on his initial question to ask about the possibility in requiring some sort of registration or permit to allow them to ask for donations. This would include the fire departments that participate in the MDA Boot campaign, as well as panhandlers, or other group.
- Mr. Persinger inquired as to the difference between being legally allowed to offer a service, such as selling hot dogs and doing an activity at an intersection such as washing windows. Deputy Mayor Jensen elaborated that the ordinance would be content neutral in regard to the activity. Anything that would be distracting to drivers in the listed intersections would be illegal.
- Chief Duke inquired as to what some options would be to allow the firefighters to continue collecting donations annually for the MDA drive. Councilmember Lesser suggested setting up alternative locations in a similar way that the Salvation Army sets up their kettle collections and the Girl Scouts set up cookie locations. Deputy Mayor Jensen suggested adding a requirement that participants in activities within these noted areas would need to have a high visibility uniform of sorts. Mr. Ganieany noted that the City's liability risk would be lower with that requirement versus a requiring a permit, however would not likely be practical for everyone to abide by as it would require pre-planning. The problem with this requirement is that an activity such as panhandling is considered freedom of speech under the constitution and there cannot be a requirement of pre-planning for this right.
- Councilmember Lesser reminded the committee that there are potentially more than just the two participants at risk with no ordinance. Not only the driver and person on the street, but also the driver(s) behind them not realizing the car in front is coming to an immediate stop thus causing an accident.
- Deputy Mayor Jensen suggested looking at the ordinance at this meeting, excluding the implementation timeline, and talk about the program that would be brought forth alongside of the ordinance at the next committee meeting, giving time for the committee members to do some research and have something substantial to provide the Governing Body when the committee makes its final report.
- Reverend Feaker inquired as to if there is enough of a public safety concern to warrant an ordinance. If the answer is yes, then move forward with the program and the ordinance. If the answer is no, he suggested that the ordinance without adequate understanding of those individuals that would be effected would not be wise. Luther Ganieany noted that the ordinance began by identifying the top ten accident locations that included pedestrians and vehicles. There is an issue of distracted drivers. The ordinance would recognize that there is an issue with distracted drivers at busy pedestrian intersections. There is a split from how the court would view this information, and there is no prediction as to which direction the court would view the ordinance on a specific situation.

- Bill Persinger inquired if the City Manager's office would be responsible for putting together some of the program's logistics. Deputy Mayor Jensen noted that the topic would be something that was addressed at the next committee meeting.
- Deputy Mayor Jensen suggested three phases to be completed by the time the committee makes a final report to the Governing Body:
    - Approval of the language of the ordinance
    - Introduction of the program
    - How to phase in the program in with the ordinance
- Reverend Feaker made a motion to accept these three phases. Brian Cole seconded the motion. The motion passed 7:0.
- Deputy Mayor Jensen charged the committee members to bring ideas regarding a program to help with panhandling, as well as the resources that would be needed to accomplish the program.

4) Public Comment
James Smith, private citizen, suggested a few ideas to the committee regarding ways to educate the public on which intersections were dangerous, as well as the general inherent danger of panhandling. Mr. Smith also suggested requiring panhandlers who wanted to be a permanent profession, to be required to have a Peddler's license in the way the City requires individuals at the Farmer's Market or others to do. Mr. Smith also suggested building some sort of tiny house community to go along with the work program being suggested by the committee as an option for individuals to retreat to following a day's work.

5) Set Future Meeting Date(s)
To Be Determined

6) Adjourn
Deputy Mayor Jensen adjourned the meeting.

Link to TED Talks video presented at meeting can be found at: https://www.ted.com/talks/richard_j_berry_a_practical_way_to_help_the_homeless_find_work_and_safety#t-728108

Video from the meeting can be found at: https://youtu.be/oaeL8EbUYdY

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

Special Committee - Traffic & Pedestrian Safety

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
Fax: 785-368-3958
www.topeka.org

Location: Topeka Police Department, 320 S. Kansas Ave., LEC Classroom A

Date: July 9, 2018

Time: 3:00 p.m.

Attendance
Committee members Deputy Mayor Brendan Jensen, Councilmember Michael Lesser, Councilmember Michael Padilla, Leiutenant Aaron Jones (TPD), Chief Craig Duke (TFD), Bill Persinger (Valeo), Barry Feaker (Topeka Rescue Mission), Brian Cole (SNCO DOC).

1) Call to Order/Introductions
Meeting was called to order by Deputy Mayor Brendan Jensen. Committee members introduced themselves.

2) Election of Committee Chair
Committee member Padilla made a motion to elect Deputy Mayor Jensen as the Committee Chair. Committee member Feaker seconded the motion. Motion passed. Deputy Mayor Jensen will serve as the chair for this committee.

3) Presentations

a) Overview of proposed changes - City Manager Brent Trout gave a few words to the committee to thank members for their work with this special committee and reiterated the importance of coming together to work on this ordinance.

b) Legal considerations - Luther Ganieany, TPD Legal, provided committee members with a presentation for legal considerations. The City of Wichita currently has a similar ordinance for panhandling that the City of Topeka is looking at implementing. After providing some statistics and data that has been gathered over the past seven years in Topeka, Luther Ganieany introduced the vocabulary and definitions that would make up the ordinance. The ordinance would be limited to apply to only arterial intersections and congested areas as would be defined within the ordinance. The streets and areas introduced were selected after historical data provided the necessary statistics, which then identified "designated areas". The main proponents to this ordinance that are intended to aid in keeping areas safe for both pedestrians and drivers include:

1) The proposed ordinance prohibits individuals to go upon any designated roadway or remain alongside a designated roadway and approach a stopped vehicle or attract the attention of the driver or occupant for the purpose of facilitating a transfer.

Bill Persinger questioned if drivers would also be penalized along with pedestrians. Mr. Ganieany noted that the answer would be presented shortly. Mr. Persinger also inquired if alleys and parking lots within those congested areas or near the arterial streets would be included as unlawful per this ordinance. Mr. Ganieany noted that these were not be included. Mr. Persinger wanted to make note to circle back to this issue to look at.

Councilmember Lesser inquired about drivers pulling over in a legal parking area momentarily, such as in a residential area, and parks to drop something off, if the action would be considered illegal. Mr. Ganieany confirmed that such an action would not fall under the proposed ordinance and would not be considered illegal.

2) The ordinance would prohibit the action of being on the median of a designated roadway unless the person is in the process of crossing the roadway.

3) The ordinance would prohibit the activation of a pedestrian crosswalk signal for any purpose other than to stop traffic to allow crossing the roadway. It would be considered a violation if the person stayed on the median or at the intersection after two consecutive opportunities to legally cross the roadway.

Deputy Mayor Jensen suggested volunteer crossing guards to assist with crossing the street. Mr. Ganieany noted that this ordinance would not prohibit individuals legally using the crosswalk to cross the roadway with exceptions also being made for large groups that may need to activate the pedestrian signal multiple times to allow for safe crossing at one time.

Mr. Ganieany then presented the section of the ordinance that would prohibit certain actions of drivers and would make them equally liable for violations the same as for pedestrians. The section included exceptions to the ordinance to allow for working and temporary types of situations that may fall into the category of holding up traffic on congested areas.

Barry Feaker inquired about including a provision for special circumstances that would cover an individual, who was not a designated first responder, stopping and/or holding up traffic to assist in an emergency type of situation. Mr. Ganieany noted that this type of example would not be in violation of the ordinance as no transfer of services would be occurring.

4) Discussion by Committee

Councilmember Lesser provided a handout to the committee. Deputy Mayor Jensen opened up the floor for committee members' comments/questions.

Brian Cole inquired if the data shown in the presentation showed that the crashes correlated to panhandling/distracted drivers specifically due to this activity, or if there just happen to be a high number of crashes in those intersections due to sheer volume. Mr. Cole also voiced concern that activity may move off of designated streets and into parking lots of businesses. Mr. Cole also voiced concern regarding the financial impact it would cost if pedestrian violators of this ordinance were to be sent to jail. The other main concern of Mr. Cole's is that pedestrians will seek out other public areas to move their activity to keep within the ordinance rather than ceasing the activity altogether. Councilmember Lesser answered the question regarding the use of private parking lots, noting that individuals would be required to have permission to be in the private parking lot. Councilmember Lesser asked Mr. Ganieany to expand. Councilmember Lesser also inquired as to the inherent danger that comes with the act of distracting a driver regardless of location, and if there is a need for defining congested areas and arterial streets and not simply prohibiting the action entirely. Mr. Ganieany noted that there were some legal considerations that had to be made with regard to the First Amendment. Panhandling is recognized as speech and is protected by the First Amendment. Whatever ordinance is set, it must remain content neutral and apply to everyone. The language in the ordinance must also be narrowly tailored, meaning that the proposed ordinance must allow for an alternative avenue for this type of activity and speech. This answers why there is a need to identify certain streets, intersections, and designated areas.

Deputy Mayor Jensen inquired about the City's sign ordinance. Mr. Ganieany noted that the sign ordinance defines a sign as something that is fixed to an object or stuck into the ground, and not a person. Mr. Persinger followed with an inquiry regarding advertisements, such as a furniture store employee holding a sign. Mr. Ganieany noted that in the instance of businesses using employees to advertise on the sides of streets, they are not exchanging anything which would hold up traffic. Drivers can see their advertisements and continue driving or pull into the private business parking lot. In order for an individual to be in violation of the ordinance, each of the items identified in the "Prohibition" section of the ordinance would need to occur.

Padilla questioned if ordinance should include a goal for people who need help to get it rather than just putting them in jail. Deputy Mayor agreed that the goal of the committee was to not only displace people away from the congested areas but to displace them to areas where they could receive services such as from Valeo or Rescue Misison. Barry Feaker commented to understand where the committee needs to go is to begin by understanding why the repeated behavior is occurring. There are two main components that must be looked at: 1) The reason that the behavior occurs and 2) The reason that the behavior continues to occur. Rev. Feaker noted that having an understanding of these two things will need to be part of the equation in addition to addressing a community safety issue. Rev. Feaker also noted a concern for the correlation between the accidents that have occurred and panhandling.

Mr. Cole asked if restrictions or time limits could be added into the ordinance. Mr. Ganieany noted that as long as it is the same across the board, and there was a purpose of public safety, then yes. If the law is content neutral, the courts will not scrutinize it for being unconstitutional.

Councilmember Lesser noted three core ideas that he felt were of importance 1) safety of roadways 2) providing care for those in need 3) Economic impact. Business owners who have spoken to Councilmember Lesser noted a negative effect on business, tenants being fearful for their safety, etc. The next question becomes where would it push individuals who are not truly in need?

Deputy Mayor Jensen asked Mr. Persinger and Rev. Feaker to introduce what tools they have already in place. Mr. Persinger inquired about those who might decide to offer some type of service, such as washing car windows, in order to negate the ordinance. Mr. Ganieany noted that if the action was blocking the roadway, it would be in violation, however there would not be any rule to keep the driver from going onto a side street or other area to partake in the service. Rev. Feaker introduced some of the services that the Topeka Rescue Mission (TRM) offers. There are three types of people living on the street 1) taking advantage of the system 2) chronically homeless 3) could benefit but choosing not to because they prefer to do it their way. TRM advocates educating the community. Deputy Mayor Jensen asked how this ordinance would affect each of these types of panhandlers. Rev. Feaker noted that the community would need to be proactive with restrictions but create opportunity as well. Rev. Feaker asked the committee to consider composite care.

Bill Persinger introduced programs that were offered through Valeo. Most of the programs are full the majority of the time. Mr. Persinger noted that looking at current programs as well as programs that would be useful to have would be helpful if passing the ordinance becomes a possibility.

Deputy Mayor Jensen asked committee members where they thought existing loopholes or immediate problems would occur within the framework of the ordinance as it is currently written and to identify what issues would need to be addressed farther out. Deputy Mayor Jensen also inquired whether this ordinance would be good for our city when taking a holistic approach.

Mr. Cole inquired about best interest to improve safety in these high traffic areas. Mr. Cole was in agreement with Mr. Persinger in regard to reviewing what other cities who have a similar ordinance in place, or who have had a similar problem and found a solution elsewhere.

Mr. Persinger provided the example of DUI law changes as an example of a way that a law aided in public safety and perhaps this ordinance would have a similar effect.

Councilmember Lesser agreed with sentiments related from other committee members. He also noted that this ordinance might offer an opportunity to help people as well as to eliminate a problem to safety as well.

Deputy Mayor Jensen inquired with Rev. Feaker as to some ideas regarding assisting individuals who are in true need versus ones who are taking advantage of the system.
(Had to leave about hour 6 minutes into meeting...catch everything)

Councilmember Padilla wanted to note his approval of keeping these meetings transparent and how important they are. He also wanted to remind committee members of two things when speaking to the public or media to include 1) making sure when talking to media, they understand the hope and direction of community.

Rev. Feaker noted that this is indeed a public safety issue and inquired as to if the ordinance would contain language that would direct officers to take individuals to the shelter. Mr. Ganieany stated that said language is in camping ordinance. LT Jones inquired if language could be inserted to cover this topic. Mr. Ganieany noted that it would difficult to do as it is more about addressing the action, not lifestyle.

Chief Duke noted future community mental health paramedicine program that TFD and TPD are working on would be something that would tie into this ordinance nicely. He also noted that in regard to the MDA collection, that if collection isn't drawn from busy locations, there is a very noticeable drop in donations. However, TFD would look at other ways around this ordinance.

5) Public Comment
Councilmember Hiller agreed with other committee members to recommend that crash logs be reviewed to determine if there is a true correlation to crashes and the actions of pedestrians who were trying to solicit something from them and which were caused by other actions. Councilwoman Hiller suggested creating a culture of caring in the community to allow individuals to donate to places that will help the individuals by channeling to the appropriate area. She also suggested that the committee take a look at current sign ordinance noting that the current ordinance says signs that remain in the same place are not allowed. Councilmember Hiller felt this ordinance shouldn't make difference if the signs are on metal legs or human legs.

Linda Johnsrud made a plea to look at the state of Michigan which has laws against panhandling. There are regulations that give organizations ways to collect. Ms. Johnsrud also noted that places such as San Diego and Kentucky requires everyone (panhandlers, organizations, etc) to be registered with a lanyard (permit) stating who they are, what they are collecting for.

6) Set Future Meeting Date(s)

Committee members will research other cities, and alternative ideas, if this ordinance isn't the solution, what is. Look at July 30th for next date or look at dates for the week of July 23rd.

7) Adjourn

Video from the meeting can be found at: https://youtu.be/j7lGHrVU_e0

CITY OF TOPEKA

CITY CLERK
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The following are the excerpt of the minutes of the Governing Body regarding the Traffic & Pedestrian Safety Ordinance and the Camping Ordinance.

MAY 8, 2018 MINUTES

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, May 8, 2018. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Clear, Ortiz, Emerson, Padilla, Jensen, Mays and Lesser -7. Mayor Michelle De La Isla presided -1. Absent: Councilmembers Hiller and Coen -2.

ORDINANCE introduced by City Manager Brent Trout, creating Chapter 10.80 in Title 10 of the Topeka Municipal Code concerning Traffic and Pedestrian Safety was presented.

Brent Trout, City Manager, distributed a revised map of the arterial streets that would be affected by the ordinance.

Councilmember Ortiz moved to adopt the ordinance. The motion was seconded by Councilmember Clear.

Councilmember Lesser stated he supports the ordinance in theory. He reported that many constituents have contacted him about the issue as well as community stakeholders including the Topeka Fire Department, Topeka Police Department and Barry Feaker, Topeka Rescue Mission, would like to further discuss the issue before the Governing Body considers the ordinance. He suggested a special committee be created, made up of eight members consisting of Governing Body members, community leaders and representatives from the Topeka Fire and Police Departments to discuss and research the issue for a period not to exceed three months, with a final report being presented to the Governing Body by September 1, 2018.

Councilmember Ortiz spoke in opposition of creating a special committee and suggested referring the ordinance to the Policy and Finance Committee which would allow input from community stakeholders and staff.

Councilmember Clear questioned what issues need to be considered in committee and noted the Governing Body sets policy to be implemented by staff.

Councilmember Lesser stated he believes consideration should be given to the legal ramifications of the ordinance; a concrete enforcement plan needs to be in place; and more input needs to be gathered from the agencies that would be directly impacted.

Councilmember Jensen stated a special committee would provide a good opportunity to partner with community organizations to help solve the issue.

Councilmember Lesser made a substitute motion to refer the ordinance to a special committee made up of eight members consisting of Governing Body members, community leaders and representatives from the Topeka Fire and Police Departments, followed by discussion and research for a time period not to exceed three months, and presenting a final report to the Governing Body by September 1, 2018. The motion was seconded by Councilmember Jensen.

Mayor De La Isla spoke in support of referring the ordinance to a special committee to provide an opportunity to research and take an overall look at what should be considered to solve this serious issue in the community.

Councilmember Padilla expressed concern with the safety of firefighters and pedestrians soliciting in medians. He stated discussions should be held to consider what others offer in regards to providing different perspectives and possible solutions. He spoke in support of referring the ordinance to a special committee.

Councilmember Emerson spoke in support of referring the ordinance to a council and/or special committee for further review.

The substitute motion to refer the ordinance to a special committee made up of eight members consisting of Governing Body members, community leaders and representatives from the Topeka Fire and Police Departments, followed by discussion and research for a time period not to exceed three months, and presenting a final report to the Governing Body by September 1, 2018, carried. Councilmembers Clear and Ortiz voted "no." The Mayor does not vote. (5-2-0)

ORDINANCE introduced by City Manager Brent Trout, creating Article III of Chapter 9.45 of the Topeka Municipal Code concerning Camping was presented.

Councilmember Lesser moved to refer the ordinance to a special committee made up of eight members consisting of Governing Body members, community leaders and representatives from the Topeka Fire and Police Departments, followed by discussion and research for a time period not to exceed three months, and presenting a final report to the Governing Body by September 1, 2018. The motion was seconded by Councilmember Jensen.

Councilmember Clear spoke in opposition of referring the ordinance to a special committee as there are many local agencies that directly address the same issues outlined in the ordinance, including the Homeless Taskforce.

Councilmember Ortiz stated she concurs with Councilmember Clear; however, she suggested referring the ordinance to the Public Health and Safety Committee.

Councilmember Padilla spoke in support of referring the ordinance to a committee and expressed the importance of addressing the serious issue in Topeka.

Councilmember Lesser stated he believes this continues to be a complex issue that needs to be addressed and considered by experts in the community.

Councilmember Emerson made a friendly amendment to refer the ordinance to the Public Health and Safety Committee.

Councilmember Lesser accepted the friendly amendment. The second concurred.

The motion to refer the ordinance to the Public Health and Safety Committee with the intent of presenting a final report by September 1, 2018 carried. Councilmember Clear voted "no." The Mayor does not vote. (6-1-0)

AUGUST 7, 2018 MINUTES

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, August 7, 2018. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Coen and Mays -8. Mayor De La Isla presided -1. Absent: Councilmember Lesser -1.

DISCUSSION regarding the Special Committee consideration of the proposed ordinance addressing Pedestrian/Traffic Safety was presented. *(This ordinance was referred to a Special Committee on May 8, 2018.)*

Councilmember Jensen, Special Committee Chair, provided an update on the process to date. He reported the Committee has taken a three phase approach to the issue (1) Review the

language of the proposed ordinance to ensure it was clear and understandable; (2) What would the fallout be if the homeless are displaced; and (3) How long would it take to implement and enforce the ordinance. He referenced the Camping ordinance currently being reviewed by the Public Health and Safety Committee and how it relates to Pedestrian and Traffic Safety ordinance and would suggest the Governing Body discuss the two issues as a whole. He noted as a result of the discussions that have already taken place, it will be necessary to locate a funding source to help solve the issues if the ordinance was approved.

Councilmember Clear suggested the Governing Body determine if the issue should be considered a City priority and allocate funds to help solve the problem.

DISCUSSION regarding the Public Health and Safety Committee consideration of the proposed ordinance addressing Camping was presented. *(This ordinance was referred to the Public Health and Safety Committee on May 8, 2018.)*

Councilmember Ortiz, Public Health and Safety Committee Chair, provided an update on the committee meetings and discussions with area organizations to determine the needs of the community. She reported other opportunities are being discussed including private funding as well as the inclusion of State and local partners to help assist.

Lisa Robertson, City Attorney, stated the final report on both the Pedestrian/Traffic Safety ordinance and Camping ordinance are due September 1, 2018. She notified the Governing Body an item would be placed on the August 21, 2018, Governing Body agenda, for the purpose of providing the Governing Body an opportunity to consider how they would like to proceed with the ordinances.

Councilmember Ortiz stated she would prefer to allow time to fully evaluate and discuss the issue to have the most effective outcome in assisting individuals in the community.

Teresa Miller asked the Governing Body to address camping in residential areas, specifically tents, vans and mobile homes on residential backyard properties.

Councilmember Clear stated it was her goal to eliminate camping in residential areas.

AUGUST 21, 2018 MINUTES

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, August 21, 2018. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Mays, Coen and Lesser -9. Mayor De La Isla presided -1.

ACTION regarding the Traffic and Pedestrian Safety Ordinance Final Report due on September 1, 2018, was presented.

Councilmember Jensen, Special Committee Chair, provided an update on the Committee process to date. He stated rather than set a date certain for completion of a report and review of the proposed Traffic/Pedestrian Safety Ordinance, the Special Committee's desire was to collaborate with the Public Health and Safety Committee, which was charged with reviewing the proposed Camping Ordinance. He also stated by doing this it would provide for a more coordinated effort and would allow Committee members, City staff and community partners to use their time in a more efficient manner; particularly since the underlying obstacles are similar and the ultimate end goals are virtually the same. He noted following the completion of the Public Health and Safety Committee meeting set for August 27, 2018, the joint committee could convene and elect a chairperson from among its members. He reported the joint committee would continue to report back every 90 days as set out in the Governing Body Rules, as progress was being made with possible anticipated action items. He stated he believes, given where both

committees are in the process, this type of motion would seem appropriate and could be made following Councilmember Ortiz's report from the Public Health and Safety Committee.

Councilmember Clear reported the Homeless Task Force has expressed concern with combining the two issues. She questioned how the two issues are associated and encouraged the Governing Body to determine what problem they are trying to address.

Councilmember Jensen stated they need to solve the problem concerning the "displacement of people" whether it relates to panhandling or camping.

Councilmember Lesser stated there continues to be legal issues associated with these types of ordinances passed by other cities; therefore, they must have options in place for individuals who do not have the ability to comply with the ordinances.

Councilmember Ortiz asked Luther Ganieany, Topeka Police Legal Advisor, to provide comments on the legality of the ordinances. She reported the Public Health and Safety Committee will continue to work on finding a proper solution to the problem.

Luther Ganieany, Topeka Police Legal Advisor, reported staff conducted extensive research and drafted the ordinance based on cities that have been successful in how they enforce the ordinance. He expressed the importance of the activities not being criminalized and making certain there are alternatives in place to address the issue.

Councilmember Jensen stated he believes they all have the same goal - to provide individuals with assistance where needed.

Councilmember Jensen moved to defer the final report until September 4, 2018. The motion was seconded by Councilmember Clear.

Councilmember Hiller questioned the need for additional data on how traffic/pedestrian safety and panhandling are connected as well as additional data on the different situations associated with camping so the Governing Body could make informed decisions. She reminded the Governing Body that committees do not have to make a recommendation if more time was needed to research issues.

The motion to defer the final report until September 4, 2018, carried unanimously. (10-0-0)

ACTION regarding the Camping Ordinance Final Report due on September 1, 2018, was presented.

Councilmember Ortiz, Public Health and Safety (PHS) Committee Chair, announced the next PHS Committee meeting would be held on August 27, 2018, at 3:00 p.m. at the Holiday Building located at 620 SE Madison. She encouraged everyone to attend as there would be a report from the Homeless Task Force.

Pastor Marcus Clark expressed concern with how the homeless problems are affecting the overall aesthetics of the city as it relates to economic development and downtown revitalization. He encouraged those involved to have bigger conversations about how to help manage the problem through viable solutions instead of enabling the problem through tolerance.

Councilmember Ortiz stated the PHS committee was working with other organizations in the research of viable options for safe havens for those individuals struggling with drug, alcohol and mental health issues as well as homelessness.

Councilmember Hiller reported the same problems exist across the nation and in other countries. She encouraged people to give to the organizations that assist individuals in need by providing different types of resources instead of giving cash directly to the homeless or those that panhandle.

Councilmember Ortiz moved to defer the final report until September 4, 2018. The motion seconded by Councilmember Jensen carried unanimously. (10-0-0)

SEPTEMBER 4, 2018 MINUTES

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, September 4, 2018. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Ortiz, Emerson, Padilla, Mays, Coen and Lesser -7. Deputy Mayor Jensen presided -1. Absent: Mayor De La Isla and Councilmember Clear -2.

ACTION to create a committee to consider the similar underlying issues associated with the camping ordinance and the traffic and pedestrian safety ordinance which will consist of five governing body members: Deputy Mayor Jensen; Councilmembers Ortiz, Clear, Lesser and Padilla; as well as five members of the community to be appointed by Deputy Mayor Jensen and Councilmember Ortiz, was presented.

Deputy Mayor Jensen reported the newly created committee would address the issue of homelessness and the displacement of persons as well as poverty. He stated the Special Committee and Public Health and Safety Committee would continue to act upon each ordinance as needed and provide an update regarding each committee's progress on each ordinance every 90 days as required by Governing Body Rule 8.5(c) until work has been completed.

Councilmember Ortiz stated she agrees with the proposal and the consolidation of efforts to address the issue.

Councilmember Lesser moved to create a committee to consider the similar underlying issues associated with the camping ordinance and the traffic and pedestrian safety ordinance which will consist of five governing body members: Deputy Mayor Jensen; Councilmembers Ortiz, Clear, Lesser and Padilla; as well as five members of the community to be appointed by Deputy Mayor Jensen and Councilmember Ortiz. The motion seconded by Councilmember Padilla carried unanimously. (8-0-0)

ACTION regarding the Final Report due on September 1, 2018, for the proposed Traffic and Pedestrian Safety ordinance was presented. *(Deferred from the meeting of August 21, 2018.)*

Deputy Mayor Jensen, Special Committee Chair, stated there was nothing further to report on the ordinance language at this time. He stated the Committee would report back in 90 days as required by the Governing Body Rules and Procedures.

Andy Fry expressed concern with using relevant data relating to the traffic and pedestrian safety ordinance as it relates to panhandling.

ACTION regarding the Final Report due on September 1, 2018, for the proposed Camping ordinance was presented. *(Deferred from the meeting of August 21, 2018.)*

Councilmember Ortiz, Public Health and Safety Committee Chair, reported the Committee would need to meet again to gather additional information; consider designating camping areas, i.e. campgrounds through the inclusion of several organizations to help create a viable solution. She noted the Committee would report back in 90 days to the Governing Body.

Councilmember Padilla stated it was important to have different perspectives in solving the issues as there was no quick fix to the problem. He expressed his appreciation to all those involved in the process.

DECEMBER 4, 2018

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, December 4, 2018. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Clear, Ortiz, Emerson, Padilla, Jensen, Coen and Lesser -8. Mayor De La Isla presided -1. Absent: Councilmember Mays -1.

UPDATE and possible ACTION on the proposed Camping ordinance was presented.

Councilmember Ortiz, Public Health and Safety Committee Chair, provided an update on the process. She reported there are 48 organizations that want to be a part of the solution as well as they have heard testimony from a number of the homeless. She commended the Topeka Police Department, specifically Sergeant Klemm for efforts in providing identification of the homeless population for the purpose in assisting with social security and health benefits as well as documenting the location of where the homeless person was located.

Councilmember Clear stated the issue continues to require a delicate balance for all people involved. She noted she has enjoyed the process of understanding the situation and getting to know all the people that are affected by the problem.

Councilmember Padilla stated understanding the problem will be critical to finding a solution, learning the perspective of a homeless person and how it relates to freedom of choice as well as providing safety for them.

Councilmember Lesser commended Councilmember Ortiz for her leadership in organizing and understanding the situation and people involved with the subject matter. He stated it will be important to help constituents understand how the process will progress as a whole as well as the wellbeing of the homeless.

Councilmember Ortiz thanked Topeka Police Chief Bill Cochran for creating the Outreach Team and the work they continue to do to help with the issue.

UPDATE and possible ACTION on the proposed traffic and pedestrian safety ordinance was presented.

Councilmember Jensen, Special Committee Chair, expressed his appreciation for the collaboration of City government and community partners with the goal of helping people. He stated the Committee would wait until the Public Health and Safety Committee has finished their work on the Camping ordinance and then consolidate efforts and solutions.

Teresa Miller expressed concern with excessive panhandling relating to traffic safety, NW 25th and NW Rochester continue to create safety issues.

Councilmember Hiller expressed her appreciation to both Committees for working to assist people with helping themselves by truly researching the root cause of the problem.

UPDATE and possible ACTION on examination of similar underlying issues associated with the Camping and Traffic Pedestrian Safety ordinances, including the five non-Governing Body members who have been appointed to serve as members of such Committee was presented.

Brent Trout, City Manager, stated there would be nothing to report until both Committees have completed their work on their respective ordinances.

Teresa Miller expressed concern with the people living in vehicles, creating safety issues in neighborhoods and the lack of authority Community Officers have in addressing the issues.

MARCH 5, 2019

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, March 5, 2019. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Hiller, Ortiz, Emerson, Padilla, Jensen, Mays and Coen -7. Mayor De La Isla presided -1. Absent: Councilmembers Clear and Lesser -2.

UPDATE and possible ACTION on the proposed camping ordinance was presented.

Councilmember Ortiz, Public Health and Safety Committee Chair, reported another meeting will be scheduled in the near future as well as discussions with the City Attorney and Corrie Wright, Housing Services Division Director, to determine a plan. She stated she believes the fire under the Kansas Avenue Bridge and other issues continue to be very concerning and

noted the State was working with Impact Avenues and other organizations to help address the homeless problem in the community.

Russell Burton stated approximately 55 homeless persons have been contacted to received Shelter Plus Care Program vouchers which allowed them to obtain shelter during the cold weather as well as other contacts have been made for housing options for homeless recipients. He expressed his appreciation to the Governing Body and City staff for their efforts in helping solve the homeless problem without causing legal ramifications for those involved.

Randy Evans, Sheryl Richardson and Randy Rangel thanked City staff and the Governing Body for their assistance in providing them much needed shelter.

Mayor De La Isla thanked the individuals for speaking to the Governing Body about homeless issues. She stated the City may not have all the resources to fix the homeless problem; however, they will continue to work with community partners on the issue to make it better and offer resources.

Councilmember Ortiz thanked everyone involved in the process which has evolved into a great initiative to help address serious issues in the community.

Councilmember Padilla thanked staff and everyone involved for being patient and allowing them to help work on a resolution to address many issues in the community related to homelessness.

Councilmember Hiller questioned how the Governing Body would like to proceed with the ordinance.

Councilmember Ortiz stated the ordinance will remain in Committee until all information could be reviewed in detail, community organizations are able to partner with the City and provide a safe place for the homeless as required by the proposed ordinance.

UPDATE and possible ACTION on the proposed traffic and pedestrian safety ordinance was presented.

Councilmember Jensen stated the traffic and pedestrian safety ordinance will be delayed until the homeless issues have been addressed and a resolution decided upon. He reported the majority of the individuals working on these issues are volunteers; therefore, they must be mindful of their time and make sure they are not overwhelmed and provided the resources to make sound decisions.

Councilmember Coen referenced the Traffic Safety Map outlining traffic safety accidents included in the agenda packet. He asked for further clarification as to why the downtown area (Topeka Boulevard to Kansas Avenue from SW 4th to 10th Streets) has been rated as a congested area *i.e.* "boxed in."

Brent Trout, City Manager, reported he would consult with the City Traffic Engineer and report back to the Governing Body.

Councilmember Hiller asked if Special Committee members would serve a one year term in the same manner as all other Council Committees.

Lisa Robertson, City Attorney, reported a term limit was not established for the Special Committee; therefore, the term of service will continue until the issue has been resolved.

Traffic/Pedestrian Safety Ordinance
Questions and Answers

Q: ***What does the ordinance do?***

A: The ordinance has three objectives:

(1) to prohibit both drivers and pedestrians from transferring items on certain designated streets;

(2) to prohibit people from standing on medians on certain designated streets unless the person is actually crossing the street; and

(3) to prohibit a person from using a pedestrian crosswalk signal for any purpose other than to cross any street.

Q: ***Do these prohibitions apply to <u>all</u> streets in the city?***

A: No. Only the prohibition against folks using a pedestrian crosswalk signal for any purpose other than to cross a street.

Q: ***If not, to which streets in the city do these prohibitions apply?***

A: The prohibitions against transferring items and standing on medians apply only on the streets identified as 'arterial streets' and the streets located within the 'congested area.' These particular streets were identified based upon data reflecting a higher volume of vehicular traffic accidents and an increased number of pedestrian injuries/fatalities.

Q: ***What is a pedestrian prohibited from doing?***

A: A pedestrian cannot stand in any part of the designated street (i.e. shoulder, median); or stand next to the designated street and approach a stopped vehicle or try to attract the attention of the driver/occupant to get the driver to stop or slow down to facilitate a transfer of an item (e.g. money, food).

Q: ***How will the police determine if a pedestrian has violated the second or third prohibition?***

A: If the pedestrian lingers at the median or the intersection through two consecutive opportunities to cross (e.g. two light changes; no traffic), that will evidence that the pedestrian isn't using the crosswalk to cross the street.

Q. ***Would the ordinance apply to a person advertising for a business or activity such as a car wash or going out of business sale?***

A. No, as long as the pedestrian is not on the median and does not enter the roadway to engage in a transfer with a vehicle driver.

Q: ***What is a driver prohibited from doing?***

A: A driver cannot stop the vehicle, slow down, or change lanes to facilitate a transfer of an item (e.g. money, food) to a pedestrian.

Q: ***Does the 'congested area' include private property and parking lots?***

A: No. The prohibitions apply only to the streets within that area and exclude alleys.

Q: ***Does the ordinance provide for any exceptions?***

A: Yes. Crossing the street. Law enforcement and emergency personnel. Street repair. Streets closed for special events permitted by the City.

Q: ***Does the ordinance provide an exception for city employees and/or those volunteering on behalf of charitable organizations to solicit funds?***

A: No. The purpose of the ordinance is to promote traffic safety by protecting both drivers and pedestrians. The City cannot discriminate among various types of speech without subjecting itself to potential legal exposure.

Q: ***What constitutes a special event?***

A: A special event is an outdoor event held on public property organized for a particular and limited purpose and time, including, but not limited to, parades, block parties running/walking/bicycling events, motor vehicle events, festivals and concerts. TMC 12.70.010.

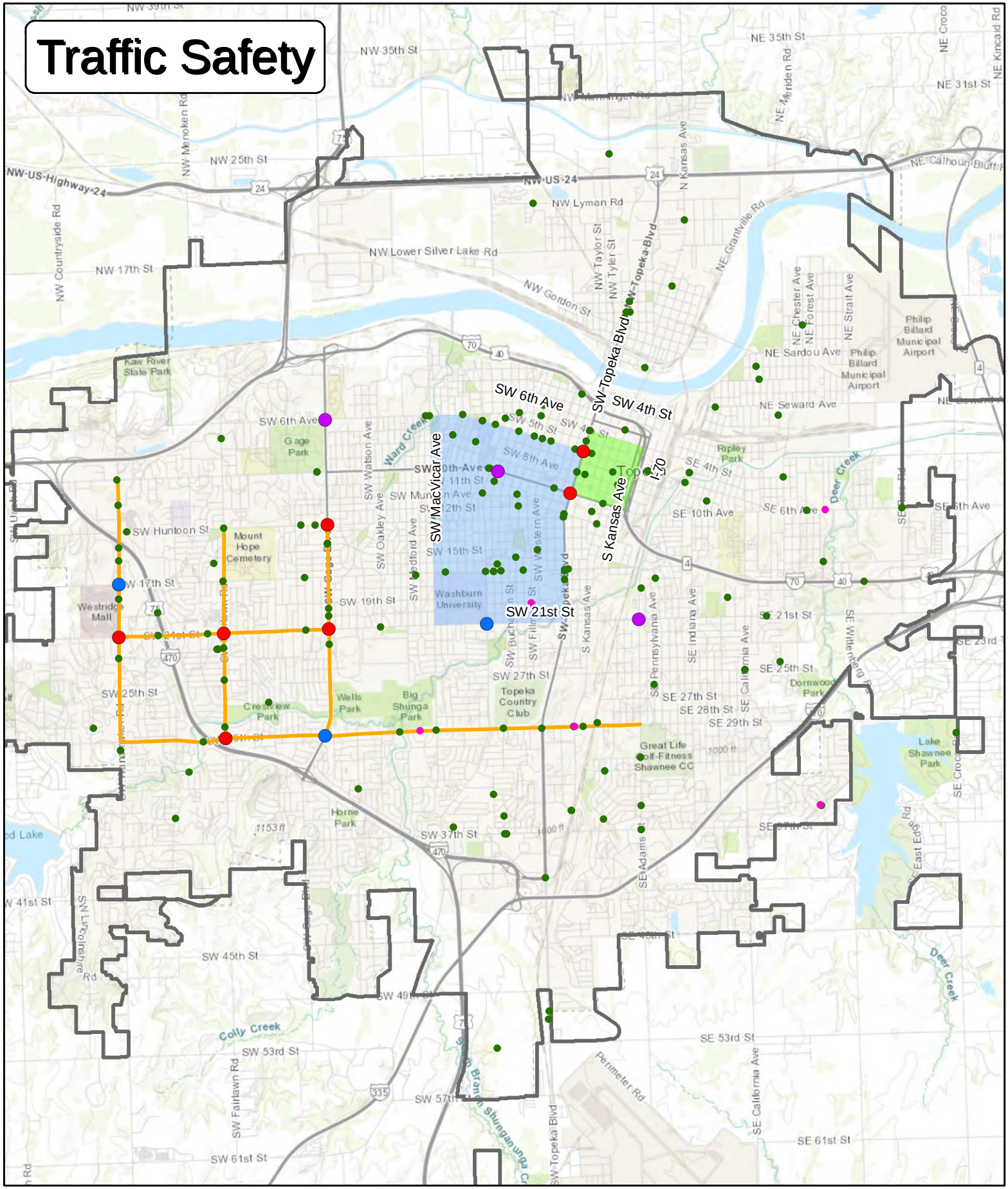
Q: ***Will there be a 'grace period' within which TPD will issue warnings before issuing actual citations?***

A: Yes. Staff will follow Wichita's lead, which allowed for a 90 day grace period.

Q: ***What's the penalty if convicted?***

A: Misdemeanor. Fine of up to $499 and 30 days in jail.

Traffic Safety



- Highest Total Crashes at an Intersection
- Highest Total Crashes & Fatalities/Injuries at an Intersection
- Highest Total Fatalities/Injuries at an Intersection
- Arterial Street
- Fatality Pedestrian Accidents
- Bicycle Accidents
- Congested Area A
- Congested Area B

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Created by: tvogue
Date: 5/3/2018

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Councilmember Coen**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Lisa Robertson, City Attorney/Jacque Russell, Human Resources Director**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**006 Communication / 005 Other**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:	**Referred to Policy and Finance Committee 03-19-19. Update (90-day) 06-18-19.**	**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

DISCUSSION of proposed amendments to Title 2 of the Municipal Code to effectuate a comprehensive update of personnel-related provisions.

VOTING REQUIREMENTS:

Discussion only.

POLICY ISSUE:

Whether the Governing Body should amend personnel-related provisions contained in Title 2 of the Municipal Code and, thereafter, repeal the Personnel Code.

STAFF RECOMMENDATION:

Staff supports the unanimous recommendation of the Policy and Finance Committee to amend personnel-related provisions contained in Title 2 of the Municipal Code and to, thereafter, repeal the Personnel Code.

BACKGROUND:

Certain personnel regulations were incorporated as part of the Topeka Municipal Code via Ordinance No. 14734 (adopted on November 25, 1980). Some, but not all, of this language was removed from the Topeka Municipal Code a decade later via Ordinance No. 16404 (adopted on December 30, 1991) to create a separate document entitled "Personnel Rules and Regulations." These "Personnel Rules and Regulations" became effective January 6, 1992, and served as the City's official personnel code. A variety of amendments have been made

since that time -- the most recent of which occurring on September 19, 2011.

Topeka Municipal Code Section 2.25.100 states that the personnel code shall be reviewed by the city attorney and human resources director during the last quarter of the city's fiscal year, in even-numbered years. This review was completed and subsequently referred to the Council Policy and Finance Committee on March 19, 2019, for review and evaluation prior to submitting to the full Governing Body. The Committee has met on eight separate occasions: April 22, April 29, May 10, May 16 June 3, June 10, July 1 and July 29, 2019. A recommendation was approved unanimously by the Committee on July 29th to amend identified personnel-related provisions contained in the Topeka Municipal Code and then repeal the Personnel Code.

This review initially began as a "quasi-RPI process" to improve efficiencies by reducing the number of personnel-related documents that both supervisors and employees are required to "consult" in order to obtain all information that may be relevant to the decision-making process. During the course of this review, however, it was discovered that the issue was much broader in scope: the Personnel Code as well as the Topeka Municipal Code contain outdated and inaccurate information.

BUDGETARY IMPACT:

There will be no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

Description

Personnel Code Table of Contents with Cross-References to Personnel Manual and TMC
TMC Title 2 -- Proposed Table of Contents
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PF Committee Minutes 5-10-19
PF Committee Minutes 5-15-19
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PF Committee Minutes 7-29-19
Policy and Finance Committee Report with Recommendation
Report-Rec Attachments
ORD Title 2 Reorg -- Personnel-Related Provisions
TMC Title 2 Division 2 - CLEAN Version
Personnal Code Presentation

PERSONNEL CODE OF THE CITY OF TOPEKA

X- References to Personnel Manual (administrative)
X- References to Topeka Municipal Code (legislative)

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* NOTE: owns a patent or copyright + is dependent on several factors. Recommend Review on a case-by-case basis.

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PROPOSED

TOPEKA MUNICIPAL CODE
TITLE 2
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DIVISION 1
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Chapters:

2.05 Seal and Crest
2.10 City Records
2.15 Mayor – City Council

*Moved *former Section 2.25.050 "Reimbursements for conferences, seminars, conventions and short courses attended by governing body members") into Division 1 under Chapter pertaining to Mayor and City Council as new Section 2.15.110 and renamed "Reimbursements for Official Travel and Related Expenses".*

2.20 Established Positions -- Departments Created
2.25 Community Development
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EMPLOYEES

Chapters:

2.105 Employment Practices; Diversity and Inclusion

2.105.010 Policy. (**Personnel Code** Article II, Section 2; Current **TMC** 2.135.010, 2.135.030 and 2.135.060)

2.105.020 Employment Practices. (**Personnel Code** Article II, Section 2; Current **TMC** 2.135.040)

2.105.030 Recruitment Procedures. (**Personnel Code** Article II, Section 3; Current **TMC** 2.135.050)

2.105.040 Reports and Records. (**Personnel Code** Article II, Section 3; Current **TMC** 2.135.100)

2.105.050 Equal Opportunity Officer. (**Personnel Code** Article II, Section 3; Current **TMC** 2.135.070, 2.135.080 and 2.135.090)

Article II of Chapter 2.135 "Public Contracts" (Sections 2.135.110 through 2.135.170) is being moved to Title 3 ("Finance"/Chapter 3.30 "Contracts and Purchases"); although the code company may consider moving it into Chapter 2.55 ("Public Contracts") when the recodification occurs.

2.110 General

2.110.010 Oath. (Current **TMC** 2.25.030)

2.110.020 Residency Required. (**Personnel Code** Article II, Section 5)

2.110.030 Administrative Policies, Rules, Regulations and Procedures – Personnel Manual. (**Personnel Code** Article I, Sections 3A, 3C, 4 and Article II, Sections 1 and 4; Current **TMC** 2.25.110)

2.110.040 Personnel Records. (**Personnel Code** Article I, Sections 5A, 5B and 5C)

2.110.050 Protective Insurance Required. (Current **TMC** 2.25.040)

NOTE -- Moved *current TMC 2.25.050* ("Reimbursements for conferences, seminars, conventions and short courses attended by governing body members") into Division 1 under Chapter pertaining to Mayor and City Council as *new TMC 2.15.110* and renamed "Reimbursements for Official Travel and Related Expenses".

2.110.060 Approval of Employment Agreements. (Current **TMC** 2.25.060(a))

2.110.070 Approval of Severance Pay. (Current **TMC** 2.25.060(b); **Personnel Code** Article VIII, Section 2C)

2.115 Bargaining Unit Employees

2.115.010 Right of Employees to Organize. (Current **TMC** 2.25.010)

2.115.020 Approval of Memorandum Agreements in Conjunction with the Meet and Confer Process. (Current **TMC** 2.25.020)

2.120 Civil Service for Police Officers and Firefighters

Article I. General

2.120.010 Scope – Terms of Labor Contract – Collective Bargaining Agreement to take Precedence. (Current **TMC** 2.125.010)

2.120.020 Departmental Regulations. (Current **TMC** 2.125.020)

Article II. Civil Service Commission

2.120.030 Created – Terms – Technical Advisor -- Quorum. (Current **TMC** 2.125.030)

2.120.040 Oath. (Current **TMC** 2.125.040)

2.120.050 Meetings -- Support. (Current **TMC** 2.125.050)

2.120.060 Examinations. (Current **TMC** 2.125.060)

2.120.070 Annual and Special Reports – Rules – Regulations. (Current **TMC** 2.125.070)

2.120.080 Notification of Vacancies. (Current **TMC** 2.125.080)

2.120.090 Certification of Applicants; Eligibility List. (Current **TMC** 2.125.090)

2.120.100 Equal Opportunity. (Current **TMC** 2.125.100)

2.120.110 Striking Applicants from List. (Current **TMC** 2.125.110)

2.120.120 Removal from Employment. (Current **TMC** 2.125.120)

2.120.130 Hearing Powers. (Current **TMC** 2.125.130)

2.120.140 New Applicants for Police and Fire Positions to Submit to Exam. (Current **TMC** 2.125.140)

2.120.150 Probationary Period for Police. (Current **TMC** 2.125.150)

2.120.160 When Employee does not Receive Permanent Appointment. (Current **TMC** 2.125.160)

Article III. Classification and Pay Plan

2.120.170 Rate of Pay – Determined by Position. (Current **TMC** 2.125.170)

2.120.180 Rate of Pay – Salary Increases and Decreases. (Current **TMC** 2.125.180)

2.120.190 Effective Date of Salary Increase. (Current **TMC** 2.125.190)

2.120.200 Hours of Work. (Current **TMC** 2.125.210)

2.120.210 Notice of Termination. (Current **TMC** 2.125.220)

2.120.220 Pay on Termination. (Current **TMC** 2.125.230)

2.120.230 Effect of Reemployment within 120 Days. (Current **TMC** 2.125.240)

Article IV. Grievances

2.120.240 Defined. (Current **TMC** 2.125.250)

2.120.250 Conference with Supervisor. (Current **TMC** 2.125.260)

2.120.260 Appeal from Supervisor's Determination. (Current **TMC** 2.125.270)

2.120.270 Contents of Appeal. (Current **TMC** 2.125.280)

2.120.280 Determination of Appeals. (Current **TMC** 2.125.290)

Article V. Compulsory Physical Examinations

2.120.290 Request for Examination. (Current **TMC** 2.125.300)

2.120.300 Report of Examining Physician. (Current **TMC** 2.125.310)

2.120.310 Request for Reexamination. (Current **TMC** 2.125.320)

2.120.320 Reexamination by Three Physicians. (Current **TMC** 2.125.330)

2.120.330 Report of Reexamining Physicians – Determination of City Medical Advisor. (Current **TMC** 2.125.340)

2.120.340 Frequency of Examination. (Current **TMC** 2.125.350)

Article VI. Disciplinary Action

2.120.350 Authority of Department Directors. (Current **TMC** 2.125.360)

Article VII. Personnel Records

2.120.360 Personnel Records to be Maintained. (Current **TMC** 2.125.380)

2.120.370 Annual Performance Evaluation. (Current **TMC** 2.125.390)

2.120.380 Evaluation Ratings to be made Part of Personnel Record. (Current **TMC** 2.125.400)

2.120.390 Inspection. (Current **TMC** 2.125.410)

2.120.400 Violation of Chapter. (Current **TMC** 2.125.420)

2.125 Benefits

***DELETED: Former* Article I. General** (NOTE: **This article can be deleted in its entirety**: The individuals who would have been eligible to retire effective April 1, 1951 are deceased.)

~~2.130.010 Increase in payments under 1939 retirement system.~~ (Current **TMC** 2.140.010)

Article I. Social Security (**former Chapter 2.140, Article II*)

2.125.010 Benefits Extended – State Act Incorporated. (Current **TMC** 2.140.020 and **TMC** l2.140.030)

2.125.020 Services Covered. (Current **TMC** 2.140.040)

2.125.030 Contribution by City. (Current **TMC** 2.140.050)

2.125.040 Source of City's Contributions. (Current **TMC** 2.140.060)

2.125.050 Compliance with Regulations. (Current **TMC** 2.140.070)

2.125.060 Modification of Plan. (Current **TMC** 2.140.080)

2.125.070 Effective date. (Current **TMC** 2.140.120)

Article II. Workers Compensation (**former Chapter 2.140, Article III*)

2.125.100 Workers Compensation – General. (Current **TMC** 2.140.130)

NOTE** -- **Moved** **current TMC 2.140.140 ("Assessment against city department -- rate") into Title 3 "Finance" under Chapter 3.25 "Funds" as new TMC 3.25.060 and renamed "Self-Insurance Fund".

2.125.110 Claims – Service; Process; Defense. (Current **TMC** 2.140.150)

***DELETED: Former* Article IV. Police and Fire Pension Funds** (NOTE: **This article can be deleted in its entirety**: These local plans were *abolished 40 years ago* -- *on January 1, 1979* -- when the City elected to extend participation in KP&F to include coverage for all Topeka fire and police, regardless of date of employment. (*Both KPERS and KP&F are addressed in Section 5.3 of the Personnel Manual.) Staff has informed the attorney for IAFF about these outdated provisions.)

~~2.140.130 Creation.~~

~~2.140.140 Maintenance by council.~~

~~2.140.150 Benefit and disability benefit rights under prior laws saved.~~

~~2.140.160 Administration of benefit funds by board of trustees.~~

~~2.140.170 Investment.~~

~~2.140.180 Membership fee and contributions – Refunds – Limitations.~~

~~2.140.190 Payment to widow or children of deceased firefighter or police officer.~~

~~2.140.200 Permanent disability benefits.~~

~~2.140.210 Exemption of pension and benefit funds from civil liability.~~

~~2.140.220 Funeral expenses.~~

~~2.140.230 Payment of pensions and benefits – Annual report of treasurer.~~

~~2.140.240 Service in military may be credited on retirement time.~~

~~2.140.250 Compulsory retirement.~~

~~2.140.260 Transfer of benefits to police and fire fund of the state Public Employees Retirement System.~~

Article III. Police Benefit Account (**former Chapter 2.140, Article V*)

2.125.200 Created. (Current **TMC** 2.140.300)

2.125.210 Fees Credited to Fund. (Current **TMC** 2.140.310)

2.125.220 Purpose. (Current **TMC** 2.140.320)

2.125.240 Benefits. (Current **TMC** 2.140.320)

2.125.250 Payment. (Current **TMC** 2.140.330)

Article IV. Health Insurance (**former Chapter 2.140, Article VI*)

2.125.300 Group Health Insurance Plan and Fund. (Current **TMC** 2.140.340)

2.125.310 Eligibility. (Current **TMC** 2.140.350)

2.125.320 Plan Coverage. (Current **TMC** 2.140.360)

2.125.330 Retirees. (Current **TMC** 2.140.370)

2.125.340 Contributions. (Current **TMC** 2.140.380)

2.125.350 Health Care Advisory Committee. (Current **TMC** 2.140.390)

2.130 Firefighters Relief Association

(NOTE: **Most of this chapter has been deleted**: The vast majority (if not all) of the provisions are set out in/governed by State Statute. There is no need for duplication. Staff has contacted the attorney for IAFF and has communicated with various members of the Firefighter's Relief Association Board. Board members have indicated they refer directly to the State Statutes for purposes of conducting their duties and responsibilities – not the TMC. The only section left intact will outline the composition of the Associations and direct the reader to the applicable State Statute.

2.130.010 Composition -- Governance. (Current **TMC** 2.130.010 and 2.130.020)

~~2.130.020 Members – Officers – Board of Directors.~~

~~2.130.030 Bylaws, Rules and Regulations.~~

~~2.130.040 City Attorney to Certify Expenditures, Payments.~~

~~2.130.050 Records.~~

~~2.130.060 Secretary-Treasurer.~~

~~2.130.070 Funds – Investment.~~

~~2.130.080 Funds – Held in Trust; Limitation on Use and Distribution.~~

~~2.130.090 Funeral Expenses – Death Benefits.~~

~~2.130.100 Loans to City.~~

DELETED (former section #): 2.25.100(a) and (b); 2.125.200; 2.125.370; Chapter 2.130 (all except 2.130.010); 2.135.020(a)-(d); Article I of Chapter 2.140 (all); Article IV of Chapter 2.140 (all); 2.140.090; 2.140.100; 2.140.110; 2.140.130(b) and (c). *Also, repealing the Personnel Code (currently an uncodified Ordinance) after transferring the legislative, policy-related matters to the TMC.

ADDED (current section #): 2.110.020; 2.110.030; 2.110.040; 110.080(b) and (c)

DIVISION 3
BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

Chapters:

- **2.205 Boards and Commissions**
- **2.210 Citizens Government Review Committee**
- **2.215 Public Building Commission**
- **2.220 Board of Zoning Appeals**
- **2.225 Topeka Planning Commission**
- **2.230 Landmarks Commission**
- **2.235 Board of Building and Fire Appeals**
- **2.240 Sustainability Advisory Board**
- **2.245 Office of the Arts**
- **2.250 Americans with Disabilities Act Advisory Council**
- **2.255 Human Relations Commission (Review in conjunction w/Title 9 overview)**

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

POLICY AND FINANCE COMMITTEE

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
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Date: April 22, 2019
Time: 3:30 p.m.
Location: Classroom A; Law Enforcement Center 320 S. Kansas

Attendance
Committee members Present: Brendan Jensen, Jeff Coen (Chair)
Councilmember Tony Emerson was absent
City Staff Present: Lisa Robertson (City Attorney), Jacque Russell (Human Resources Director), Catherine Walter (Legal), Shawn Maisberger (HR)

1) Call to Order
Councilmember Jeff Coen called the meeting to order. Councilmembers and staff introduced themselves.

Councilmember Tony Emerson was absent.

2) Approve April 1, 2019 Minutes
Councilmember Jensen made a motion to approve the minutes. Councilmember Coen accepted the motion. The minutes were approved 2:0:1, with Councilmember Emerson being absent.

3) Introduction of Personnel Code
Lisa Robertson, City Attorney, referred to the City of Topeka's Personnel Code, which was provided to the Committee, indicating that Staff started its review going forty (40) years back (to 1980). Over eighteen (18) years ago, in 1991, personnel provisions were moved from the Topeka Municipal Code (TMC) into a stand-alone Personnel Code. In 2004, the form of government changed (from strong-Mayor to Council-Manager). When this happened, the responsibilities of the governing body became focused more on legislative, budgetary and policy matters, with administrative duties and responsibilities being shifted to the City Manager. (Charter Ordinance A2-25(a) states that the governing body "shall be vested with all powers of legislation in municipal affairs adequate to provide a complete system of local government" and that it "shall have no administrative powers.")

Since the change in the form of government fifteen (15) years ago, there have been very few substantives revisions to the Personnel Code. There are many examples that can be found throughout the document where language does not match up and there are many inconsistencies. Staff believes now is a good time to make these changes. Ms. Robertson, Catherine Walter (Legal), Jacque Russell (HR Director) and Shawn Maisberger (HR Manager) have been meeting over the past year to locate these inconsistencies and discuss proposed resolutions to address the inconsistencies with the Committee.

Ms. Robertson provided further explanation that in the Personnel Code, language is provided to give the Human Resources Director the ability to adopt administrative rules and regulations (Article I, Section 3). Human Resources has engaged in this process over the past fifteen (15) years in an effort to compliment the Personnel Code; however, the list of ARRs has become lengthy and the language was never subsequently codified in either the Personnel Code or the TMC. If a grievance is filed, Staff is required to review the Personnel Code, the TMC, the Polices, the ARRS, the Bargaining Unit Agreements (if applicable), etc. to locate language that touches upon each piece of the equation so that an informed decision can be made. The goal would be to come up with one complete document (or at least fewer documents) that would serve as the main point of reference.

Councilmember Jensen inquired if the compiled document has been organized by staff. Ms. Robertson noted that the Personnel Code is in place, but that each of the policies and administrative rules and regulations that were implemented since 1991 to interpret the provisions of the Personnel Code are all separate documents. [Ms. Robertson also noted that employees have access to viewing the various personnel documents through the City's intranet.] Each of these separate documents have been reviewed and updated over the course of years in accordance with a series of steps that include department director review and employee public hearings. Shawn Maisberger, Human Resources Manager, noted that the meetings are posted and although some had low attendance, comments (many seeking clarification regarding bargaining units) and feedback had been received and welcomed. Ms. Robertson noted that the vehicle use policy review meetings were well attended with lots of feedback from employees that was ultimately incorporated.

Councilmember Jensen inquired about the language found in the Personnel Code. Ms. Robertson noted that much of the language in the 1991 Personnel Code has been subsequently updated by a separate administrative rule and regulation (Article I, Section 3). Ms. Robertson provided the example of Workman's Comp, which is currently in the TMC (Chapter 2.140, Article III), noting that workers' comp issues are more appropriately handled administratively, via an administrative rule or regulation, rather than being a matter handled by the Governing Body.

Councilmember Jensen inquired if the intent of Staff was to get rid of the entire document series and begin a new one, or to have a base document and merge the other items into it. Ms. Robertson noted that part of meeting with the Committee would be to make these type of decisions and begin moving forward. Ms. Robertson suggested that the Committee review a few of the provisions at the next meeting and discuss best practices.

Councilmember Jensen inquired about the pros and cons of each decision and if there are other reasons to review the document other than it just being a task that has not been completed in a number of years. Jacque Russell, Human Resources Director, echoed the issued previous raised by Ms. Robertson. Discussion occurred between Committee and Staff members regarding the Governing Body's role in personnel matters.

Councilmember Coen inquired about the process of sending the product to the Governing Body for final approval. Ms. Robertson suggested that the Committee decide on a final product and take it to the Governing Body as an action item. The document could also be brought forth as a discussion item; however, if the same level of detailed discussion occurs at the Governing Body meeting as that which occurred at the Committee meetings, it will be very lengthy. Councilmember Jensen stated he would prefer to begin with a founding document to begin with and work through designing a comprehensive final product to present to the Governing Body.

Councilmember Jensen inquired if research had been done to see if other cities had done a process similar to this. Jacque Russell noted she had not completed any research; but that some municipalities do have a personnel-related document. She would just need to verify how many of the provisions contained in such personnel-related documents are codified. Ms. Russell

clarified that Staff has been reviewing each of the City's existing policies, rules and regulations to determine the most appropriate place for them. Ms. Russell stated a decision would need to be made regarding the language currently contained in the Personnel Code – and what the Governing Body's position is related to where policy-related provisions should be located, as opposed to where administrative-related provisions should be located. Lisa Robertson noted the reasons brought up by Ms. Russell was the reason for the large packet of information that was provided to the Committee. Ms. Robertson asked that Committee members review the information and begin getting an idea of what questions they may wish to discuss at the next meeting.

Councilmember Jensen inquired with Staff as to how much of the Personnel Code dealt with budgetary oversight, stating that budget oversight is one of the Governing Body's main functions. Ms. Russell noted that the compensation system presented in 2017 was adopted by the Governing Body. The new management and executive pay plan as that is currently in the Personnel Code; but also has a budgetary impact. One way of looking at it would be if the City Manager is managing those items within the adopted budget and that is the policy or having a policy that the Governing Body makes with regard to those specific items.

4) Other Items Before the Committee

No other items.

5) Adjourn

Councilmember Coen adjourned the meeting.

The Policy and Finance Committee will be meeting on April 29, 2019 at 3:00pm in the 1st Floor Conference Room of the Holliday Building 620 SE Madison to discuss best practices with regard to the City of Topeka's Personnel Code.

The video of this meeting can be viewed at: https://youtu.be/ZaGkR1lANv4

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

POLICY AND
FINANCE COMMITTEE

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
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Committee: Policy and Finance
Date: April 29, 2019
Time: 3:00 P.M.
Location: 1st Floor Conference Room – Holliday Bldg 620 SE Madison
Attendance: Councilmembers Jeff Coen & Brendan Jensen, Jacque Russell (HR Director), Shawn Maisberger (HR), Lisa Robertson (City Attorney), Catherine Walter (Legal)

1) Call to order
Councilmember Coen introduced the committee members. Councilmember Emerson was absent.

2) Approve April 22, 2019 Minutes
Councilmember Jensen made a motion to approve the minutes as presented. Councilmember Coen seconded the motion. Minutes approved 2:0:1.

3) Discuss Best Practices
Lisa Robertson, City Attorney, noted that discussion items for the meeting would involve reviewing items found within the existing Personnel Code, and comparing them with the provisions that have been adopted over the past twenty-eight years (since 1991) through Administrative Rules and Regulations.

- Personnel Code Article 2 Section 6: Personal Business – Conducting personal business while on duty shall be prohibited.
    - City's Adopted Policy 131 – Code of Conduct is more descriptive, than the Personnel Code language.
    - Councilmember Coen inquired if the subject was an issue for City of Topeka employees. Ms. Robertson stated it is common practice to have something stated in a Personnel Code regarding the subject. Jacque Russell, HR Director, noted that the issue of employees using company time to conduct personal business comes up from time to time but that it is not a frequent occurrence.
    - Councilmember Jensen stated that trying to ban this activity completely was not realistic. Ms. Russell noted that taking a personal phone call or checking an

email while at work was a topic is covered in greater detail in the Telecommunications Policy, which will be covered at another meeting. Incidental use of the City's systems to conduct a phone call or send an email are not prohibited.
    - Councilmember Jensen suggested removing the ban or elaborating on the section description within the Personnel Code. Ms. Robertson noted that the purpose of reviewing these items was for the committee and Governing Body to note the preferred language and combine the information into one document.

- Personnel Code Article 2 Section 7: Conflict of Interest – This section lists exceptions and more explanation to Section 6 and gives permission to the City Manager to authorize an exception to employees conducting outside business on City time. P131 Code of Conduct has a lot more detail listed out.

- Personnel Code Article 2 Section 8: Consideration Given to Achieve Promotion. This section aligns with page 14 of the Code of Conduct P131, Section 3: Fair and Equal Treatment, §A.

- Personnel Code Article 2 Section 9 §A, B, C: Political Activity – This language is different from what is found in P131, Section 7 §A-G: Involvement in Political Process. Language in P131 is more specific and detailed.

  Councilmember Coen inquired if employees would be allowed to put a candidate's campaign sign in their yard. Ms. Russell noted that employees could do so. If an employee was running for a local office, they would be required to take a leave of absence during the campaign period so that there would be no perceived or actual conflict. This requirement would apply to state, municipal and county government offices. Councilmember Jensen felt that requiring leave for campaigning for offices outside of City government was unnecessary. Ms. Russell noted that it would be a case-by-case review. Councilmember Jensen would be open to discuss this topic further and would like to know what other cities require.

- Personnel Code Article 2 Section 10: Employment of Relatives and P131 Section 3D: Nepotism Restrictions. Language is similar in both documents. Some language was added into P131 to include step-children/step-siblings.

  Councilmember Jensen inquired about the process for promotion if siblings worked together directly. Ms. Russell noted that siblings or spouses are not allowed to be in the same department division or the same shift.

- Personnel Code Article 2 Section 11: Multiple City Positions by One Employee. This language is also covered in Administrative Rule and Regulation (ARR) 125: Multiple City Positions. Ms. Robertson noted the language is fairly straightforward in both.

  Councilmember Jensen inquired about the balance between the workload of a vacant position amongst remaining employees. Ms. Russell noted that there is another section that will be reviewed at a later time, which discusses out-of-class pay for additional duties that have been assigned to an employee to make up for that pay differential.

- Personnel Code Article 2 Section 12: Solicitation and P131 Section C(3)(b). Additional language to is included in P131 to cover gambling.

  Councilmember Jensen inquired if this policy would prohibit employees from bringing a fundraiser form for their child to work. Ms. Russell noted that it would prohibit employees from participating in said activity in the work space during work time. However, it would be acceptable for an order sheet to be placed in an employee break room for other staff to view during breaks. However, sending mass electronic communication to other staff would be prohibited.

  Councilmember Coen inquired if Governing Body members were currently violating this policy when members discussed and encouraged the community to participate in charitable events during Governing Body Meetings. Ms. Robertson indicated that these rules did not directly apply to Governing Body members, but rather employees. Ms. Robertson also noted that during the announcement time, Governing Body members were more or less providing information about community events and not soliciting.

- Personnel Code Article 2 Section 13: Work Breaks. There is a provision contained in the P133 Time and Attendance that covers this subject more in depth. In the Personnel Code, there is currently no definition of a "work break", (for example, fifteen minutes in the morning and fifteen minutes in the afternoon). Ms. Robertson suggested adding that language in the updated document.

  Councilmember Jensen inquired how to balance the language found in the policy with what is found in the bargaining unit contracts. Ms. Russell noted that in both cases, parameters are set for the fifteen minute breaks to be paid; but any time taken away from duties longer than fifteen minutes would be considered part of the lunch break or would require a leave request. Councilmember Jensen inquired about smoking breaks. Ms. Russell noted that those individuals would be required to smoke during those designated work breaks.

- Personnel Code Article 2 Section 14: Alcohol and Drug Use in the Work Place. This section contains fairly standard language. However, ARR 128 Drug and Alcohol Free Workplace contains much more specific language related to this topic. Councilmember Jensen inquired about the language for employees who are subject to call-backs. Ms. Russell noted that parameters related to call-backs/stand-by are outlined in bargaining unit agreements.

  Councilmember Coen inquired when drug and alcohol testing occurs. Ms. Russell replied that testing takes place pre-hire. CDL holders and police have random testing. Fire has post-accident testing.

- Personnel Code Article 2 Section 15: Attitude, Smoking, Attire. The language in this section is reflected in P131 Section 2 Professional Integrity, P112 Food and Beverage, P128 Smoke and Tobacco Free Workplace, and P106 Work Attire-Personal Appearance

  Councilmember Jensen inquired about a perceived bad attitude by specifically a police officer and what the language would be in the bargaining unit. Ms. Russell stated those provisions were covered in the bargaining unit agreements.

  Councilmember Coen noted that the styles of today have changed from years ago and something considered abnormal or inappropriate before may now be considered normal or not as taboo. Councilmember Coen inquired how this language could be changed to address this topic. Ms. Russell noted that this may be something that could be left up to the Department Director. A provision found in P106 notes that Department Directors have the discretion to alter or relax some of the requirements. An emphasis is placed on a neat appearance rather than specific modifications such as hair color, piercings, and body art.

  Councilmember Coen inquired about potential language that could be added with regard to unnatural hair coloring, body piercings, and tattoos. Jacque Russell noted that the current language tries to allow Department Directors to set the specific dress attire; however it is more focused on a neat appearance rather than hair color, etc. Councilmember Jensen inquired about how women's current fashion is discussed or defined within the code. Ms. Russell noted that the definitions are meant to be as gender neutral as possible. Examples of language were provided.

  Councilmember Jensen inquired about what language is used to refrain from being gender biased with regard to women's fashion. Ms. Russell noted that language and

examples included in the policy were non-gender specific and also emphasized modesty and a neat appearance.

- Personnel Code Article 2 Section 16: Patents and Copyrights. There is no corresponding policy or ARR, but Ms. Robertson noted that additional language may need to be added or that the subject may need to be addressed in the Municipal Code.

  Councilmember Jensen noted that in the private sector, if someone creates something, it belongs to the employer and not the individual.

  Ms. Russell noted that perhaps this was section was implemented for the purpose of introducing guidelines for employees to ensure that the City, specifically media and communications, were appropriately citing proprietary information on materials produced.

- Personnel Code Article 2 Section 17: Outside Employment and P131 Section 4(C) Conflict of Interest.

  Councilmember Coen inquired if there were any provisions speaking to an employee who has a second job with a company that is contracted with the City. Ms. Robertson noted that there were provisions in the Conflict of Interest provision that would cover this and stated that as long as an employee was not directly benefiting from said position, there would likely not be a problem.

  Councilmember Jensen inquired if more information with regard to conflict of interest could be codified. Ms. Robertson noted that most of this type of information is found in state statutes, as well as the proposed Conflict of Interest policy.

- Personnel Code Article 3 Section 1: Employee Development, Health and Safety. ARR 104 Tuition Reimbursement and ARR 127 Training and Development, provide more detailed information about the tuition reimbursement processes and continued training and education for employees both in-house and through outside sources.

  Councilmember Jensen inquired if there was a required amount of time that an employee must stay with the City if said employee was receiving financial reimbursement assistance. Councilmember Coen also voiced a concern for this topic. Ms. Russell noted that there was currently no provision requiring a length of stay.

- Personnel Code Article 3 Section 2: Employee Health. This is a prime example of an outdated provision. Staff created ARR 126 Occupational Health Program, ARR 105

Fitness for Duty, and ARR 101Temporary Assignments to provide more accurate information on current practices, including additional definition and more specific language.

Councilmember Jensen inquired if family members of employees were covered by these provisions. Ms. Russell noted that the Occupational Health program was created for employees and their ability to perform specified job duties. Ms. Robertson noted that there is an Employee Health Care Plan that will be discussed at a later meeting.

- Personnel Code Article 3 Section 3: Employee Safety. This section addresses safety regulations and required safety gear. P111 Employee Management, Employee Safety, and Building Security provides greater detail. Pages 2 and 3 of P111 relate to the Employee Safety aspect referred to in the Personnel Code.

  Councilmember Jensen inquired about a policy that would require escorts for guests in City buildings. Ms. Robertson noted that provisions related to guests in city buildings are found in the Building Security section of P111. Councilmember Jensen noted he would like to see a requirement placed on staff to escort visitors in non-public areas within City buildings.

  Councilmember Coen inquired if there had been prior discussion regarding hand guns in the work place. P101 Concealed Guns in the Workplace discusses this and is part of the discussion. Councilmember Coen inquired about when this subject was last discussed. Catherine Walter, Sr. Assistant City Attorney, noted that some of the amendments that pertained to exemptions of guns within the workplace expired in 2018, and prompted the update in February 2019.

- Personnel Code Article 3 Section 4: Group Insurance. This is another prime example of an outdated provision. ARR 106 Employee Healthcare Benefits provides a more robust description of actual practice to include Employee Healthcare Advisory Committee, which was formed in 2012.

  Councilmember Jensen inquired about adult children who are covered by their parent's employee insurance plan. Ms. Russell noted that under the regulations, children are not tested for the wellness incentive plan and only spouses are required to participate in the testing under the wellness regulations. Councilmember Jensen inquired if a change to the language would be beneficial or necessary to require adult children to follow the same health guidelines as other adults. Ms. Russell stated that those proposed changes could only occur after the Federal Affordable Care Act and HIPPA regulations were removed.

For the May 10th meeting, staff will follow up on items discussed at this meeting, and will present Articles 4, 5, and 6 of the Personnel Code and the City policies and ARRs that cover the information contained in the 1991 Code.

4) Other Items Before the Committee
No other items.

5) Adjourn
Councilmember Jensen made a motion to adjourn the meeting. Councilmember Coen adjourned the meeting.

The Policy & Finance Committee will meet next on May 10 at 9:00am in the Holliday 1st Floor Conference Room at the Holliday Building 620 SE Madison

Video of this meeting can be found at: https://youtu.be/nwC8VEOveDY

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

CITY COUNCIL
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POLICY AND FINANCE COMMITTEE

Committee: Policy and Finance
Date: May 10, 2019
Time: 9:00 A.M.
Location: 1st Floor Conference Room – Holliday Bldg 620 SE Madison
Attendance: Councilmembers Jeff Coen(Chair), Tony Emerson & Brendan Jensen, Jacque Russell (HR Director), Lisa Robertson (City Attorney), Catherine Walter (Legal)

1) Call to order

Councilmember Coen called the meeting to order. Committee members introduced themselves.

2) Approve April 29, 2019 Minutes

Councilmember Jensen made a motion to approve the April 29th meeting minutes. Councilmember Emerson seconded the motion. Minutes were approved 3:0.

3) Continued Discussion of Personnel Code: Articles 4-7

Staff provided follow up information for questions from the April 29th meeting.

- Catherine Walter, Senior Assistant Attorney, provided copies of Resolution 7473 from 2004 which speaks to Conflict of Interest. The resolution, along with State Statute SOSI (Statement of Substantial Interest) serve as guiding pieces. One of the questions that Legal receives the most is clarification related to the receipt of gifts/services. Ms. Walter noted that receiving more than $500 of goods and services must be reported. After this information has been reported, the Governing Body member can then vote. Lisa Robertson, City Attorney, also noted that staff had discussed the option of codifying the language into the TMC (Topeka Municipal Code). However, because state statues might change, having a one-page document that could be provided to each Governing Body member as a reference would be more advisable. Ms. Robertson noted that the challenge with codifying this language into the TMC, would be if there was a lapse in updating it. Ms. Robertson suggested continuing to have this succinct summary available that could be updated and made available as necessary.

  Councilmember Jensen found the one-page "guideline sheet" that Ms. Walter provided to be very helpful and would like to have this information posted to

the City's website. Ms. Robertson noted that this could be done. Councilmember Jensen suggested making this document an accepted policy, which would allow for it to be changed as necessary. Councilmember Emerson agreed that the information was useful and would like to see it added to the website.

- The second issue stated at the April 29th meeting was that of City Employees being required to take a leave of absence to run in local or state elections. Ms. Walter stated there was a state statute that prohibits city employees from running for city elections while on city time. All of the cities contacted prohibit city employees from running for city council or mayoral positions, and require a leave of absence or resignation during the campaign season. Some cities require a resignation. Some cities provide that an employee cannot be a candidate for an elected office that is a conflict, or is incompatible. Wyandotte County has a stricter policy noting that employees who receive federal money cannot continue in their position. The City of Topeka does not currently have this type of language but could add it. Cities included in the research were: Manhattan, Olathe, Overland Park, Wyandotte County, Wichita, and Lawrence.

  Councilmember Jensen inquired about an employee who might be running for a lower seat office such as school board. Ms. Walter noted that according to current language, employees might need to take a leave of absence.

  Councilmember Coen inquired about the requirements imposed by Shawnee County. Staff was unsure of what Shawnee County requires of its employees who are running for an elected position. Ms. Russell provided a few scenarios of when exceptions were made in the City. One was for an employee seeking to serve on the Seaman school board. That individual was not required to take a leave of absence from their City position was not one that was likely to be in conflict with the board position. A second was a City employee who held a management position and ran for Sheriff. That employee *did* take a leave of absence during the campaign period, continuing through the election.

  Councilmember Jensen inquired about what the timeline was for when employees seeking to run for office would be required to take their leave of absence. Ms. Russell noted it would apply when the employee is actively campaigning.

- Ms. Robertson introduced the Tuition Reimbursement inquiry that was raised at the April 29th meeting and the question regarding if reimbursement would be required to be paid back to the city should the employee leave prior completing a determined number of years of service to the City.

Ms. Russell read a clause that could be added: "In the event that the employee voluntarily leaves the city within 12 months, or whatever time the Governing Body determines to be reasonable, the individual agrees to reimburse the city in full for the amount of tuition assistance that was received." Ms. Russell noted that the employee would be required to sign acknowledgement of this requirement prior to receiving the tuition funds. Ms. Russell noted that many private employers utilize this type of language.

Councilmember Jensen noted another way to get payment back could be to have the employee forfeit any unused vacation/sick leave.

Councilmember Emerson inquired what the "nominal amount" limit was. Ms. Russell responded that the limit is one-thousand dollars ($1,000) per calendar year based on available funding. This is consistent amongst the labor agreements as well.

4) New Business

- Personnel Code Article 4, Section 1: Classification and Pay Plan. An ARR was not adopted to cover compensation pieces, but Position Descriptions are discussed in ARR 133. The language contained in the ARR is more robust and descriptive to provide more clarification to employees and managers. Ms. Robertson indicated that she believed the Pay Plan was adopted by the City Council in 2017. Ms. Russell verified this.

- Personnel Code Article 4, Section 2(A): Salary & (B): Compensation. This language corresponds with ARR 101 Temporary Assignments, which encompasses acting and out-of-class assignments; P118 Relocation Expenses and ARR 131 Merit Increases. In ARR 101, the focus of review relates to compensation for acting assignments and out-of-class pay. For acting, it is the minimum of the grade, or 5% above current salary, whichever is greater; and for out-of-class, it is up to a 3% raise in the employee's current salary. New in P118, relocation expenses are considered to be a form of compensation and used in limited circumstances.

  Ms. Russell noted that such expenses are only applied to management-level positions and are made at the request of the Department Director. The approval is part of the consideration process by the Position Review Committee in the interest of filling the vacant position. Typically, this has been seen at the Department Director levels, and some other positions, such as Engineering, that are more difficult to fill. The relocation fees are part of the "Request to Fill" application so that it is applied toward whichever candidate is considered.

Councilmember Coen inquired as to the frequency that an employee is asked to temporarily fill a position. Ms. Russell noted that the frequency varies; however it is seen the most when a Deputy Director steps up to fill in as the Director. That individual then receives out-of-class pay to act as an Interim Director. What is most often seen is on large special projects, such as the new Utility Billing System, when employees are taken out of their regular "home" position and paid out-of-class pay to perform additional tasks. This would also be used as a professional development tool.

Councilmember Jensen inquired as to the possibility of offering an incentive for current or future employees to reside inside of the Topeka city limits. Councilmember Jensen's proposal would be along the lines of offering one-hundred dollars ($100) a year, up to five-hundred dollars ($500) (or something similar) and could be applied to employees who reside in the County limits but would be willing to move into the City limits to aid in the property taxes.

Councilmember Emerson agreed with Councilmember Jensen that some sort of pay incentive would be nice. Discussion between committee members ensued regarding the topic and possible ideas for what the framework of the incentive would look like. Staff will look at a few options that may be possible.

Ms. Robertson brought the discussion back to ARR 131 Merit Increases and noted that the City has done a big push with the merit system by using new software to conduct performance evaluations. The efforts seem to be producing the results that were anticipated. ARR 131 Refers to these processes paper for easier review and interpretation.

Councilmember Emerson inquired as to the specific guidelines and standards that were used during employee evaluations to retain the integrity of the process. Ms. Russell noted that the new merit-based system was put into place in 2017 with the adoption of the new pay plan and was implemented by the Governing Body. There have since been two evaluation cycles, as well as ongoing training with supervisors, to better define what each of the values mean. Ms. Russell noted that scoring a "5" is not easy to attain, nor was it meant to be easy to attain. Department Directors have to review all of their departments' evaluations and explain the outliers to the Review Committee. When an employee scores a "below meets" or "needs improvement" rating, a performance improvement plan for that employee is put into action with the hope being to see improved performance.

- Personnel Code Article 4, Section 2 (C)(2): Use of Private Vehicle. The corresponding policy is P104 Vehicle Use, specifically, section VII, which

specifically covers the use of private vehicles, and Section IX, covers driver safety guidelines.

- Personnel Code Article 4, Section 2(C)(3): Clothing and Cleaning Allowance. The corresponding policy which provides more specific language is P108 Taxability of Work Clothing and Uniforms.

  Councilmember Coen inquired as to whether the IRS (Internal Revenue Service) allows for deduction of these expenses. Councilmember Emerson shared that he thought if clothing or tools were provided, an individual would not be able to claim those. Ms. Robertson noted that the policy states personnel must comply with the IRS guidelines. This ensures employees are working with the Administrative and Financial Services Department to follow these directives in the proper manner.

  Ms. Russell noted that this policy was drafted closely with the Administrative and Financial Services Department. Ms. Russell explained that if an item is provided, it is not tax deductible. If the item is "logoed" and it is not able to be transferred into casual clothing, such as something that is easy to wear outside of work, the IRS would consider it to be taxable. However, if it is gear that is required by the employer, but will not be provided by the employer, those items could be deducted.

  Councilmember Jensen inquired if there were currently any issues with the process of requiring employees to purchase certain required items. Ms. Russell stated that most required uniforms are provided. The City also seeks to better comply with the IRS regulations by not providing a large amount of "logoed" items to staff members who are not working directly in the field.

  - Personnel Code Article 4, Section 2(C)(1): Professional Dues Payment and (4): Tools and Equipment. There were no corresponding ARRs or Policies attached, as these types of issues are typically covered by individual Departmental Rules and Regulations or SOPs (Standard Operating Procedures).

  - Personnel Code Article 4, Section 2(C)(5): Meals. The corresponding policy is P112 Food and Beverage which contains more explicit language. For example, the language contained in 2(A) and (B) is very descriptive for how travel expenses and meals during business meetings or workshops are provided. Ms. Robertson noted that the City's Travel Policy is even more explicit and is contained in a separate policy document.

Councilmember Jensen inquired about Per Diem. Ms. Russell noted that Per Diem is provided and is discussed in greater detail in the Travel Policy. The amount provided is based on the Federal reimbursement rate. If employees are participating in a training conference, they are required to provide a meeting agenda, which is then audited through the Administrative and Financial Services Department.

- Personnel Code Article 4, Section 3: Probationary Period. The corresponding text is ARR 132 Performance Evaluations; Probation. The language contained in this section of the Personnel Code is disjointed and difficult to follow. Staff hopes the language contained in the ARR provides a more organized and logical approach.

  Councilmember Jensen inquired if tuition reimbursement is available during the probation period. Ms. Russell noted that it is not.

  Councilmember Coen inquired if it was staff's intention to have specific language contained in the Personnel Code removed and replaced with the language contained in the ARRs and Policies. Ms. Robertson recommended that any text which is truly policy-driven, and a topic dealing with personnel, such as severance pay or budgetary actions, would require guidance from and approval by the Governing Body and should be codified within the TMC (Topeka Municipal Code). Any purely administrative duties, such as (for example) the travel policy or personnel evaluations, should be put into a separate document such as a Personnel Manual. All of the ARRs and Policies that are provided with excerpts from the Personnel Code are for the purpose of showing comparisons to what is currently in the Code and what has been adopted administratively within the past two decades. Topics that are of an administrative nature and are relevant/current have been addressed in these ARRs and Policies. Staff would like to see a separation between policy and administrative functions and recommends that functions of a policy nature be placed in the TMC. Ms. Robertson noted that the Personnel Code would likely not be needed if the steps above were completed.

- Personnel Code Article 4, Section 4: Hours of Employment. ARR 103 Overtime and Compensatory Time is the complementary document.

  Councilmember Jensen inquired about military leave and the impact of benefits and how those employees would be effected. Ms. Russell noted that employees who go out on military leave, which is generally two weeks of annual training or deployment, have the option of continuing to pay 100% of the premium. If an employee will be gone for longer than

thirty (30) days, they will have the option of acquiring military insurance. There is also a Leave of Absence process that will be completed prior to the employee leaving. Ms. Russell continued that there are also provisions that allow employees to get back onto the City benefits plan. This will be covered in greater detail later, during discussion on in Article 7, Section 4.

- Personnel Code Article 4, Section 5: Receipt of Pay. ARR 103(5)(E), which discusses the Fair Labor Standards Act (FLSA) for non-exempt employees, contains comparable language.

- Personnel Code Article 4, Section 6: Temporary and Seasonal Employees. Corresponding language is found in ARR 129 Recruitment and Selection and ARR 119 Out of Class Pay. ARR 129 defines temporary work. Temporary employees are defined as being hired through a Temporary Service Agency. ARR 118(X) Background Checks further defines Temporary Service Agency Workers.

  Councilmember Jensen inquired why the City utilizes a temporary service agency, citing the large overhead fees. Ms. Russell noted that due to some of the regulation changes following adoption of the Affordable Care Act, it has been found to be easier to comply with those standards if assignments are run through a temporary service agency because then those individuals are employees of the temporary service agency and their benefits are based on varying assignments. A bill rate is associated; however worker's compensation is also covered through the agency. Individuals who serve short stints of temporary assignments, as well as paid internships, are on the City's payroll as City of Topeka employees.

- Personnel Code Article 5, Section 1: Performance Evaluation. Comparable language is found in ARR 132 Performance Evaluations; Probation and ARR 133 Position Descriptions.

  Councilmember Jensen inquired if there was a position description for Councilmembers, and noted that by perhaps having something of a similar nature posted to the City's website, it would answer questions that the public may have regarding the responsibilities of City Councilmembers. Staff noted that there currently was not.

- Personnel Code Article 5, Section 4: Appeals. Corresponding text is contained in ARR 132(5), which provides guidelines for an employee who wishes to appeal their evaluation results.

- Personnel Code Article 5, Section 5: Salary/Merit Review. Corresponding text is found in ARR 131 Merit Increases.

- Personnel Code Article 6: Promotions. Corresponding language is found in ARR 123 Promotions, Transfers, Demotions, Reassignments. The language in the ARR is much more explicit and provides more guidance to employees.

  Councilmember Emerson inquired if the requirement of one year of college or two years of experience was reviewed as cumulative. Ms. Russell confirmed that under the Personnel Code, those elements would be correct. However, under the ARR, directions would point back to the position description. Ms. Russell noted that having all positions able to have combined experience along with education may not be in the City's best interest when it came to certain positions such as an Accountant. The provisions found in the ARR allow the City Manager to determine which positions absolutely need a degree requirement.

  Councilmember Emerson voiced concern about replacing some position experience with degree requirements as potentially harmful and did not want to see employees with a long history and rich experience background lose out on promotions to an individual with less experience but a college degree. Ms. Russell noted that the Out-of-Class force aided in developing the skill set for individuals with the academic level but less professional experience.

  Councilmember Jensen noted that some colleges will take practical experience and apply it toward college credit hours and inquired if the City was currently partnering with any of these programs. Ms. Russell noted that the City currently works with some of the local colleges: Washburn University, Rasmussen and particularly the Police Academy to apply practical experience toward college credit. Those colleges come in annually to speak about those opportunities.

- Personnel Code Article 7, Section 1: Flexible Compensation Plan. Ms. Robertson noted that the majority of the language found in this section is very outdated. ARR 106 Employee Healthcare Benefits references Flexible Spending, but also provides information on: how to qualify, eligibility requirements, premium equivalents, the Health Care Advisory Committee, steps for enrollment, and continued coverage through COBRA. The information overall is much more up to date.

Committee members and staff discussed the process of codifying and creating one single, combined personnel document.

- Personnel Code Article 7, Section 2: Holidays. Corresponding language is found in ARR 108 Holidays; which provides a bit more explanation but is fairly similar to the language in the Personnel Code.

- Personnel Code Article 7, Section 3: Vacations. Corresponding language is found in ARR 107 Vacation Leave; which discusses how hours are accrued during probation, sets out the accrual rates are, provides a chart to show the difference between eight-hour employees versus twenty-four hour employees, and carry-over.

  Councilmember Jensen inquired if leave time of an entire office was covered in this section. Ms. Russell noted that it was not, but indicated that such action would be reviewed as a performance issue. Ms. Russell commented, further, that many of the bargaining units cover this topic and that most provisions are based on seniority. Ms. Robertson included an administrative perspective that most department directors or supervisors currently take the initiative to check with their employees to get an idea on the coverage situation before authorizing too much leave time. Ms. Russell noted the calendar tool that is found in the Intellitime time card application which allows directors and staff to view scheduled leave time. This assists in preventing over-authorization of leave.

- Personnel Code Article 7, Section 4(A): Sick Leave. ARR 110 Sick Leave is the corresponding administrative document.

  Councilmember Jensen inquired about sick-outs and if there were any provisions to prevent such an event. Ms. Russell noted there are no such provisions. Ms. Russell provided an example of a bargaining unit threatening such an action in the past, but that was determined to be a Prohibited Practices found under the Kansas PEERA, which prevented that action from happening.

- Personnel Code Article 7, Section 4(B) Medical Disability Leave. Staff belives this is now covered by FMLA (Family Medical Leave Assistance). P107 Family Medical Leave provides a lot more information and direction for employees who may need to take an extended leave of absence. Ms. Robertson noted that Section 4 Military Family Leave covers the military component of the FMLA; but that there is a separate policy that discusses military leave.

- Personnel Code Article 7, Section 4(C) Military Leaves. Corresponding ARR 124 Military Leave discusses this topic much more thoroughly.

Councilmember Emerson inquired about the pay differential, noting that some military pay is less than what would be received for the City job. Ms. Russell noted that under ARR 124, Section 4 "Pay" defines how eighty hours of paid leave is provided annually. The rational for eighty hours is tied to the two weeks of annual training, to hopefully off-set the lost income from the time away from their job. This form of pay continuation covers an employee until the point of long-term deployment. Councilmember Emerson noted that, in many cases, military service members are out longer than eighty hours and inquired about the process once those funds and time were exhausted. Ms. Russell noted that after eighty hours, the employee could elect to use accrued vacation and sick time to supplement their military pay, but that the paid service time is eighty hours. Councilmember Emerson would like staff to provide information on what the pay differential would be and what it would cost the City to provide long-term service pay.

- Personnel Code Article 7, Section 4(D): Court Appearance. ARR 113 Court Appearance Leave is straight forward and corresponds to the Code.

  Councilmember Jensen inquired about Councilmember leave for Jury duty with regard to missing Governing Body meetings, (in the event they are sequestered). Ms. Robertson noted that there would be no perceived problem if a Councilmember served as a sequestered jury member, and that Governing Body meetings would likely occur as scheduled without the Governing Body member who was serving.

  Councilmember Emerson inquired about long-term pay for employees who may be sequestered to serve on a jury for a long amount of time.

- Personnel Code Article 7, Section 4(E): Voting Time. The corresponding document is ARR 114 Voting Leave, which is pretty straight forward.

  Councilmember Jensen inquired about the possibility of having employees vote via mail. Ms. Walter noted that State Law prohibits employers from mandating the manner in which an employee chooses to vote.

- Personnel Code Article 7, Section 4(F): Leave Due to Inclement Weather. P116 Declaration of Inclement Weather provides the comparative language and provides much more clarification.

- Personnel Code Article 7, Section 4(G): Emergency Leave. ARR 121 Family Crisis Leave and ARR Funeral Leave address these situations in a more specific way.

- Personnel Code Article 7, Section 4(H): Personal Leave Day. ARR 112 Personal Leave Day contains straight forward and easy to understand language. On this subject.

  Councilmember Coen inquired about the history of the Personal Leave Day. Staff was unsure of the history on this.

- Personnel Code Article 7, Section 4(I): Leave of Absence Without Pay. The comparative document is ARR 120 Extended Leave of Absence.

  Councilmember Jensen inquired if an extended leave of absence was commonly used by employees. Ms. Russell noted that it was not, and that employees will generally utilize the FMLA system.

- Personnel Code Article 7, Section 4(G) Emergency Leave.

- Personnel Code Article 7, Section 5: Extended Sick Leave Benefits. ARR 109 Extended Sick Leave combines language contained in these two Personnel Code sections. This speaks to employees with a terminal illness and states that it should not extend to more than one year in length. In addition to the hours provided in the provision for extended sick leave, employees who have a long-term illness that is not terminal will be eligible to receive shared leave. Many times, these leave programs will work in tandem until the Long Term Disability with KPERS would go into effect.

- Personnel Code Article 7, Section 6: Retirement Systems. Corresponding ARR 130 Retirement Systems provides much more detailed language to walk an employee through the process.

  Councilmember Jensen inquired if there were any Legacy Pensions left over. Ms. Russell noted that KPERS has a Deferred Compensations program that could be a continuation of an employee's benefit system.

  Ms. Robertson noted that staff would like to finish Personnel Code Articles 8 through 10 at the next meeting, (May 15) and on June 3 will address what language should be incorporated into the TMC.

5) Other Items Before the Committee

No other items.

6) Adjourn

Councilmember Coen adjourned the meeting.

The Policy & Finance Committee will meet next on May 15th at 9:30am in the 1st Floor Conference Room of the Holliday Building – 620 SE Madison.

Video of this meeting can be found at: https://youtu.be/K82dtg_vM7Q

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

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POLICY AND FINANCE COMMITTEE

Committee: Policy and Finance
Date: May 15, 2019
Time: 9:30 A.M.
Location: 1st Floor Conference Room – Holliday Bldg 620 SE Madison
Attendance: Councilmembers Jeff Coen (Chair), Tony Emerson & Brendan Jensen, Jacque Russell (HR Director), Shawn Maisberger (HR), Lisa Robertson (City Attorney), Catherine Walter (Legal)

1) Call to order

Councilmember Coen called the meeting to order. Committee members introduced themselves.

2) Approve May 10, 2019 Minutes

Councilmember Jensen made a motion to approve the May 10th, 2019 meeting minutes. Councilmember Emerson seconded the motion. Minutes were approved 3:0.

3) Continued Discussion of Personnel Code: Articles VIII through X

Lisa Robertson provided Articles VIII through X of the Personnel Code to the Committee members and noted that Article VIII pertains to Non-Disciplinary Reductions in Force, Article IX pertains to Corrective and Disciplinary Actions, and Article X pertains to Grievances. Ms. Robertson sought the committee's guidance for including this information, which is more administrative in nature, in the Personnel Manual. Ms. Robertson referred to the Charter Provisions that were put into place following the change in the form of government. These provisions outline the powers and responsibilities of the Governing Body; relaying that the last sentence contained in Section A2-25 Powers of the Governing Body – states "It shall have no administrative powers." and that the language contained in Section A2-28(c) refers to Councilmembers communicating with appointive officers and employees who are subject to the direction and supervision of the City Manager through the City Manager. The language contained in Articles VIII through X of the Personnel Code was adopted in 1991 and provides for administrative responsibilities. Ms. Robertson suggested removing Articles VIII through X from the Personnel Code deciding which pieces would be most appropriate for an administrative document and which pieces would be most appropriate for inclusion in the TMC.

Councilmember Jensen inquired about the lack of a clearly-documented line of authority with regard to the process of Governing Body members communicating to other staff through the City Council's Assistant and the Mayor's Assistant. Councilmember Jensen also inquired about the process for speaking to City staff in a private meeting if there was ever a concern about the City Manager, without the City Manager being present. Further inquiry was made regarding the role of the City Attorney during such an event and whether the City Attorney would represent the Governing Body or the City Manager. Ms. Robertson noted the duties of the City Attorney and how the inquiry raised by Councilmember Jensen has been raised in the past and continues to be a question. Another concern expressed related to priority and hierarchy as to the Executive Assistant of the City Council and the Executive Assistant of the Mayor – noting the dual roles those positions have to the Governing Body as well as to the City Manager. Ms. Robertson and Jacque Russell, Human Resources Director, confirmed that the duties and responsibilities for the aforementioned positions are found within the job descriptions. Ms. Robertson inquired as to whether or not the position description for the Council Assistant are provided to each Councilmember. Ms. Russell noted that changes had been made recently and that each Councilmember would receive this new description.
Topic moved back to the Personnel Code Articles.

- Personnel Code Article VIII: Non-Disciplinary Reductions in Force. Ms. Robertson briefly walked through some of the topics covered in Section 1 of the article, and noted that most are administrative in nature.

  Section 2 speaks to permanent reduction of force and discusses severance pay. Ms. Robertson suggested the language related to severance be codified in the TMC due to the budgetary impact that would occur in such a situation. The Governing Body should provide oversight in making these decisions.

  Section 3 covers Administrative Leave, and how it would be addressed during a disciplinary matter. Staff suggested moving this section to Article IX of the Personnel Code, which addresses Corrective and Disciplinary Actions.

- Personnel Code Article IX: Corrective and Disciplinary Actions. Ms. Robertson briefly mentioned the topics covered in Article IX and noted that they are of an administrative nature.

  Councilmember Emerson inquired about the language found in the second sentence of Article IX, Section 3 which states "An administrative leave is not considered a corrective or disciplinary action and is therefore not subject to the grievance process" and whether it would be

appropriate to move this section to Article IX. Ms. Russell noted that Administrative Leave is typically used during an investigation process when a policy-level infraction is being determined; or during a termination process when the employee has an opportunity to a due process hearing prior to being terminated. In Ms. Russell's opinion, administrative leave is a pre-cursor to a disciplinary action and would be appropriate to move to Article IX. Ms. Russell noted that the administrative leave process is sparingly used, and that the employee is receiving pay during this leave period. If an employee is temporarily removed from his/her position without pay, this action would fall under suspension. Councilmember Emerson inquired if a new article could be put in place to separate the two instances, one under Article VIII, and one under Article IX.

Councilmember Jensen inquired if Administrative Leave is used in Use of Force cases within the Police Department. Ms. Russell noted that it is not always used following a Use of Force action, but it is put into effect after an Officer Involved Shooting. Ms. Robertson noted another option would be to move Administrative Leave into the section covering the various types of Leaves of Absences.

Councilmember Jensen inquired if items in Article IX only applied to "at-will" employees. Ms. Russell explained that the items would pertain to employees who are benefit-eligible and are not covered by a bargaining unit. "At-will" employees are the Department Directors. Other employees covered under the Personnel Code could be subject to disciplinary actions found in the policy. Councilmember Jensen inquired about the terminology used to describe employees who are not Department Directors and also not part of a bargaining unit. Ms. Russell responded that those employees are considered to have Civil Service Protection. The Topeka Municipal Code specifically states that Department Directors serve at the will of the City Manager, hence the reference to that status.

Councilmember Coen noted references made to Parks and Recreation. Staff confirmed and responded that outdated references would need to be removed or corrected, including addition of references the Utilities Department needed to be added.

Councilmember Jensen inquired about levels of egregiousness for violations. Ms. Russell noted that Article IX, Section 2(B)(3) provides a list of examples of offenses that are not normally serious enough for suspension or termination. Additionally, Section 2(B)(4) provides a list of examples of offenses that would result in immediate suspension or

termination. These lists are not all inclusive, but provide a guideline for instances of a similar nature.

Councilmember Jensen inquired about what process could be put in place to reflect the types of disciplinary steps taken by private entities-versus what is currently found within government. Ms. Russell noted that within recent years, much work has been done to change the perception related to government disciplinary process – to that of being professional, similar in nature to the private sector.

Councilmember Emerson inquired about offenses that could be interpreted on either list and the process used to decipher which would be the appropriate action to take. Ms. Russell responded by noting that it is fairly common that situations may have numerous policy infractions that accompany some of the offenses listed and that the Human Resources staff assists Department Directors in navigating the best course of action.

Councilmember Coen inquired about events where employees commit a crime or infraction on personal time and inquired how it relates to their job position. Ms. Russell noted that there currently is nothing in the Personnel Code that discusses a conviction. Ms. Russell noted that one major difference between how the private sector deals with disciplinary actions versus how the public sector handles them relates back to the Constitutional rights of the employees, or Civil Service Protection. Further, the process of dealing with charges versus convictions is sometimes more difficult. Ms. Walter noted that the Personnel Manual contains language covering off-duty conduct. Ms. Russell commented that consideration of potential City liability is also factored into the equation when disciplinary matters are reviewed.

Ms. Russell provided further detail as to how performance-related corrective action is handled.

Ms. Robertson noted that Article IX, Section 3 covers Corrective Actions; however, there is an entire ARR that is dedicated to performance evaluations and probations. Ms. Robertson suggested removing this section from the Personnel Code entirely.

- Personnel Code Article X: Grievances. Following the discipline, an employee has the right to file a grievance if they choose to do so. The sequence of steps that must be followed is laid out in this article.

Ms. Robertson noted that the last three articles in the Personnel Code could be copied directly from the code and placed into the administrative document.

Councilmember Coen inquired about the next step of action. Ms. Robertson suggested that staff present portions of Title 2 of the TMC, with suggestions for restructuring, for the committee to review on June 3rd, 2019.

Ms. Robertson noted additional follow-up from questions brought up at prior meetings would be provided to the committee, as well.

4) Other Items Before the Committee
No other items.

5) Adjourn
Councilmember Coen adjourned the meeting.

Video of this meeting can be found at: https://youtu.be/9xmmyA0ep0Q

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

POLICY AND
FINANCE COMMITTEE

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
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Committee: Policy and Finance
Date: June 3, 2019
Time: 3:00PM
Location: Classroom A; LEC – 320 S. Kansas Ave Ste 100
Attendance: Councilmembers Jeff Coen (Chair), Tony Emerson & Brendan Jensen, Jacque Russell (HR Director), Lisa Robertson (City Attorney), Catherine Walter (Legal)

1) Call to order
Councilmember Coen called the meeting to order. Committee members introduced themselves.

2) Approve May 15, 2019 Minutes
Councilmember Jensen made a motion to approve the May 15th, 2019 meeting minutes. Councilmember Emerson seconded the motion. Minutes were approved 3:0.

3) Review Article I, Sections 1-5 & Article II, Sections 1-5 of the Personnel Code
Lisa Robertson, City Attorney, noted that the committee has previously reviewed the Personnel Code, with the exception of Article I, Sections 1-5 and Article II, Sections 1-5.

- Personnel Code Article I: Administration.
    - Section 1 Statement of Purpose. Ms. Robertson noted that language found within the first sentence was repealed by Charter Ordinance 94 in 2004 when the form of Government changed. This provision is therefore out of date, and inaccurate. Staff took the Statement of Purpose from the Personnel Code and pasted it into the Personnel Manual. (The Personnel Manual is almost completed and will be sent to all City of Topeka employees on Wednesday, June 5th).
    - Section 2 Definitions. Most of these definitions have been referenced in separate ARRs.

      Councilmember Emerson inquired about the "Base Pay" definition, noting that not all definitions have a cross-reference number. Ms. Robertson

noted that each should have a cross-reference. Councilmember Emerson inquired about definitions being placed in the Personnel Manual or the Topeka Municipal Code (TMC). Ms. Robertson confirmed all definitions were placed in the Personnel Manual or the TMC with the exception being "Bumping", the definition was removed in 2012 through an amendment to the Personnel Code.

Ms. Robertson informed committee members that notes were made on the documents provided to the committee to identify where the items were placed, i.e., the TMC, in an ARR, etc.

- Section 3 Administrative Rules and Regulations. The documents that Human Resources has collected since 1991 (ARRs) have been pasted into the Personnel Manual. Ms. Robertson noted that relevant pieces of the Personnel Code have also been pasted into the new Personnel Manual.

- Section 4 Independent Departmental Regulations. This section covers the Standard Operating Procedures that various departments have in place, which are specific to those departments. This language has been pasted into the Personnel Manual.

- Section 5 Records. This topic is not discussed in the Personnel Manual; however this language is in the TMC.

- Personnel Code Article II Section 1 Scope. This paragraph was divided into two sections in the Personnel Manual as it pertains to two separate subjects: applicability and bargaining unit agreements.

- Personnel Code Article II Section 2 Equal Opportunity. Ms. Robertson noted that although there is only a brief mention of EEO in the Personnel Code & Personnel Manual, the TMC has an entire chapter dedicated to equal opportunity and affirmative action.

- Personnel Code Article II Section 3 Affirmative Action. This topic is also discussed in much greater detail in the TMC.

- Personnel Code Article II Section 4 Compliance with Provisions. This section infers that criminal prosecution available if there is non-compliance with personnel rules and regulations. Ms. Robertson noted that, in practice, employees who do not comply with personnel rules and regulations may be disciplined, but are not sent to jail.

- Personnel Code Article II Section 5 Residency Requirement. This section is not currently addressed in the TMC, and staff is recommending that it be added and codified in the TMC. The Residency Requirement would also be added to the Personnel Manual.

4) Review TMC Title 2: Administration and Personnel

- TMC Chapter 2.05 through 2.150 discusses boards, commissions, employment matters, and administration matters. Staff will be suggesting revisions in conjunction with the overall recodification of the Municipal Code, which is led by the City Clerk's Office. More specifically, the TMC is reviewed and evaluated by a Municipal Code company on a five or ten year basis to sure everything makes sense. Staff approached the selected vendor when the decision was made to conduct Policy & Finance Committee meetings to address personnel provisions. The company conducted an initial review of Chapter 2 of the TMC and provided the following recommendations:

    - Divide Title 2 into divisions. Division 1 would have provisions related to the City, Council, Mayor and other departments; everything that is not covered elsewhere. Division 2 would contain provisions regarding Employees. Division 3 would cover boards and commissions.

  Councilmember Emerson inquired about the numbering of divisions. Ms. Robertson noted that items would be re-numbered at a later time. Councilmember Emerson inquired if this re-numbering would change content. Ms. Robertson noted that the company would re-number the TMC once changes were made and approved by the Committee and Governing Body. The entire TMC will be updated online, as well as a printed copy that the Clerk's Office would retain. The City Clerk must retain one printed copy. Councilmember Emerson inquired about the cost. Ms. Robertson was not sure at the time of the meeting as to the cost of the re-codification process; however a RFP process was prepared and multiple responses were received.

  Councilmember Emerson inquired if there was a State law requiring the Clerk to maintain an original printed copy. Ms. Robertson replied that a hard copy must be maintained in the Clerk's office. If a KORA request came through requesting printed sections of the TMC, the City could be required to do that; however, most requests have been for electronic copies.

  Councilmember Jensen inquired if the chapters would be changed during this process. Ms. Robertson noted that she was not sure what the company would decide to do; however her understanding of the process was that once the language is acceptable to the City, the company would then go through and re-number the titles, sections, and chapters in a way that would make sense.

Ms. Robertson summarized that proposed Division 2 of Title 2 is what the committee will be reviewing. This division consists of five chapters: "Employees", "Civil Service for Police and Fire", "Firemen's Relief Association", "Affirmative Action Programs", and "Benefits".

Ms. Robertson supplied committee members with a color-coded Table of Contents for Chapter 2.135.

- Staff began with the first five chapters of Division 2 and tried to determine which of those would make sense to put first. The decision was made to put the Equal Opportunity/Affirmative Action piece first, as this would be something that would be viewed by individuals seeking employment. Staff made the recommendation to broaden the title of the Affirmative Action chapter to "Equal Employment Opportunity, Diversity, and Inclusion".

  The first section contains a basic policy statement as §(a), related to the City's affirmative action approach and identifying protected classes. A second section contains definitions related to gender classifications and gender identity. Staff removed these as it seemed odd to define only two categories, as opposed to all protected classes. Councilmember Jensen inquired if a general statement could be made to mention that the City does not discriminate against anyone for any reason. Catherine Walter, Senior Assistant C.A., noted that having an Affirmative Action statement is required by Federal law.

- The General Objectives was previously its own section 2.135.030. Staff incorporated the language into the policy statement to outline what the City's objectives are:

  - Intensify efforts to recruit applicants of protected classes
  - Develop special training for individuals of protected classes
  - Develop procedures for monitoring the application flow, final hiring and disposition.

  Ms. Robertson noted these practices are currently used by the Human Resources Department.

- Administrative Responsibility was previously its own section 2.135.070. Staff incorporated the language into the policy statement as §(c).

  Section 2.135.040 covers employment practices that are considered to be unlawful.

Section 2.135.050 discusses the recruitment procedures. This has not changed much and is in line with what the Human Resources Department does now.

- Equal Opportunity Officer (Section 2.135.070). The Human Resources Director is responsible for making sure policies and procedures are put into place. Jacque Russell, HR Director, noted that the primary duty of this officer is reporting and making sure the hiring practices are designed to be non-discriminatory and that the best-qualified candidate is hired regardless of status.

- Ms. Robertson noted that the next section (2.135.100) covers Reports and Records. Ms. Russell noted that interview records are kept for five years after the position has been filled.

- Chapter 2.25 The next chapter contains "first steps" for an upon starting employment. The employee Oath of Office, which occurs during the orientation process, as well as the Residency Requirement would be found in this chapter. The Residency Requirement would be pulled directly from the Personnel Code and placed in this chapter of the TMC as separate subsections.

  Councilmember Emerson noted an error in the Residency Requirement section noting it says "00 minutes" but should say "30 minutes" in reference to distance from an employee's office. Staff made a note to change this typo.

- A new section would be entitled Administrative Policies, Rules, Regulations, and Procedures. The first half is the new addition, carried over from the Personnel Code, giving authority to the HR Director to promulgate rules and regulations. References to the City Manager was included, however, as the City Manager would oversee the HR Director. The second paragraph contains new language related to the Personnel Manual being reviewed not less than every five years.

- Ms. Robertson commented that a provision of the Personnel Code which discusses the employee hearing process related to administrative rule promulgation was not carried over to the TMC, as it is a purely administrative function. It was added to the Personnel Manual.

Councilmember Coen noted that language found under "Scope" states that the Personnel Code is only for employees but not Elected Officials. He inquired about the reasoning behind this. Ms. Robertson noted that there was a

resolution passed by the Governing Body (Resolution Number 7473, 5-18-2004) that established a Code of Ethics. In reference to conflicts of interest, there are some state statutes that elected officials have to adhere to, but nothing else other than the resolution. Councilmember Jensen noted there would be some difficulty with holding elected officials to the same standards as employees, as elected officials cannot be reprimanded or terminated in the way an employee can be.

- Conflicts with Bargaining Unit Agreements. The language was pulled from the Personnel Code and states that if there is a conflict between what is in a bargaining unit agreement versus what is in the Personnel Manual, it will default in favor of the agreement.

- Deviations. The language was pulled from the Personnel Code and provides that the City Manager and HR Director may permit deviations from the Personnel Manual; provided however, that a written explanation must be included.

- Standard Operating Procedures. This language was pulled from the Personnel Code and provides that each department may have a SOP that it will follow.

- Compliance. The language was pulled from the Personnel Code, but staff removed the criminal prosecution language and focused on the discipline piece.

- In the existing TMC, there is a provision specifically discussing the Personnel Code. However, if the Personnel Code is repealed, this section will be removed. If the Personnel Code is not repealed, it will remain in the TMC.

- Personnel Records. This language was pulled from the Personnel Code and mainly deals with accounting of personnel and the corresponding compensation.

- Payroll Records. This language was pulled from the Personnel Code and provides that the administrative and financial services department must keep an accurate record of employees and the inpay scale.

- Authorized Employees. This language was pulled from the Personnel Code and provides that the number of employees is tied to their department budget. Staff feels it is important to add this subsection to the TMC as there is a clear budgetary aspect.

Councilmember Jensen inquired about the reasoning behind tying the section to the budget and not the scope of work. Ms. Robertson noted the position descriptions would cover the scope of work. Ms. Russell described the internal process of the Position Review Committee. Councilmember Jensen noted the current process is to set the budget and then try to fill positions within department budgets. Councilmember Jensen inquired if there was a way to show the number of employees that may be needed to complete a project; followed by a discussion of the financial impact to fund projects at various incremental percentages.

- Protective Insurance Required. This language is currently contained in the TMC (Section 2.25.040), and there have been no additional changes.

- Approval of Employment. This section (2.25.060(a)) states that if there is an employment agreement that the City Manager would like to sign, but the person who will be the subject of the contract has not gone through the HR process, the agreement must be approved by the Governing Body.

- Approval of Severance Pay. This section (2.25.060(b)), new to the TMC related to eligibility to receive severance due to a permanent reduction in force and the payment of severance. These two subsections require prior authorization of the Governing Body. Additional subsections were included, containing language was pulled from the Personnel Code. Staff felt it was important to include in the TMC given the budgetary impact and that the language would be tweaked later.

- Section 2.25.070. Staff suggests that this be deleted as it is a purely administrative function.

Ms. Robertson noted that clean versions of what was discussed has been provided to the committee.

Sections 2.25.010 and 2.25.020 deal with bargaining units. This language was pulled directly from the TMC but staff has not reviewed it yet.

For the next meeting, Ms. Robertson will bring forward revisions to the Severance and Bargaining Unit pieces, and touch upon Civil Service for Police and Fire (Chapter 2.125) and Benefits (Chapter 2.140). Staff does not anticipate many changes. Ms. Robertson noted that following the June 10, 2019 meeting, the committee will decide what they want to recommend to the Governing Body on June 18th. Perhaps waiting until after the budget is completed and to discuss the final changes in August. During that wait time, staff and committee members can have one-on-one conversations to answer questions.

Councilmember Jensen inquired if building the incentive for moving within the city limits would be something worth discussing prior to or during the budget discussions. Councilmember Jensen would be interested in seeing what incentivizing employees to move within the city limits from the County limits would look like. Councilmember Jensen mentioned $100/per year for five years, for a $500 total incentive per employee.

Ms. Robertson noted that an email will be sent to employees on Wednesday with the new Personnel Manual. This email will have a corresponding document attached to assist with showing employees the cross-references. Language from Personnel Code Articles VIII through X were taken verbatim from the Personnel Code and added to the Personnel Manual and cross-referencing to the Personnel Code was added.

5) Other Items Before the Committee
No other items.

6) Adjourn
Councilmember Jensen made a motion to adjourn the meeting. Councilmember Emerson seconded the motion. 3:0. Councilmember Coen adjourned the meeting.

Video of this meeting can be found at: https://youtu.be/uDQexKrS2b0

CITY OF TOPEKA

CITY COUNCIL COMMITTEE MEETING MINUTES

POLICY AND FINANCE COMMITTEE

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
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Date: June 10, 2019
Time: 3:00 P.M.
Location: 1st Floor Conference Room – Holliday Bldg 620 SE Madison
Attendance: Councilmembers Jeff Coen (Chair), Tony Emerson & Brendan Jensen, Jacque Russell (HR Director), Shawn Maisberger (HR), Lisa Robertson (City Attorney), Catherine Walter (Legal)

1) Call to order
Councilmember Coen called the meeting to order. Committee members introduced themselves.

2) Approve June 3, 2019 Minutes
Councilmember Emerson made a motion to approve the June 3, 2019 meeting minutes. Councilmember Jensen seconded the motion. Minutes were approved 3:0.

3) Review TMC Chapters 2.125 and 2.140
Lisa Robertson introduced a proposed Table of Contents for TMC Title 2. At the June 3rd meeting, Division 2 Employees, was reviewed. Ms. Robertson provided the committee with a proposed Table of Contents page. The code company suggested dividing Title 2 into divisions for ease of reference. Division 1 will cover general matters, officials and departments. Division 2 will be entitled Employees, and Division 3 will cover Boards, Commissions, and Council Committees.

Following the June 3rd, meeting, Chapter 2.105: Diversity and Inclusion was added. Ms. Robertson reminded the committee members of the information that was provided during that meeting. She then moved onto new information.

- New Chapter 2.10 – Section 2.110.070 Approval of Severance Pay. The language contained in subsection (a) speaks to requiring prior authorization of the Governing Body. The language in subsection (b) speaks to eligibility for receiving severance pay. Ms. Robertson noted that the tracking has been color coded to show the language currently found in the TMC and the language that staff is proposing to include. There are five eligibility requirements that employees must meet prior to receiving severance pay. They are:
    - The employee's position has been eliminated due to reduction in force.
    - The employee has been employed with the City for one or more continuous years of service

- The employee has not accepted a position with the City or with another governmental entity pursuant to a consolidation agreement. (Ms. Robertson provided the consolidation of the Parks and Recreation Department as an example of this requirement.)
- The employee has not accepted a transfer of employment to an entity that is assuming operational responsibility from the City. (Ms. Robertson provided an example of Friends of the Zoo (FOTZ) acquiring City employees in a public/private partnership.)
- The employee has executed an agreement and complete release of all claims against the City.

Councilmember Emerson inquired if an employee would need to meet all five of the requirements. Ms. Robertson confirmed.

Councilmember Jensen inquired about unemployment insurance, which is found in the private sector. Jacque Russell, HR Director, clarified that unemployment is separate and distinctly different from severance. Ms. Russell commented further that if a position is eliminated, and the employee does not have another position that he/she will be taking, that individual would be eligible for unemployment benefits. The State looks at how the severance is paid to determine when the unemployment reimbursement would begin.

Councilman Jensen inquired as to whether or not the City is required to pay unemployment insurance through the State in the same way as private business. Ms. Russell responded that the City is self-insured for unemployment purposes. The State invoices the City quarterly and the amount is based on any liability reports that are filed during that time. Councilmember Jensen asked for clarification regarding an employee receiving severance and unemployment. Ms. Russell noted that the State reviews the severance case and determines when to begin paying unemployment. If an employee is paid in a lump sum, the State may factor that differently than an employee who is being paid bi-weekly. The employee's unemployment eligibility would begin following the end date of receiving the State-determined severance pay. Councilmember Jensen inquired if the City receives any penalty if unemployment insurance is used. Ms. Russell replied that the City is not penalized, as the City is self-insured.

Councilmember Jensen had additional inquiries regarding the length of time that severance payments would remain in place. Ms. Robertson noted the next subsection addresses those questions. Ms. Robertson read the subsection; the language addresses the rate of severance pay in accordance with the length of time an employee was employed by the City of Topeka. Councilmember Jensen voiced concern about the need for an additional severance package if the City was already paying a State-mandated severance fee. Ms. Russell noted that the

two systems do not overlap, and that the severance pay is intended to be a benefit when a position is no longer necessary to help make the transition smoother for the individual. The State will determine when, and in what amount, the unemployment rate would be for an individual following the end of his/her severance pay.

Councilmember Emerson inquired if this would be included in the calculation for retirement eligibility and benefits. Ms. Russell noted that severance does not count toward retirement eligibility.

Ms. Robertson noted that a second piece to the payment part states that eligible employees hired prior to January 1, 2011 are entitled to receive severance according to the schedule noted. Ms. Robertson read that language, and the sections that followed, regarding severance pay. Ms. Robertson suggested referring to this information in the eligibility subsection.

Councilmember Jensen inquired as to how this would apply to a voluntary buy-out retirement incentive. Ms. Russell noted severance pay would not apply. When the city offered a retirement incentive several years ago, the incentive was to continue city healthcare contributions for an extended period of time. Employees who were eligible for KPERS retirement on a full or partial retirement basis could take advantage of this incentive.

Accounting Upon Separation from Employment. Staff is suggesting the removal of this section from the TMC and including it in the Personnel Manual, as it is administrative in nature.

- New Chapter 2.115 – Bargaining Unit. This new chapter was included to provide easier navigation (by placing language related to bargaining units and collective bargaining in the same chapter). Staff is not proposing substantive changes, as this language was reviewed and updated not too long ago.

- New Chapter 2.120 – Civil Services for Police Officers and Firefighters. Staff is not proposing changes at the current time. The language contained in this chapter relates to the processes of recruitment, discipline and other matters that are specific to the Police and Fire Departments.

- New Chapter 2.125 – Fireman's Relief Association. Ms. Robertson stated she is less familiar with this program and has sought out assistance from other staff members to obtain historical background. Mary Feighny, Deputy City Attorney, is the liaison to the board; however, her role has been limited to receiving specific types of information from the head of the association. Ms. Robertson's understanding is that language in this chapter discusses excess insurance payments, which are placed into a fund to assist other firefighters. State Law,

KSA 40-1701, addresses this type of association. Staff will likely recommend repealing this section and referencing the state statute, (noting that as the state law changes the City's process will be changed).

- New Chapter 2.130 – Benefits. Article I would discuss the 1939 retirement system. Ms. Robertson did not feel this section was relevant anymore and could be removed; although Staff and interns are performing historical research to determine if there is a need to retain this information in the TMC as stated (or if it can be removed).

    - Article II – Old Age and Survivors Insurance. Staff believes this provision is referencing Social Security. There are also many references made to the Department of Civil Service. Staff is researching whether a State Department of Civil Service still exists. Ms. Robertson commented the department name may have changed to the Department of Labor.

    - Article III –Worker's Compensation. Ms. Robertson noted that the first section of this article "Injury on the Job" could be moved to the Personnel Manual, as it discusses light duty, which is a topic that is administrative in nature. As to the second section of this Article, "Rate of Assessment", the City has been self-insured since 1976. The language can be updated accordingly. Finally, the third section of this Article, "Annual Self-Insurance Permit Required", is mostly covered by State law. However, language addressing the reason for this permit would be updated and included. "Claims for Compensation, Service of Claims, Defensive Fund", should probably be moved to Title 3, which contains the various financial provisions of the TMC. A separate section could be added to 3.35 with a general title of "Claims" with separate divisions set up to differentiate between Tort Claims and Work Comp Claims.

    - Article IV – Police and Fire Pension Funds. Catherine Walter, Senior Assistant City Attorney, conducted historical research into this article and found a case titled *Singer vs. City of Topeka*, which indicates both of these funds were discontinued effective 1979; however the language was never removed from the TMC. In 1979, Police and Fire Pension Funds were both in existence; however, they were rolled into KP&F, a division of the KPERS system. Councilmember Jensen inquired about the facts of the case. Ms. Walter responded that KPERS had a 7% contribution rate, and the City tried to increase their rate to match the KPERS rate for the Police and Fire pension funds. The Court denied that action, stating that it was a unilateral change to the contract. Ms.

Walter noted that the facts of the case are not pertinent but the historical information is interesting and helpful. Ms. Robertson suggested removing Article IV, based on the fact that these two funds no longer exist.

- Ms. Robertson noted that staff has not yet worked through Article V "Police Benefit Account" or Article VI "Health Insurance". Staff will bring those articles, and historical follow-up information to the next meeting.

Ms. Robertson stated that an email was sent to "All COT" on Wednesday (June 5, 2019), to inform all employees that the Personnel Manual had been posted to the City's Intranet. The 64 separate policies and ARRs would be available through the end of June. After that time, only the Personnel Manual, which also contains Articles VIII, IX, and X from the Personnel Code (Reduction in Force, Discipline, and Grievances) would be available.

Shawn Maiseberger, Human Resources Manager, presented information through the City of Topeka website to show where the Personnel Manual could be located and used.

Councilmember Jensen inquired if Title 2, Division 3 (Boards, Commissions, Councils, and Committees) would be reviewed at the Governing Body meeting. Ms. Robertson clarified that at this point in time, only Title 2, Division 2 (Employees) would be presented; after which, Staff would begin a new project update to Title 2, Division 3.

4) Other Items Before the Committee
Councilmember Coen would like to review term limits for Councilmembers. Staff will find historical information regarding this topic to bring to the committee.

5) Adjourn
Councilmember Coen adjourned the meeting.

Video of this meeting can be found at: https://youtu.be/xi5pxpeaQt0

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES
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POLICY AND FINANCE COMMITTEE

Date: July 1, 2019
Time: 3:00 P.M.
Location: 1st Floor Conference Room – Holliday Bldg 620 SE Madison
Attendance: Councilmembers Jeff Coen (Chair), Brendan Jensen, Shelby Harvey (HR), Lisa Robertson (City Attorney), Catherine Walter (Legal)

Councilmember Tony Emerson was absent.

1) Call to order
Councilmember Coen called the meeting to order. Committee members introduced themselves.

2) Approve June 10, 2019 Minutes
Councilmember Jensen made a motion to approve the June 10, 2019 meeting minutes. Councilmember Coen seconded the motion. Minutes were approved 2:0.

3) Review of current TMC Chapter 2.140 ("Benefits")
Lisa Robertson, City Attorney, introduced current TMC Chapter 2.140, Benefits.

- Article I: Generally. The language in this article discusses the increase in payments under the 1939 retirement system. Staff is recommending removal of this entire section. There is no historical basis for continued inclusion of this article, and anyone who would benefit from this system would be over one hundred and twenty years old.

- Article II: Old Age & Survivors Insurance (OASI). Staff in the Payroll Division does not work with OASI, payroll staff remits social security payments to the IRS. Fire and Police are not covered by social security; however all other employees are. Staff is continuing to research this information to determine which sections are relevant. Once the research has concluded, Staff may recommend removing current language and replacing it with a section stating "The City will comply with all state and federal laws pertaining to social security benefits".

- Article III: Worker's Compensation. Ms. Robertson suggested keeping the first part of subsection (a), as it remains relevant. However, she suggested removing the last part of subsection (a), as well as subsections (b) and (c), because they are purely administrative. These topics are also addressed in the Personnel Manual Section, 10.7.

  Former section 2.140.140 – Assessment against city department. Staff recommends retitling the section to 'Worker's Compensation Self-Insurance Fund' as the City has become a self-insured entity since the time this section was drafted. Staff also recommends potentially moving this section to Chapter 3, more specifically 3.25, which deals with financial matters. This section would be divided into two subsections: "Rate of Assessment" and "Annual Self-Insurance Permit Required". Staff is recommending the addition of the latter subsection because the City is self-insured and is therefore required to obtain a permit from the State.

  Former section 2.140.150 – Claims for Compensation – Service of Claims – Defense of Fund. Staff made the recommendation to potentially move this section to Title 3 - Finance, and more specifically Chapter 3.35 Claims. Ms. Robertson explained revisions were made to the Tort Claims ordinance following a recent RPI process. Staff has made minimal changes; sub-headings were added, as well as a provision to clarify City Manager is authorized to secure outside counsel to defend against claims, as is current practice. Ms. Robertson noted a change was made under subsection (c), Claim Payments, to increase the approval of settlement from $10,000 to $35,000, the same as Tort Claims.

- Article IV: Police and Fire Pension Funds. Catherine Walter (Senior Assistant City Attorney) conducted research on the article and found resolutions which remove the two funds and move those covered by these funds into KP&F. **S**taff is suggesting removal of the entire article. City Legal staff has reached out to Matt Bergmann (outside legal counsel for the Police and Fire Unions), to inform him of Staff's research and recommendation.

- Article V: Police Benefit Account. Ms. Robertson spoke with Gretchen O'Donovan (Finance staff at TPD) and Denise Vaughn (Municipal Court Administrator & Clerk) to better understand the details of article. They suggested a revision in former section 2.140.310 to reflect current practice. More specifically, the Municipal Court collects the fees and remits them directly to the Administrative & Financial Services Department, not the Police Department. From there, Finance puts the fees collected into a benefits account. A Board of Trustees then decides how those funds are spent.

Councilmember Coen inquired if the Board of Trustees has recently met. Ms. Robertson noted Ms. O'Donovan would be contacting the Board's Chair to seek his or her review of the proposed revisions.

- Article VI: Health Insurance. Staff is not recommending many changes to the language, as revisions were conducted in 2012 and are still current.

  2.140.390 (e) Health Care Advisory Committee. Staff deleted a portion of the language in the following paragraph, which states: "However, the first meeting in June of each year, the committee may transmit its recommendations to the city manager regarding the scope of health care coverage, schedule of benefits and schedule of premiums and recommendation on the RFP process for the selection of the plan administrator(s). Within 20 days, the city manager shall transmit any recommendations received from the health care advisory committee to the city council". This language was codified prior to execution of the Healthcare Cost Agreement. The deleted language is now addressed through that Agreement. The RFP process is all handled administratively between the City Manager and Human Resources.

Ms. Robertson noted that a final recommendation from the Committee to the Governing Body is currently scheduled to be presented at an August meeting, and staff feels comfortable moving forward with that date.

Councilmember Jensen inquired as to how Staff is planning to present the subject during the Governing Body meeting. Ms. Robertson recommended meeting with councilmembers one-on-one, prior to the meeting, to work through any detailed questions that councilmembers may have.

Brent Trout (City Manager) noted he felt that by providing the detailed minutes from these committee meetings and having one-on-one meetings with councilmembers, there would be sufficient information. Ms. Robertson agreed with Mr. Trout and suggested a starting point would be to inform the Governing Body of the last time the full document was reviewed.

4) Discussion: Council Term Limits

Councilmember Coen asked Ms. Robertson to provide the various approaches staff took.

Ms. Robertson reviewed findings from research from other Kansas municipalities. The first review involves the top ten cities, by population, in Kansas and including Kansas City, Missouri. Most cities do not have term limits. Hutchison, KCMO, and Wichita do have term-limits of two consecutive terms of four years

each term (8 consecutive years). The second review involves the capital cities of Colorado, Iowa, Missouri, Nebraska, and Oklahoma. Denver, Colorado allows for three consecutive 4-year terms (12 years). There are no term limits in Des Moines, Iowa. Jefferson City, Missouri allows the Mayor to serve two consecutive 4-year terms (8 years) and Councilmembers to serve four consecutive 2-year terms (8 years). Lincoln, Nebraska has established term limits for the Mayor, but not for Council members. Oklahoma City, Oklahoma does not have term limits.

Councilmember Coen inquired if establishing term limits is something the public should vote on. Ms. Robertson noted the public would not be required to vote on this issue; however, the committee discussed having the option of including it in an election.

Councilmember Jensen inquired about the cost of including this item on a ballot. Ms. Robertson responded that adding the item to a ballot during a general election could be done without additional costs. Holding a special election for this item would come with a cost. Ms. Robertson noted the registration deadline of August 23 for items to be included in the November 2019 general elections. Discussion was held to determine when would be the best time to include the item on a ballot, and when the deadlines to submit the item would be.

Ms. Robertson described the information included in the Committee's packet concerning term limits.

Ms. Robertson provided cost estimates associated with creating and conducting a survey. ETC is the company that assisted the City with the recent Community Survey. ETC provided an estimate of $2,000 for 300 responses and $2,400 for 400 charges. Councilmember Jensen inquired what the cost would be to include the survey on the back of the water bill. There was further discussion on this method.

Councilmember Coen inquired about the response rate from the recent Community survey that was sent to the public. Mr. Trout noted a large response was received from a diverse demographic and felt the results mirrored the concerns that are received through the City Manager's office on a regular basis.

Councilmember Coen inquired with Councilmember Jensen as to his thoughts of the proposed term limits. Councilmember Jensen stated he was not against implementing term limits of two consecutive 4-year terms.

Councilmember Coen asked Councilmember Jensen what his thoughts were related to conducting a survey. Councilmember Jensen stated he felt survey results could be skewed depending on how constituents felt about current district representatives.

Mr. Trout suggested bringing the item to the Governing Body as a discussion item. Ms. Robertson stated that because the topic is committee-initiated, the committee will be able to determine whether or not to bring the item forward to the Governing Body; it is not required to do so.

Mr. Trout stated Councilmembers could conduct their own surveys to gather data on a variety of information their constituents may want to see with regard to the topic.

5) Other Items Before the Committee
No other items.

6) Adjourn
Councilmember Coen adjourned the meeting.

Video of this meeting can be found at: https://youtu.be/opMYa0kSmPE

CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
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POLICY AND FINANCE COMMITTEE

Date: July 29, 2019
Time: 3:00 P.M.
Location: 1st Floor Conference Room – Holliday Bldg 620 SE Madison
Attendance: Councilmembers Jeff Coen (Chair), Brendan Jensen, Tony Emerson, Jacque Russell (HR), Shawn Maisberger (HR), Lisa Robertson (City Attorney), Catherine Walter (Legal)

1) Call to order

Councilmember Coen called the meeting to order. Committee members introduced themselves.

2) Approve July 1, 2019 Minutes

Councilmember Jensen made a motion to approve the July 1, 2019 meeting minutes. Councilmember Emerson seconded the motion. Minutes were approved 3:0.

3) Personnel Code & TMC - Conclusion

Lisa Robertson, City Attorney, provided Committee members with a booklet summarizing the work completed by Staff. More specifically, where legislative-related provisions from the Personnel Code should be moved into the Topeka Municipal Code. The booklet contains proposed revisions to Title 2 in relation to matters involving employees. Ms. Robertson provided the committee with a corresponding Table of Contents for Title 2, outlining recommendations made by the code company to divide Title 2 into three separate divisions. (The City Clerk works with a municipal code company to review and make suggestions to the TMC every ten years). (The proposed Division 2 of Title 2 would focus on "Employees", while the proposed Division 1 would be more general in content. The proposed Division 3 would focus on "Boards and Commissions").

Ms. Robertson began reviewing proposed TMC Division 2: "Employees".

- Using new chapter 2.105 as an example, Ms. Robertson provided an overview of the cover page and "notes" page. She then explained that for each chapter, there is a tracking copy showing revisions made to the original language, as well as a clean copy of what the proposed chapter will "look like" if these revisions are approved.

- Ms. Robertson provided copies of the Personnel Code Table of Contents with cross-references to the TMC &/or Personnel Manual to assist the Governing Body in locating provisions.

- Ms. Robertson noted that Chapters 105 and 110 include a large number of tracking changes, primarily because this is where language from the Personnel Code has been added as new sections or subsections.

- Ms. Robertson stated there had been one unanswered question related to 2.130 Fireman's Relief Association; which Staff proposes to retitle to Firefighter's Relief Association. More specifically, Staff has been communicating with the Firefighter's Relief Association Board members to determine if they would be accepting of deleting this chapter in its entirety. The Secretary/Treasurer of the Board stated that he was unaware that this language was contained in the TMC, because they always refer to the State statute for guidance.

- TMC Title 2, Article I, Section 2.140.010 – "Increase in payments under 1939 retirement system". Ms. Robertson stated Staff recommends removing this section, because it no longer has any relevance.

- TMC Title 2, Article II (formerly "Old-Age Survivors' Insurance") has been renamed "Social Security". The State Department of Administration was consulted and advised deleting three entire sections, with revisions to others. Ms. Robertson stated the research conducted by Staff and interns has been extremely helpful to the process of cleaning up obsolete and inaccurate language.

Ms. Robertson indicated that Staff was seeking a final recommendation from the Committee in order to move forward with the process. Ms. Robertson stated that the Committee would need to send this recommendation to the Governing Body, and inquired about additional information that the Committee might wish to include.

Councilmember Jensen inquired about the recodification schedule and timeline. Ms. Robertson stated that the Clerk's Office would be working with the recodification company in September/October (2019) to discuss rearranging and renumbering the TMC. Ms. Robertson suggested including the item on the August 20, 2019 Governing Body agenda for discussion.

Councilmember Jensen stated he would support moving forward with Staff's recommendation to place the issue as a discussion item with the Governing Body.

Councilmember Emerson stated he also felt comfortable with moving forward with the recommendation.

Councilmember Coen inquired what the language for the recommendation might look like in presenting it to the Governing Body. Ms. Robertson stated action to repeal the ordinance that adopted the Personnel Code would need to take place. The Personnel Manual is already being used, so the process would be to repeal the Personnel Code following adoption of revisions to the TMC.

Councilmember Coen inquired if the committee would support a motion to make a recommendation to the Governing Body to accept the proposed changes to the Topeka Municipal Code, and to repeal the Personnel Code. Councilmember Jensen made motion to approve. Councilmember Emerson seconded. Motion passed 3:0.

Ms. Robertson stated all meeting minutes, video links, and supplemental information would be provided to the Governing Body. Ms. Robertson also encouraged having one-on-one meetings with Councilmembers prior to the August 20th Governing Body meeting to allow Staff the opportunity to answer any questions they may have.

4) Old Business: Council Term Limits

Councilmember Jensen stated he would like to put this topic to a public vote to gauge whether or not constituents would support implementing term limits for Councilmembers.

Councilmember Emerson stated he would not be in favor of pursuing anything that would cost money; however, if adding the question to a General Election ballot in 2020 would bear no additional cost to the City, he would support that decision. Councilmember Emerson stated he felt there was currently a term limit measure in place: voters are able to select the candidate they feel will best represent them.

Councilmember Coen inquired if there was a recommendation from the committee to move the topic forward to the Governing Body to include onto the 2020 election ballot. Councilmember Jensen made a motion to move the topic forward. Councilmember Coen seconded the motion. Councilmember Emerson voted against the motion. Motion passed 2:1.

5) Other Items Before the Committee

Councilmember Coen inquired with the committee if there would be interest to pursue reviewing current policies or ordinances with regard to issues that are commonly brought up by constituents. Examples of such policies from this discussion included:

- Noise
- Contractor utility line placement standards and requirements
- Construction and infrastructure use of right-of-way delays

Councilmember Jensen inquired if this item would need to be sent to the Governing Body for approval to discuss at the committee level. Ms. Robertson stated the Policy & Finance Committee would not need the approval of the Governing Body to discuss this topic, as it could initiate per Governing Body Rule 8.5(a)(2).

Councilmember Jensen stated he would like to invite Gina Millsap, Project Chair for the Topeka and Shawnee County Community Broadband Planning Task Force, to attend upcoming meetings on this topic. Councilmember Emerson would like to invite City Staff from the Engineering Division and Public Works Departments, as well.

Ms. Robertson asked the committee to provide clarification to the recommendation regarding term limits. Ms. Robertson noted an ordinance had been drafted when the committee had discussed the topic previously. The ordinance began with allowing councilmembers to serve two consecutive 4-year terms before requiring at least one 4-year hiatus prior to serving again. Councilmember Coen indicated that he thought the draft ordinance allowed councilmembers to serve three 4-year terms. Ms. Robertson indicated she will provide the draft ordinance (last presented on July 1st) as an attachment to the Committee Report.

6) Adjourn

Councilmember Coen adjourned the meeting.

Video of this meeting can be found at: https://youtu.be/pk2BzOVpQBQ

COMMITTEE REFERRAL SHEET
COMMITTEE REPORT

Name of Committee: Policy and Finance

Issue: Comprehensive review/reorganization/update of personnel-related provisions contained in the Personnel Code, the Topeka Municipal Code and the numerous administrative policies, rules and regulations.

Date Governing Body referred Issue to P & F Committee: March 19, 2019

Why Need to Address Issue: The document commonly referred to as the "Personnel Code" was created via Ordinance No. 16404, effective January 6, 1992. [This document contained language that was previously incorporated as part of the Topeka Municipal Code.] Article I, Section 1 of the Personnel Code refers to Charter Section A2-3, calling for the adoption of a comprehensive personnel system. However, this language no longer exists – it was repealed and replaced 15 years ago in July 2004 when the form of government changed. Charter Section A2-25(a) states that the Governing Body "....shall be vested with all powers of legislation in municipal affairs adequate to provide a complete system of local government consistent with the Constitution of the State of Kansas. It shall have no administrative powers." The proposed recommendation would separate legislative authority from administrative authority regarding personnel-related matters.

Recommendation: Repeal the Personnel Code created via Ordinance No. 16404 since the vast majority of what is contained in this document is already part of the Personnel Manual, which is administrative in nature. Prior to this repeal, however, amend relevant chapters of Topeka Municipal Code (TMC) to incorporate legislative, policy-related language contained in Personnel Code (Article I, Sections 3, 4 and 5 and Article II, Sections 1, 2, 3, 4 and 5) and update any personnel-related language currently contained in TMC chapters (through amendment or repeal).

Date P & F Committee referred Recommendation to Governing Body:	July 29, 2019
Committee Action:	Motion by Councilmember Jensen, seconded by Councilmember Emerson, to submit recommendation to the full Governing Body. Motion passed with a vote of 3-0-0.
Members of Committee:	Councilmembers Jeff Coen (chair), Tony Emerson and Brendan Jensen
Governing Body Meeting Dates:	September 3, 2019 Agenda – Discussion September 10, 2019 Agenda – Action
Attachments:	Charter Sections A2-24(a)(viii) and A2-25(a)

that if any territory annexed or consolidated prior to June 1 of the year preceding a city election shall contain population sufficient in number to upset the approximate equality of the established districts, the Council shall provide for redistricting the city in accord with the procedures described in this section.

(d) Requirements for reestablishing district boundary lines. The boundary lines for District 1 through District 9 from which districts Councilmembers shall be elected shall be reestablished by the Commission of Electors and the Council so as to:

(1) Contain within each district a population which to the greatest extent feasible is equal to one-ninth (1/9) of the total population of the city, but which under no circumstances shall be greater or less than one-ninth (1/9) of the total population of the city by more than two and one-half (2.5) percent based on the most recent U. S. decennial or State of Kansas census;

(2) Maintain a reasonably compact area in each district and avoid when possible any noncontiguous zones or any unusually exaggerated extension of district lines;

(3) Follow election precinct lines as established by the Shawnee County Election Commissioner and be described in terms of the wards and precincts contained in each district;

(4) Avoid use of number of registered voters by party or other partisan data;

(5) Maintain, as much as possible, the integrity of broadly cohesive areas of interest;

(6) Avoid boundary lines that result in a Councilmember residing outside his or her elected district during the Councilmember's current term of office. (C.O. 94 § 9, 7-20-04.)

Cross Reference: Council districts, TMC 2.15.090.

Sec. A2-24. Mayor – Functions, powers and duties.

(a) The Mayor shall be the chief elected officer of the city, responsible for providing leadership and taking issues to the people and marshalling public interest in and support for municipal activity. The Mayor shall have the following powers, duties, and responsibilities:

The Mayor shall:

(i) Recommend to the governing body such measures and legislation as he or she deems necessary concerning the affairs of the city.

(ii) Encourage programs for the physical, economic, social, and cultural development of the city.

(iii) Actively promote economic development to broaden and strengthen the commercial and employment base of the city.

(iv) Serve as ceremonial head of the city.

(v) Represent the city in intergovernmental relations.

(vi) Provide community leadership.

(vii) Preside as Chair of governing body meetings.

(viii) Have no administrative powers.

(ix) Have the right to vote on all matters, except for ordinances for which state law gives the mayor the right to veto.

(b) This section A2-24 of the charter ordinances of the City of Topeka shall only be amended or repealed upon approval by a majority of the electors voting during an election called for such purpose. (C.O. 114 § 1, 12-9-14.)

Sec. A2-25. Powers of the governing body.

(a) The Council and Mayor shall be the governing body of the city. It shall exercise the corporate powers of the city and, subject to the expressed limitations of this Charter Ordinance, it shall be vested with all powers of legislation in municipal affairs adequate to provide a complete system of local government consistent with the Constitution of the State of Kansas. It shall have no administrative powers.

(b) This section A2-25 of the charter ordinances of the City of Topeka shall only be amended or repealed upon approval by a majority of the electors voting during an election called for such purpose. (C.O. 96 § 3, 5-23-06/8-28-06; C.O. 94 § 11, 7-20-04.)

Sec. A2-25.5. Powers of the City Council.

Repealed by C.O. 117. (C.O. 98 § 3, 2-24-09.)

Sec. A2-26. Meetings – Deputy Mayor.

(a) The governing body shall establish, by ordinance, a meeting schedule for each calendar year, with a minimum of two meetings each month.

(b) The governing body shall elect a Councilmember to serve as deputy mayor in the absence or temporary disability of the mayor. The deputy mayor elected in April of 2016 shall serve until a successor is elected at the first governing body meeting in January of 2017 to serve a term that expires on January 8, 2018. Thereafter, a deputy mayor shall be elected at the third meeting in January for a one year term. (C.O. 117 § 5, 2-9-16.)

Sec. A2-27. Compensation – Expenses.

(a) At the first regular meeting of the Council following voter approval of this Charter Ordinance, the Council shall establish the annual compensation of the Councilmembers and Mayor. The annual compensation of the district Councilmembers shall not thereafter be increased or decreased except by ordinary ordinance, provided such ordinance is considered no more than once every four (4) years thereafter following voter approval of this Charter Ordinance.

(b) The Mayor and district Councilmembers shall receive payment of their actual and necessary expenses incurred in the performance of the duties of their office in such form and manner as the Council may authorize. (C.O. 94 § 13, 7-20-04.)

Sec. A2-28. Prohibitions.

(a) Holding other office. Except as authorized by law, no Councilmember nor Mayor shall hold any other elected public office while serving the term for which the member was elected to the Council. No Councilmember nor Mayor shall hold any other city office or employment during the term for which the member was elected to the Council. No former Councilmember nor Mayor shall hold any compensated appointive city office or employment with the city until one (1) year after the expiration of the term for which the member was elected to the Council. For purposes of this section, the phrase "compensated appointive city office or employment" does not include the offices of district Councilmember or Mayor.

Nothing in this section shall be construed to prohibit the Council from selecting any current or former Councilmembers or the Mayor to represent the city on the governing board of any regional or other intergovernmental agency.

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Councilmembers Coen, Emerson and Jensen, sitting as the Policy and Finance Committee, amending, repealing and reorganizing certain chapters and sections of the Topeka Municipal Code in Title 2: Administration and Personnel; repealing Ordinance No. 16404 that adopted a personnel code; and rescinding Resolution Nos. 6448, 7758, 7985, 8235 and 8381 that amended the Personnel Code.

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

DIVISION 1. GENERAL; OFFICIALS AND DEPARTMENTS

Section 1. That original Chapter 2.10 TMC, Seal and Crest, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.05.

Section 2. That original section 2.14.010, City Manager – Goals, objectives and evaluation, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.15.100.

Section 3. That original Chapter 2.20 TMC, City Records, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.10.

Section 4. That original Chapter 2.30 TMC, Departments Created – Established Positions, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.20.

Section 5. That original section 2.50.010, Development Services Division, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.20.091.

Section 6. That original section 2.50.020, Duties - Director, of The Code of the City of Topeka, Kansas, is hereby and renumbered as § 2.20.092.

Section 7. That original Chapter 2.100 TMC, Civil Emergencies, of The Code

of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.55.

Section 8. That original Chapter 2.105 TMC, Community Development, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.25.

Section 9. That original Chapter 2.110 TMC, Municipal Court, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.40.

Section 10. That original Chapter 2.115 TMC, Fire Department, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.30.

Section 11. That original Chapter 2.120 TMC, Law Enforcement, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.35.

Section 12. That original Chapter 2.135 TMC, Article II, Public Contracts, § 2.135.110 through § 2.135.170, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 3.30, Article VI, Public Contracts, § 3.30.440 through § 3.30.500.

Section 13. That original Chapter 2.145 TMC, Appeals and Administrative Hearings Procedure, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.45.

Section 14. That original Chapter 2.150 TMC, Domestic Partnership Registry, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.50.

DIVISION 2. EMPLOYEES
Chapter 2.105 Employment Practices: Diversity and Inclusion
Chapter 2.110 General
Chapter 2.115 Bargaining Unit Employees
Chapter 2.120 Civil Service for Police Officers and Firefighters
2.125 Benefits
2.130 Firefighters Relief Association

Section 15. That section 2.25.010, Rights of employees to organize, of The

Code of the City of Topeka, Kansas, is hereby renumbered as § 2.115.010.

Section 16. That section 2.25.020, Approval of memorandum agreements in conjunction with the meet and confer process, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.115.020.

Section 17. That section 2.25.030, Oath, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.110.010 and amended to read as follows:

Oath.

(a) Required. All officers of the ~~c~~City, whether elected or appointed, ~~and~~as well as each person ~~to be~~ employed by the ~~c~~City, shall, before entering upon the duties of ~~their~~his/her respective office~~s~~, appointment or employment, take and subscribe an oath or affirmation, as follows:

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

(b) Officers. All officers required by law to take and subscribe such oath or affirmation shall be provided with the necessary forms to accomplish this requirement at the expense of the City and, upon taking, subscribing and/or signing any such oath or affirmation, such completed original or copies of oaths shall be filed with the City Clerk. Oaths or affirmations required under this ~~article~~subsection shall be administered before such officers ~~and~~ in the manner prescribed by state law.

(c) Employees. All ~~officers and~~ employees required by law to take and subscribe ~~or file any~~such oath or affirmation shall be ~~supplied~~provided with the necessary forms ~~for~~to accomplish this ~~purpose~~requirement at the expense of the ~~c~~City and, upon taking, ~~and~~ subscribing and/or signing any such oath or affirmation, such completed original or copies of oaths shall be filed with the ~~department of human resources~~Human Resources Department. Oaths or affirmations required under this subsection shall be administered before such officers in the manner prescribed by state law.

(d) No Funds until Oath Taken. The ~~d~~Department of ~~a~~Administrative and ~~f~~Financial ~~s~~Services shall not disburse any funds in payment for services to any officer or employee of the ~~c~~City until the original oath or affirmation provided for in this ~~articles~~subsection shall have been duly subscribed and the original or a copy is filed with the City Clerk or the ~~d~~Department of ~~h~~Human ~~r~~Resources.

Section 18. That section 2.25.040, Protective insurance required, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.110.050.

Section 19. That section 2.25.050, Reimbursements for conferences, seminars, conventions and short courses attended by governing body members, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.15.110 and amended to read as follows:

Reimbursements for Official Travel and Related Expenses – ~~conferences, seminars, conventions and short courses attended by g~~Governing ~~b~~Body ~~m~~Members.

Governing ~~b~~Body members may be reimbursed for official travel and related

expenses in accordance with resolutions adopted by the ~~g~~Governing ~~b~~Body that contain guidance related to such travel and expenses, in addition to the submittal of corresponding documentation confirming all relevant expenditures.~~.~~

~~The reimbursement procedure shall be established by rule and regulation~~ as authorized by Charter Ordinance No. 94.

Section 20. That section 2.25.060, Approval of employment and severance agreements, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.110.060 and amended to read as follows:

Approval of employment ~~and severance~~ agreements.

(~~a) ~~Approval by the ~~g~~Governing ~~b~~Body shall be required prior to the ~~city~~City ~~m~~Manager signing any employment contract that does not follow the ~~department of~~ ~~h~~Human ~~r~~Resources Department's process for recruitment and selection. Such contracts shall not be subject to the procurement ordinances, Chapter 3.30 TMC.

~~(b) No severance or other payments beyond those authorized by state or federal law, city ordinance or contract shall be made to a current or former employee without prior authorization by the governing body.~~

Section 21. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 2.110.070, which said section reads as follows:

Approval of Severance Pay.

(a) Prior Authorization Required. No severance or other payments beyond those authorized by federal, state or local law, or contract, shall be made to a current or former employee without prior authorization by the Governing Body.

(b) Eligibility; Permanent Reduction in Force. Severance pay set forth herein is available only to employees who meet all of the following eligibility requirements:

(1) The employee's position has been eliminated pursuant to a reduction in force;

(2) The employee has been employed with the City for one or more continuous years of service;

(3) The employee has not accepted a position with the City or with another governmental entity pursuant to a consolidation agreement;

(4) The employee has not accepted a transfer of employment to an entity that is assuming operational responsibility via contract with the City; and

(5) The employee has executed an agreement and complete release of all claims against the City.

(c) Payment.

(1) Eligible employees hired prior to January 1, 2011, shall be eligible to receive severance pay according to the following schedule; provided, however, that in no event shall severance pay exceed one year of salary:

Length of Service	Separation Pay
Zero to Less than One Year	Zero
One Year to Less than Ten Years	One week's salary for each complete year of service, as of the date of separation
Over Ten Years	Two weeks' salary for each complete year of service, as of the date of separation

(2) Eligible employees hired on January 1, 2011 and after, shall be eligible to receive severance pay at the rate of one week of salary for every year

of service, pro-rated to the nearest month, but in no case less than four weeks salary and in no case more than twenty-six (26) weeks salary.

(3) Severance pay shall be calculated using the employee's regular base hourly wage and shall not include any premium payments.

(4) The City may elect to make severance payments in equal increments on a pay period basis until such time as the employee receives all severance pay due. In such a case, the payment will amount at least to the base pay of a regular bi-weekly pay period.

(5) Whether employees can draw both severance pay and unemployment compensation benefits will be dependent upon applicable state law.

(6) Employees who resign, retire or are terminated for cause shall not be eligible to receive severance pay.

Section 22. That section 2.25.070, Accounting upon separation from employment, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Accounting upon separation from employment.**~~

~~An inventory will be conducted in accordance with policies adopted by the administration prior to separation from employment for purposes of ensuring that an employee, upon retirement, resignation or discharge from city employment, has accounted fully for all funds and city property entrusted to him or her. After providing written notice and explanation to the employee, the city may deduct from the employee's final wages such amounts permitted by the Kansas Wage Payment Act or other applicable law.~~

Section 23. That section 2.25.100, Personnel code – Adopted -- Amendments, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Personnel code – Adopted – Amendments.**~~

~~(a) The city's "Personnel Rules and Regulations," were originally adopted and approved by Ordinance No. 16404 on December 30, 1991, as the city's official personnel code, and took effect on January 6, 1992.~~

~~(b) The city's personnel code shall be reviewed by the city attorney and human resources director during the last quarter of the city's fiscal year, in even-numbered years. Any revisions proposed by the city attorney and human resources director as a result of this review shall be submitted to the governing body for approval, via resolution, no later than March 31st of the next odd-numbered year.~~

Section 24. That section 2.25.110, Personnel code – Copies, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Personnel code – Copies.**~~

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

Section 25. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 2.110.020, which said section reads as follows:

Residency Required.

Employees, including department directors, employed after December 31, 1981, by the City must be bona fide residents of Shawnee County, except at the time of

appointment or employment when they need not be residents of Shaw nee County, but shall establish residency in Shawnee County within six (6) months after completion of the initial employment probation. Employees employed in a public safety position, as defined by the Director of Human Resources, shall within six (6) months after completion of the initial employment probation, reside within the boundaries of Shawnee County at a location which is no more than thirty (30) minutes travel time from the assigned reporting station or office. Said residency shall be maintained within the boundaries of Shawnee County for the duration of the employee's employment. The City Manager may grant one (1) extension not to exceed six (6) months for establishment of residency upon the request of an individual employee for good cause shown.

Section 26. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 2.110.030, which said section reads as follows:

Administrative Policies, Rules, Regulations and Procedures – Personnel Manual.

(a) Promulgation and Posting. The City Manager, in consultation with the Director of Human Resources, shall promulgate and issue administrative policies, rules, regulations and procedures related to personnel, as well as amendments to such provisions, through a Personnel Manual. The City Manager, in conjunction with the Director of Human Resources, shall ensure that this Personnel Manual is in effect and updated on a periodic basis. The City Clerk shall post the Personnel Manual on the City's website and maintain one copy of the City Personnel Manual in his/her office for

purposes of making said document available to the public. The City Clerk shall make copies available pursuant to the City's open records policy.

(b) Scope. All persons employed by the City shall be subject to the provisions of the Personnel Manual with the exception of elected officials and independent contractors.

(c) Conflicts with Bargaining Unit Agreements. Any terms or conditions contained in: (i) an agreement negotiated between the City and a recognized bargaining unit, (ii) an applicable ordinance or resolution; or (iii) the Topeka Municipal Code shall control in the event of a conflict with specific terms or conditions contained in the Personnel Manual. Furthermore, no salary increases granted by the City pay plan shall be or become effective for any employees covered by such an existing labor agreement or for any employees subject to or involved in labor negotiations during the term of such agreement or negotiations, unless specifically provided in a labor agreement.

(d) Deviations. The City Manager and the Director of Human Resources may permit deviations from the provisions contained in the Personnel Manual; provided however, that any approved deviation must be in writing and executed by the City Manager and the Director of Human Resources.

(e) Standard Operating Procedures. In addition to the provisions contained in the Personnel Manual, a department director shall have the authority to issue written rules and regulations concerning personnel matters in order to govern situations that are unique to the particular department; provided, however, that the process for amending the Personnel Manual is adhered to. For disciplinary and termination

purposes, a violation of departmental rules and/or regulations shall be considered the same as a violation of the Personnel Manual.

(f) Compliance. Any person who knowingly violates or conspires to violate the provisions of TMC Title 2 or the Personnel Manual may be disciplined consistent with the nature and extent of the violation.

Section 27. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 2.110.040, which said section reads as follows:

Personnel Records.

(a) Annual Accounting of Personnel. Each year, in conjunction with the budget process, the Director of Administrative and Financial Services and the Director of Human Resources shall ensure that the number of personnel and corresponding compensation accurately reflects the information contained in the adopted budget. This statement shall be in a format determined by the Director of Human Resources.

(b) Payroll Records. The Administrative and Financial Services Department shall be required to keep adequate records of all persons employed, with a corresponding pay scale, time worked and accrued leave.

(c) Authorized Employees. The number of employees in a department shall generally be limited to the number of authorized employees within each departmental budget. Variances shall be approved by the City Manager.

Section 28. That section 2.125.010, Scope – Terms of labor contract/collective bargaining agreement to take precedence, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.010.

Section 29. That section 2.125.020, Departmental regulations, of The Code of

the City of Topeka, Kansas, is hereby renumbered as § 2.120.020.

Section 30. That section 2.125.030, Created – Terms – Technical advisor - Quorum, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.030 and amended to read as follows:

Created – Terms – Technical advisor – Quorum.

(a) Terms. A civil service commission is hereby established in the ~~c~~City. The ~~m~~Mayor of the ~~c~~City shall initially appoint five civil service commissioners, who shall hold office for terms of four years. Members shall not serve beyond the end of ~~their~~his/her appointed terms. Upon expiration of a term, the position shall remain vacant until a successor is appointed. To be eligible for appointment as a commissioner, an individual may not be an employee of the city and shall have at least three years of experience in a responsible position requiring knowledge of the legal issues involved in the hiring or disciplining of employees.

(b) Technical Advisor. The ~~c~~City ~~m~~Manager shall designate a representative of the ~~c~~City to serve as a nonvoting member of the civil service commission. This nonvoting member will serve as a technical advisor to the commission.

(c) Quorum. A quorum for conducting business is three voting members.

Section 31. That section 2.125.040, Oath, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.040 and amended to read as follows:

Oath.

Before entering upon the duties of the office, each civil service commissioner appointee shall take and subscribe an oath, which shall be ~~filed and~~ kept in the ~~office of the city clerk~~Human Resources Department, to support the Constitutions of the United

States and this state, to obey the laws and to endeavor to secure and maintain an honest and efficient force, free from partisan influence or control; and to perform the duties of office to the best of his/her ability.

Section 32. That section 2.125.050, Meetings - Support, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.050 and amended to read as follows:

Meetings – Support.

(a) The ~~c~~City shall provide suitable rooms in which members of the civil service commission may hold their meetings~~,~~ and shall supply such commission with ~~all the necessary~~any equipment, training and documents necessary~~copies of current personnel and civil service regulations~~ to properly ~~attend to such business~~conduct the duties of the commission.

(b) The ~~c~~City ~~a~~Attorney shall ~~institute~~file or defend any lawsuit, action or proceeding on behalf of the civil service commission. The ~~c~~City ~~a~~Attorney shall have direct access to any and all records which, in his/her opinion, are necessary in order to adequately prepare for such lawsuit, action or proceeding. No special counsel shall be retained to represent the commission except by the ~~c~~City ~~a~~Attorney, and such special counsel shall serve solely under the direction of the ~~c~~City ~~a~~Attorney~~'s direction~~.

Section 33. That section 2.125.060, Control of exams – Nature of exams, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.060 and amended to read as follows:

~~Control of exams – Nature of exams~~Examinations.

The civil service commission shall control all examinations. With advice from the

~~police~~Fire ~~c~~Chief, ~~fire~~Police ~~c~~Chief, technical advisor and ~~c~~City ~~a~~Attorney, or their respective designees, the commission shall provide uniform rules with respect thereto, and shall hold such examinations as are necessary for the purpose of determining the qualifications and fitness of applicants for positions on the fire and police ~~and fire~~ departments. All such examinations shall be practical and shall fairly test the fitness of applicants to discharge the position to which they seek to be appointed. No questions shall relate to religious faith or party affiliations.

Section 34. That section 2.125.070, Annual and special reports – Rules and regulations, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.070 and amended to read as follows:

~~Annual and special r~~Reports – Rules ~~and –~~ ~~r~~Regulations.

The civil service commission ~~shall~~may make ~~an annual~~periodic reports to the ~~c~~City ~~m~~Manager or ~~city manager's~~his/her designee, and the ~~c~~City ~~m~~Manager or the ~~c~~City ~~m~~Manager's designee may require special reports from the civil service commission at any time. The civil service commission may prescribe such rules and regulations for the proper conduct of ~~the~~its business ~~of the commission as~~ ~~are found~~deemed expedient and advisable.

Section 35. That section 2.125.080, Notification of vacancies, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.080 and amended to read as follows:

Notification of vacancies.

The ~~chief of the fire department or the chief of the police department~~Fire Chief or Police Chief, ~~whomever~~whichever is applicable, shall immediately notify the chairperson

of the civil service commission whenever a vacancy exists in ~~any~~his/her department~~,~~ when the vacant position is one that may be filled by appointment only from the applicants examined by the civil service commission.

Section 36. That section 2.125.090, Certification of applicants, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.090 and amended to read as follows:

Certification of applicants; eligibility list.

The civil service commission shall certify the names and addresses of eligible applicants to the ~~f~~Fire ~~c~~Chief or ~~p~~Police ~~c~~Chief, whichever is applicable, who shall make appointments only from such list so certified. Whenever the eligible list of the civil service commission contains fewer than double the number of applicants to fill the vacancy or vacancies existing, the ~~personnel division~~Human Resources Department shall advertise for applicants and the examination procedure shall commence as soon as practical thereafter. The civil service commission shall document why a candidate is, or is not, certified. What documentation ~~is~~ required will be decided by the ~~c~~City ~~a~~Attorney and the technical advisor appointed by the City Manager. The ~~personnel d~~Director of Human Resources shall provide whatever support is appropriate to provide such documentation.

Section 37. That section 2.125.100, Equal opportunity, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.100 and amended to read as follows:

Equal opportunity.

No ~~A~~applicant~~s~~ or employee~~s~~ shall ~~not~~ be discriminated ~~for or~~ against based on

~~the basis of~~ his/her age, color, disability, familial status, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran status~~race, religion, sex, national origin, political affiliation, or age,~~ or any other factor protected by law; except as may be otherwise provided by law. ~~Applicants or employees capable of performing the duties of a position shall not be discriminated against because of a physical handicap.~~

Section 38. That section 2.125.110, Striking eligibles from list, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.110 and renamed "Striking applicants from list".

Section 39. That section 2.125.120, Removal of persons from employment, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.120 and amended to read as follows:

Removal ~~of persons~~ from ~~e~~Employment.

All ~~persons~~employees, other than probationary ~~officers~~employees subject to civil service examination, may be removed from office or employment only upon charges preferred in writing for misconduct or failure to perform their duties; provided, however, that, pending the hearing of such charges, the respective ~~d~~Department ~~head~~Director may suspend with pay any such officer. All such charges shall be heard by the civil service commission after a copy of the charges has been transmitted to the ~~person~~employee against whom filed and due opportunity has been ~~given~~provided to him/her to defend. The civil service commission shall, after hearing the evidence, either revoke, affirm or modify the order appealed from, and their action shall be final.

Section 40. That section 2.125.130, Hearing powers, of The Code of the City of

Topeka, Kansas, is hereby renumbered as § 2.120.130.

Section 41. That section 2.125.140, New applicants for police and fire positions to submit to exam, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.140 and amended to read as follows:

New applicants for police and fire positions to submit to exam.

All new applicants for positions in the fire and police departments ~~and fire department of the city~~ shall be required to submit to a civil service examination for position of police officer or firefighter.

Section 42. That section 2.125.150, Probationary period for police, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.150 and amended to read as follows:

Probationary period for police.

(a) Length. All appointments, other than the Police ~~c~~Chief, ~~of police~~ shall be for a probationary period of 18 months; provided, however, the probationary period for promotions shall be 12 months.

(b) Employment Status. If during such probationary period the conduct or capacity of the probationer is not satisfactory, then, and in that event, the Police ~~c~~Chief ~~of police~~ shall forthwith notify the ~~probationer~~employee and the ~~d~~Director of ~~personnel~~ ~~h~~Human ~~r~~Resources, in writing, that he/she ~~the probationer~~ will not receive permanent appointment; in the absence of such notice, such probationer shall forthwith receive permanent appointment at the expiration of ~~the~~his/her probationary period.

Section 43. That section 2.125.160, When probationer does not receive permanent appointment, of The Code of the City of Topeka, Kansas, is hereby

renumbered as § 2.120.160 and amended to read as follows:

When ~~probationer~~employee does not receive permanent appointment.

In the case of a patrol officer not receiving permanent appointment, employment shall cease immediately. In all other cases of employees not receiving permanent appointment, such employee~~s~~ may resume ~~their~~his/her former position and pay scale.

Section 44. That section 2.125.170, Rate of pay – Determined by position, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.170 and amended to read as follows:

Rate of pay – Determined by position.

All civil service ~~personnel~~employees of the fire and police departments shall be paid at the rates prescribed for the position in which they are employed.

Section 45. That section 2.125.180, Rate of pay – Salary increases and decreases, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.180 and amended to read as follows:

Rate of pay – Salary increases and decreases.

(a) The promotion of an employee to a class with a higher salary range shall include an increase in salary to at least the minimum for the new classification.

(b) If an employee is reclassified or demoted to a lower classification, the salary may be lowered;~~,~~ but in no event shall it be fixed at an amount greater than the employee was earning immediately prior to reclassification or demotion.

(c) All salary increases or decreases given for promotions or demotions, either voluntary or involuntary, shall be given in accordance with the personnel provisions promulgated by the ~~personnel d~~Director of Human Resources to effectuate

the provisions of the ~~c~~City ~~p~~Personnel Manual~~code~~, or as otherwise provided for in a labor agreement.

Section 46. That section 2.125.190, Effective date of salary increase, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.190 and amended to read as follows:

Effective date of salary increase.

All salary increases and paydays shall be effective on a date specified in personnel provisions promulgated by the ~~personnel d~~Director of Human Resources, or as otherwise provided for in a labor agreement.

Section 47. That section 2.125.200, Promotions, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Promotions.**~~

~~(a) Fire Department. All promotions of fire department personnel covered by this chapter shall be in accordance with Charter Ordinance No. 10 (Appx. A, Section A6-16 et seq.).~~

~~(b) *Repealed by Ord. 19370.*~~

Section 48. That section 2.125.210, Hours of work, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.200 and amended to read as follows:

Hours of work.

All employees of the ~~police~~fire ~~department~~ and ~~the fire~~police departments shall work a basic schedule, which shall comply with all provisions of the Fair Labor Standards Act and as the ~~f~~Fire ~~c~~Chief or ~~p~~Police ~~c~~Chief designates.

Section 49. That section 2.125.220, Notice of termination, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.210 and amended to read as follows:

Notice of termination.

(a) An employee who terminates his/her employment voluntarily shall give a minimum of two weeks' notice to ~~the employee's~~his/her immediate supervisor or ~~d~~Department Director~~head~~, unless a shorter period of notice is approved by the ~~d~~Department Director~~head~~.

(b) An employee who is removed without cause shall be entitled to at least two weeks' notice. The ~~c~~City may elect to grant two weeks' pay in lieu of such notice.

Section 50. That section 2.125.230, Pay on termination, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.220.

Section 51. That section 2.125.240, Effect of reemployment within 120 days, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.230.

Section 52. That section 2.125.250, Defined, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.240 and amended to read as follows:

Defined.

A "grievance" is a complaint by a permanent employee alleging a misinterpretation or misapplication of a practice or policy under the personnel provisions set out in this chapter or applicable provisions of the ~~p~~Personnel Manual~~code~~ or rules and regulations of the ~~personnel division~~Human Resources Department that has a detrimental effect upon the employee. The departmental policies, rights and

prerogatives of management inherent by virtue of law cannot be the subject of a grievance.

Section 53. That section 2.125.260, Conference with supervisor, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.250.

Section 54. That section 2.125.270, Appeal from supervisor's determination, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.260 and amended to read as follows:

Appeal from supervisor's determination.

(a) If the grievance is not resolved, the employee may file an appeal in writing ~~to~~with an appeal officer, which shall be the bureau or division commander if the bureau or division commander is a higher rank than the employee's supervisor, or to the management person to whom the employee's supervisor reports if the employee's supervisor is the bureau or division commander or higher rank. Such appeal shall be filed in writing with the appeal officer under this subsection within 10 calendar days following the meeting with the supervisor. The appeal officer to whom the appeal is addressed shall provide an opportunity for an oral presentation within five days of the grievance being forwarded to such person and shall render a written decision within five days following the date of the hearing.

(b) If a grievance is not resolved, the employee may file an appeal in writing to the Fire ~~c~~Chief ~~of the fire department~~ or ~~to the~~Police ~~c~~Chief ~~of the police department~~, whichever is applicable. Such appeal shall be filed within 30 calendar days following the receipt of the decision under subsection (a) of this section.

Section 55. That section 2.125.280, Contents of appeal, of The Code of the City

of Topeka, Kansas, is hereby renumbered as § 2.120.270 and amended to read as follows:

Contents of appeal.

Each appeal under TMC ~~2.125.270~~2.120.260 shall contain the following:

(a) A brief and concise statement of the facts surrounding the complaint.

(b) The ordinance, regulation or policy the employee feels has been violated.

(c) The date of the incident causing the grievance and the date the employee conferred with the supervisor.

(d) A list of persons the employee intends to call as witnesses.

(e) A list of any documents or written evidence the employee intends to use to substantiate the grievance.

(f) The remedial action requested by the employee.

Section 56. That section 2.125.290, Determination of appeals, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.280 and amended to read as follows:

Determination of appeals.

(a) Response by the Chief. The ~~c~~Chief shall respond to the grievant within ten calendar days of the filing of appeal, stating ~~the chief's~~his/her determination in the matter.

(b) Appeal from Determination by the Chief.

(1) In cases of suspension or in cases of termination, an aggrieved employee shall be granted ten calendar days from receipt of the decision of the ~~c~~Chief to file an appeal of the ~~c~~Chief's determination with either the ~~division of~~

~~personnel~~Human Resources Department or ~~with the~~ civil service commission, but not both. In cases of lesser disciplinary action or cases involving an interpretation of personnel provisions, an aggrieved employee shall be granted ten calendar days from receipt of the response of the chief to file an appeal with the ~~personnel division~~Human Resources Department.

(i) Upon receiving a grievance, the ~~representative of the personnel division~~Director of Human Resources or the civil service commission, whichever is applicable, shall meet within 10 working days to consider the grievance and shall give not less than three working days' notice in writing to the grievant and all interested parties of the time and place of such meeting.

(ii) If the grievance arises from an interpretation of rules and regulations, or if the grievance concerns a disciplinary action less severe than a suspension, the ~~representative of the personnel department~~Director of Human Resources shall investigate and shall issue a ruling concerning the matter within 15 calendar days of receipt of the grievance.

(2) If the aggrieved employee does not consider that the ruling from the ~~representative of the personnel division~~Director of Human Resources satisfactorily resolves the matter, the employee shall be granted five calendar days from receipt of the ruling from the ~~representative of the personnel division~~Director of Human Resources in which to file a notice of intent to arbitrate with the ~~personnel division~~Human Resources Department;~~.~~ after which ~~The representative of~~ the ~~personnel division~~Director of Human Resources shall

request a listing of five arbitrators from the Federal Mediation Service~~,~~ from which the parties shall select an arbitrator utilizing the alternative striking method. Fees and expenses for the arbitrator's services shall be borne equally by the parties, except that the ~~c~~City shall pay for all fees and expenses for the arbitrator's services if the grievance involves a disciplinary action.

(3) Hearings before an arbitrator or the civil service commission shall comply with the following rules:

(i) Hearings shall be closed to the public at the request of any party to that grievance. Transcribing costs of the hearing, if any, shall be paid by the party requesting the transcript. City costs of recording and transcribing shall be paid from a non-departmental appropriation in the general operating fund for such purpose.

(ii) The arbitrator or the civil service commission, whichever applies, shall submit its findings to the employee and ~~d~~Department ~~head~~Director within 30 working days after the hearing, and its recommendations shall be binding.

Section 57. That section 2.125.300, By Physician upon request, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.290 and amended to read as follows:

~~By physician upon r~~Request for Examination.

(a) Written Request of Chief. Any employee of the ~~police or~~ fire ~~department~~ or police department shall submit to a physical examination to test the employee's ability to perform his/her duties upon the written request of the chief of the department

when there is reason to believe that a medical problem may exist which might limit the employee's ability to perform the employee's duties. Such written request shall specify the time and place of such physical examination.

(b) City Medical Advisor to Select Examining Physician. The physical examination shall be conducted by ~~the~~a physician ~~designated~~selected by the ~~c~~City ~~m~~Medical ~~a~~Advisor~~., and~~

(c) Cost Paid by City. ~~t~~The cost of ~~such~~the physical examination requested pursuant to this Article V shall be paid by the ~~c~~City.

(d) Periodic Physicals. Nothing in this section may be construed as limiting the right of the Fire Chief or Police ~~c~~Chief ~~of the department~~ to mandate periodic physicals for all sworn personnel.

Section 58. That section 2.125.310, Report of physician - Retirement, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.300 and amended to read as follows:

Report of examining physician ~~- Retirement~~.

The report by the physician shall be immediately forwarded to a physician appointed by the ~~personnel director~~Director of Human Resources, who shall be designated for the purposes of this chapter as the ~~c~~City ~~m~~Medical ~~a~~Advisor. If the ~~c~~City ~~m~~Medical ~~a~~Advisor determines that such employee is physically disqualified from properly performing the duties of a firefighter or police officer, and if reasonable accommodations cannot be provided, ~~the employee~~he/she shall be retired from service at the end of the month in which such determination is made by the ~~c~~City ~~m~~Medical ~~a~~Advisor, if permitted under applicable pension plan, or terminated.

Section 59. That section 2.125.320, Request for reexamination, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.310.

Section 60. That section 2.125.330, Reexamination by three physicians, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.320.

Section 61. That section 2.125.340, Report of reexamining physicians – Action by city medical advisor, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.330.

Section 62. That section 2.125.350, Frequency of examination, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.340 and amended to read as follows:

Frequency of examination.

No employee of the ~~police or f~~Fire ~~d~~Department or Police Department shall be subjected to more than one compulsory physical examination in any six-month period by the ~~mayor~~City Manager, or the Fire ~~c~~Chief or Police Chief~~of the department~~, whichever is applicable.

Section 63. That section 2.125.360, Authority of department heads, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.350 and amended to read as follows:

Authority of department ~~heads~~directors.

Department Directors~~heads~~ shall have authority to discipline ~~personnel~~employees, up to, and including, termination for the serious, willful or repeated violation of personnel provisions or departmental regulations. Department Directors shall have authority to discipline employees, up to, and including, termination.

Section 64. That section 2.125.370, Duty of chiefs to maintain payroll records, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Duty of chiefs to maintain payroll records.**~~

~~It shall be the duty and responsibility of the chief of police and the chief of the fire department to cause to be made, kept and maintained a separate payroll record on each member of the department appointed under civil service. Payroll records will be kept according to the provisions of the personnel code.~~

Section 65. That section 2.125.380, Personnel records to be maintained, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.360 and amended to read as follows:

Personnel records to be maintained.

The ~~personnel division~~Human Resources Department shall keep and preserve in a permanent form a full record of all proceedings pertaining to all police and fire employees for the full duration of employment and for a minimum of three years after termination of employment. The Fire ~~c~~Chief ~~of the fire department~~ and ~~p~~Police Chief~~department~~ shall be responsible for ensuring that these records are forwarded immediately to the ~~personnel division~~Human Resources Department upon their creation.

Section 66. That section 2.125.390, Performance rating to be made annually, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.370 and amended to read as follows:

Annual Performance ~~rating to be made annually~~Evaluation.

It shall be the duty and responsibility of the Fire ~~c~~Chief ~~of police~~ and ~~the~~Police

~~c~~Chief ~~of the fire department~~ to cause an appraisal of the performance of each member of the department at least once a year by the division chief or immediate supervisor of each member of the department appointed under civil service. The Fire ~~c~~Chief ~~of police~~ and ~~the~~Police ~~c~~Chief ~~of the fire department~~ shall endorse on each appraisal ~~their~~his/her personal appraisal of each individual member of the department or any comments pertinent thereto. They shall also see to it that each appraisal is discussed with the ~~person~~employee being appraised, the purpose of these discussions being to constructively develop the appraised employee to improve his/her job performance and potential for advancement.

Section 67. That section 2.125.400, Ratings to be made part of personnel record, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.380 and amended to read as follows:

Evaluation Ratings to be made part of personnel record.

The periodic ~~appraisals~~evaluations required by TMC ~~2.125.390~~2.120.370 shall be made a part of the permanent personnel file of each individual member of the department and shall be considered whenever a member of the department is subject to promotion, demotion, dismissal or a major change of assignment.

Section 68. That section 2.125.410, Inspection, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.390 and amended to read as follows:

Inspection.

The records kept under this article are subject to the exclusionary provisions of the state Open Records Act (K.S.A. 45-215 et seq.) Therefore, these records shall be

given the same level of confidentiality as are all other personnel records maintained by the Human Resources Departmentpersonnel division.

Section 69. That section 2.125.420, Violation of chapter, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.120.400 and amended to read as follows:

Violation of chapter.

Any official who shall violate the provisions of this cChapter shall be deemed guilty of a misdemeanorsubject to corrective action, up to, and including, termination.

Section 70. That section 2.130.010, Created, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

CreatedComposition-Governance.

(a) There is hereby created a firemen'sfirefighters relief association composed of all full-time paid members of the fire department.

(b) The firefighters relief association is governed by the Firefighters Relief Act, K.S.A. 45-1701 et seq.

Section 71. That section 2.130.020, Composition - Officers, of The Code of the City of Topeka, Kansas, is hereby repealed.

Composition – Officers.

(a) The firemen's relief association shall be composed of all full-time paid members of the fire department.

(b) The officers of the firemen's relief association shall be members and shall consist of a president, two vice-presidents, a secretary-treasurer and a board of directors. The board of directors shall be composed of the president, the two vice-

~~presidents, the secretary-treasurer and an elected representative from each fire station.~~

Section 72. That section 2.130.030, Bylaws, rules and regulations, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Bylaws, rules and regulations.**~~

~~The firemen's relief association shall adopt such bylaws, rules and regulations as it may deem advisable in carrying out and promoting the object of the association, not inconsistent with this chapter or the laws of the state.~~

Section 73. That section 2.130.040, City attorney to advise directors, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**City attorney to advise directors.**~~

~~It shall be the duty of the city attorney to give advice to the board of directors of the firemen's relief association in all matters pertaining to their duties and management of funds of the association whenever requested by the board of directors so to do.~~

Section 74. That section 2.130.050, Records, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Records.**~~

~~The secretary-treasurer of the firemen's relief association shall keep a complete and accurate record of all transactions and meetings of the association and the board of directors, which records shall at all times be subject to inspection by the council.~~

Section 75. That section 2.130.060, Bond of secretary-treasurer, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Bond of secretary-treasurer.**~~

~~The secretary-treasurer of the firemen's relief association shall immediately upon~~

~~assuming the duties of such office furnish a bond with corporate surety in the amount of $25,000. The bond shall be made payable to the firemen's relief association and shall be conditioned upon the faithful discharge and performance of the respective duties of the secretary-treasurer of the association and saving the association free from all loss caused by the neglect of duty or malfeasance in office by the secretary-treasurer, and shall contain such other conditions and provisions as may be directed by the statutes of the state and by the ordinances of the city.~~

Section 76. That section 2.130.070, Funds - Handling, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Funds – Handling.**~~

~~The secretary-treasurer of the firemen's relief association shall at all times be the custodian of all funds belonging to the association, and shall be liable on the official bond for the security of this fund, and shall pay out such funds only on checks issued by the association, which checks shall be issued only upon such terms as are provided in the bylaws of the association.~~

Section 77. That section 2.130.080, Funds – Limitation on use, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Funds – Limitation on use.**~~

~~All moneys received by the secretary-treasurer of the firemen's relief association shall be used entirely for the objects and purposes set forth in this chapter and as set forth in K.S.A. Chapter 40, Article 17 (K.S.A. 40-1701 et seq.) and amendments thereto, and shall be paid to and distributed by the firemen's relief association as provided by law. The officers of the association may invest any amount not to exceed 90 percent of~~

~~all such moneys in purchasing bonds of the city; provided, that if the bonds of the city are not obtainable, United States government bonds may be purchased or any municipal bonds of this state may be purchased; provided, that such relief funds are used to purchase bonds where the bonded indebtedness of the municipality does not exceed 15 percent of its total assessed valuations as shown by the last assessment preceding such investment. Such purchase must be approved by the council. It shall be the duty of the city attorney to examine all such bonds as to their validity and report thereon in writing to the council and the firemen's relief association, and no bonds shall be purchased by the firemen's relief association until they have been approved and found valid by the city attorney.~~

Section 78. That section 2.130.090, Funds – Held in trust, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Funds – Held in trust.**~~

~~All moneys collected and received by the firemen's relief association shall be held in trust and used as a fund for relief of any member of the fire department when injured or physically disabled in or by reason of the discharge of their duties as such and for the relief of or in payment of gratuities to the widow or those dependent on any member of such fire department who may be killed in the discharge of their duties as fireman or who may die from the effect of injuries so received or from disease contracted by reason of their duties as such, and for the payment of the necessary funeral expenses of any member of the fire department when killed in the discharge of their duties as fireman, or in the case of death resulting from injuries so received or diseases contracted by reason of such duties as such, or for the further purpose of~~

~~paying a pension to members who are unfit for service after having served for a period of not less than 20 years in the department, such pension not to exceed in amount one-half of the monthly salary at the date of retirement; or for the purchase of insurance which would provide for any and all of the foregoing purposes for which such fund is authorized. The firemen's relief association is hereby authorized to loan part or all of such funds to the city to be used by the city in the improvement of its fire department and equipment thereof, and the city is hereby authorized to borrow such funds and issue to the secretary-treasurer of the firemen's relief association its warrant therefor bearing interest payable semiannually at a rate not to exceed six percent per annum.~~

Section 79. That section 2.130.100, Funeral expenses – Gratuities and beneficiaries, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Funeral expenses – Gratuities and beneficiaries.**~~

~~The firemen's relief association may pay up to $2,500 to defray the necessary funeral expenses incurred upon the death of any member when killed in the discharge of their duties as a fireman, or who die from a disease or illness contracted by reason of their duties as a fireman. The association shall pay to the widow or those dependent upon the member a gratuity in the amount of $5,000, at the rate of $500.00 per month for 10 months, when a member is killed in the discharge of their duties as a fireman or dies from a disease or illness contracted by reason of their duties as a fireman.~~

Section 80. That section 2.135.010, Affirmative action policy, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.105.010 and amended to read as follows:

~~**Affirmative action p**~~**P**olicy.

(a) Policy Statement. It is the policy of the ~~c~~City to take affirmative action to achieve equal treatment, diversity and inclusion ~~in~~when employing~~ment for~~ individuals ~~regardless of race, religion, creed, color, sex, disability which is unrelated to the ability to perform a particular job or occupation, national origin or ancestry, in~~and not to discriminate against any individual based on his/her age, color, disability, familial status, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran status or any other factor protected by law ("Protected Class"). This shall apply to all personnel actions and procedures including, but not limited to, recruitment, hiring, training, transfer, promotion, compensation and other benefits.

(b) General Objectives.

(1) Intensify efforts to recruit applicants within a protected class for every level of responsibility;

(2) Develop special training programs to qualify persons within a protected class for beginning level positions and for advancement; and

(3) Develop procedures for monitoring the application flow, final hiring and disposition of persons within a protected class.

(c) Administrative Responsibility. The City Manager and all Department Directors shall be responsible for ensuring that the City takes affirmative action to achieve equal opportunity, inclusion and diversity when employing individuals within all departments in accordance with the equal employment opportunity/affirmative action policy. The Human Resources Department shall be responsible for developing recruitment and training programs to include employment goals for each City department.

Section 81. That section 2.135.020, Definition, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Definition.**~~

~~As used in this chapter, the following words and phrases shall have the following meanings:~~

~~(a) The affirmative action program is a positive program designed to ensure that a good faith effort will be made to employ applicants and to treat employees equally without regard to race, religion, creed, color, sex, sexual orientation, gender identity, disability, national origin or ancestry or age which is unrelated to the ability to perform a particular job or occupation.~~

~~(b) "Gender identity" means the persistent sense of one's gender-related identity, appearance, behavior, and other characteristics of an individual, as perceived by the individual or another, and without regard to the individual's actual or assigned sex at birth.~~

~~(c) "Sexual orientation" means perceived or actual heterosexuality, homosexuality or bisexuality.~~

~~(d) A good faith effort to treat employees equally without regard to sexual orientation will include an effort to contract for health coverage for domestic partners registered on the city's domestic partner registry and any children of such registered domestic partners.~~

Section 82. That section 2.135.030, General objectives, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**General objectives.**~~

~~General objectives of the affirmative action program are to:~~

~~(a) Intensify efforts to recruit minorities and women applicants for every level of responsibility;~~

~~(b) Develop special training programs to qualify persons for beginning level positions and for advancement; and~~

~~(c) Develop procedures for monitoring the application flow, final hiring and disposition of minorities and women.~~

Section 83. That section 2.135.040, Unlawful employment practices, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.105.020 and amended to read as follows:

~~Unlawful e~~Employment ~~p~~Practices.

~~I~~t shall be an unlawful employment practice for an official, ~~d~~Department ~~head~~Director, agent or employee of the ~~c~~City~~,~~ ~~because of race, religion, creed, color, sex, disability, familial status, national origin or ancestry, age, sexual orientation or gender identity, which is unrelated to the ability to perform a particular task or occupation, of any person~~ to refuse to hire or employ, or to bar or to discharge from employment, ~~such~~a person because he/she is a member of a protected class, or to otherwise discriminate against such person in relation to his/her compensation or ~~in~~the terms, conditions or privileges of his/her employment; ~~or to limit, segregate, separate, classify or make any designation in regard to employees;~~ or to follow any employment procedure or practice which, in fact, results in discrimination, segregation or separation without a valid business ~~motive~~reason.

Section 84. That section 2.135.050, Employment recruitment procedures, of

The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.105.030 and amended to read as follows:

~~Employment r~~Recruitment ~~p~~Procedures.

~~(a) The personnel d~~Director of Human Resources shall devise and implement written procedures for the efficient and expeditious recruitment of employees in accordance with federal, state and ~~c~~City laws and guidelines regarding equal employment opportunity. ~~(b) The~~se provisions ~~of subsection (a) of this section are~~shall not ~~mandatory~~be required for part-time, temporary or seasonal employees, as defined in the ~~c~~City's ~~p~~Personnel Manual~~rules~~.

Section 85. That section 2.135.060, Administrative responsibility, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Administrative responsibility.**~~

~~All administrative personnel and department heads will be responsible for carrying out all aspects of the affirmative action program within their division or department. The personnel division shall be responsible for development of recruitment and training programs to include employment goals for each city department.~~

Section 86. That section 2.135.070, Equal opportunity officer - Designated, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.105.050 and amended to read as follows:

Equal ~~o~~Opportunity ~~o~~Officer ~~– Designated~~.

(a) Designated Officer. The ~~personnel d~~Director of Human Resources is designated as the equal opportunity officer to ~~coordinate the city's efforts in the implementation of its affirmative action program~~ensure equal employment opportunities.

(b) General Duties. It shall be the duty of the equal opportunity officer to:

(1) Conduct periodic departmental reviews to determine compliance with the City's equal employment opportunity/affirmative action policy;

(2) Report results obtained, problems encountered, and/or resistance or failure to implement the equal employment opportunity/affirmative action policy to the Governing Body, City Manager and Human Relations Commission and provide recommendations to resolve any problems identified;

(3) Serve as a consultant to the Governing Body, City Manager and Department Directors in developing recruitment programs, selection procedures, training programs or other personnel functions necessary to implement the City's equal employment opportunity/affirmative action policy.

(4) Recruit personnel in such a manner that clearly demonstrates the City's interest in employing persons within a protected class; and

(5) Establish communication with institutions and organizations that provide referral of qualified applicants within a protected class for available positions.

Section 87. That section 2.135.080, Equal opportunity officer – Duties generally, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Equal opportunity officer – Duties generally.**~~

~~It shall be the duty of the equal opportunity officer to:~~

~~(a) Conduct periodic departmental reviews to determine compliance with the city's affirmative action program;~~

~~(b) Report to the city manager, human relations commission and the city council~~

~~results obtained with the affirmative action program, problems encountered, resistance or failure to implement the policy of the city, and recommend remedies; and~~

~~(c) Serve as a consultant to the city manager, mayor, city council and department heads in the development of recruitment programs, selection procedures, training programs or other personnel functions necessary to implement the city's affirmative action program.~~

Section 88. That section 2.135.090, Equal opportunity officer – Recruitment and selection, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Equal opportunity officer – Recruitment and selection.**~~

~~The personnel director shall:~~

~~(a) Recruit personnel in such a manner that clearly demonstrates the city's interest in the employment of minorities and women; and~~

~~(b) Establish communication with institutions and organizations which provide referral of qualified minorities and women applicants for positions which may become available in the city.~~

Section 89. That section 2.135.100, Audit procedures, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.105.040 and amended to read as follows:

~~**Audit procedures**~~**Reports and records.**

~~(a)~~ The ~~personnel d~~Director of Human Resources shall comply with required equal employment opportunity/affirmative action reporting~~prepare an annual affirmative action report including all personnel within each department. This report will indicate numbers of persons employed, position of employment, race and sex.~~ Position

interview records and information related to new hires, transfers, promotions and terminations shall be maintained by the Human Resources Department.

~~(b) A position interview record shall be completed by any hiring authority interviewing applicants for positions of employment indicating race, sex, source of recruitment and, if not hired, reason for failure to employ. These records are to be maintained in the personnel division.~~

~~(c) Each department shall prepare a monthly report of new employees, transfers, promotions and terminations indicating the personnel who have resigned, retired, were fired or were released by reduction of work force, noting the race, sex and position of employment or position change. The report shall include all personnel of the city and should include a statistical summary of new employees, transfers, promotions and terminations by race and sex. The report shall be filed with the personnel director.~~

Section 90. That section 2.140.010, Increase in Payments under 1939 Retirement System, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Increase in Payments under 1939 Retirement System.**~~

~~(a) Whereas the City established an employees retirement system in 1939; and, whereas, the employees retirement system was subsequently abolished on April 6, 1951; and, whereas, all employees who had retired prior to April 2, 1951, were and are entitled to receipt of benefits pursuant to such established employees retirement system, pursuant to now-repealed K.S.A. 13-3037; and, whereas, the Governing Body is now desirous of raising payments made pursuant to the employees retirement system to those persons who are still entitled to its benefits, in order to provide equity of payment after consideration of the effect of inflation upon such payments as had~~

~~previously been authorized; the council hereby establishes authorization for payment of retirement benefits for all persons previously and presently entitled to payments under the original employee retirement system.~~

~~(b) All persons previously subject to the employee retirement system established in 1939, and who retired prior to April 6, 1951, and who are presently alive and receiving retirement benefits pursuant to now-repealed K.S.A. 13-3037, shall be henceforth entitled to payment of $200.00 per month.~~

~~(c) All payments authorized by subsection (b) of this section shall cease upon the death of the person entitled to the payments.~~

~~(d) The time and method of payment under this section shall be determined by the Administrative and Financial Service Director.~~

Section 91. That section 2.140.020, Benefits extended, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.010 and amended to read as follows:

Benefits extended.

(a) The City hereby extends the benefits of Title II of the Federal Social Security Act, in conformity with the applicable provisions of such Act, to the employees of the City~~,~~ in accordance~~ing to~~ with the provisions of K.S.A. Chapter 40, Article 23 (K.S.A. 40-2301 et seq.)~~, in accordance with~~ and ~~under~~ the terms of the following plan of coverage of the City~~,~~ for extending the benefits of Title II of the Federal Social Security Act to the employees of the City.

(b) The City submits the following plan contained in this ~~a~~Article I to the state Department of Administration~~Civil Service, referred to in this article as the Department~~

~~of Civil Service~~, ~~as~~ the authorized state agency~~,~~ for approval as authorized by K.S.A. Chapter 40, Article 23 (K.S.A. 40-2301 et seq.).

Section 92. That section 2.140.030, State act incorporated, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.020.

Section 93. That section 2.140.040, Services covered, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.030 and amended to read as follows:

Services covered.

The plan contained in this article includes coverage of all services performed by employees of the city, except as specifically excluded by law or the plan of coverage, and including elected officials of the city.

Section 94. That section 2.140.050, Contribution by city, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.040 and amended to read as follows:

Contribution by city.

(a) The City hereby agrees to pay to the ~~Department of Civil Service~~Internal Revenue Service (IRS), at such time or times and in such manner as prescribed by the Internal Revenue Code~~department may by regulation prescribe, amounts equivalent to the sum of the taxes which would be imposed by Sections 1400 and 1410 of the Internal Revenue Code if the services of the employees covered by this agreement constituted employment as defined in Section 1426 of such code~~.

(b) ~~The City agrees to deduct~~Amounts deducted from any remuneration paid to an employee subject to the provisions of this plan shall be remitted to the IRS as

prescribed by the Internal Revenue Code~~an amount equivalent to the sum of the taxes which would be imposed by Section 1400 of the Internal Revenue Code if the services of such employee constituted employment as defined in Section 1426 of such code~~.

Section 95. That section 2.140.060, Sources of city's contribution, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.050 and amended to read as follows:

Sources of city's contribution.

The City will pay its contributions from the same fund that the wages from which the contribution in TMC ~~2.140.050~~2.125.040(b) is made are paid or from any other funds available to it for the purpose or that it will annually or when necessary levy at the time of its levy for other purposes, a tax which may be in addition to all other taxes authorized or limited by law, for the purpose of making its contributions under ~~subsection (c) of Section 5 of the s~~State a~~A~~ct K.S.A. 40-2305(c), which tax together with any other funds available to the City for such purpose shall be sufficient to enable it to make its contributions~~; provided, that in the year 1951, the City may, if current funds are not available, issue no-fund warrants for the purpose of providing funds to make such contributions for wages earned during the calendar year 1951, and provide for the redemption of such warrants as provided by K.S.A. 40-2305(e); provided further, that funds for the City's contributions will be properly and adequately budgeted for the year 1952, if this plan takes effect in time for such budgeting at budgeting time in 1951, and in subsequent years, and contributions will be made in 1951 and 1952 whether such expenditures are budgeted or not, as authorized by K.S.A. 40-2305(e). The City verily believes that with the current funds that may be available and the unlimited tax levy~~

~~authorized by K.S.A. 40-2305(e), there is a reasonable assurance that sources will be adequate for the purposes of K.S.A. 40-2305(c)(1) and (d).~~

Section 96. That section 2.140.070, Compliance with regulations, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.060 and amended to read as follows:

Compliance with regulations.

The City agrees that it will comply with such rules and regulations as the Department of Administration~~Civil Service~~ may prescribe to carry out the purposes of Section 218 of the Social Security Act, as amended.

Section 97. That section 2.140.080, Modification of plan, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.070.

Section 98. That section 2.140.090, Termination by city, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Termination by city.**~~

~~The City, upon giving at least two years' advance notice in writing to the Department of Civil Service, may terminate this plan, either in its entirety or with respect to any coverage group, effective at the end of a calendar quarter specified in the notice. The plan may be terminated in its entirety only if it has been in effect not less than five years prior to receipt of such notice. It may be terminated with respect to any coverage group only if it has been in effect with respect to such coverage group for not less than five years prior to receipt of such notice.~~

Section 99. That section 2.140.100, Termination by Department of Civil Service for cause, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Termination by Department of Civil Service for cause.**~~

~~If the Department of Civil Service, after reasonable notice and opportunity for hearing to the City, finds that the City has failed or is no longer legally able to comply substantially with any provision of this plan or of Section 218 of the Social Security Act, as amended, the Department of Civil Service shall notify the City by giving notice in writing that this plan will be terminated in its entirety, or with respect to any one or more coverage groups, at such time, not later than two years from the date of such notice, as the Department of Civil Service deems appropriate, unless prior to such time it is found there no longer is any failure or that the cause of such legal inability has been removed~~.

Section 100. That section 2.140.110, Failure to make payments when due, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Failure to make payments when due.**~~

~~If the City fails to make, at the time or times due, the payments provided for under this plan, there shall be added, as part of the amount due, interest at the rate of six percent per annum from the date due until paid, and the Department of Civil Service may deduct such amount as is delinquent, plus accrued interest, from any amounts due the City from the state. Amounts so deducted shall be deemed to have been paid to the City.~~

Section 101. That section 2.140.120, Effective date, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.080.

Section 102. That section 2.140.130, Injury on job – Workers compensation interrelationship with forms of leave, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.100 and amended to read as follows:

~~Injury on job – Workers compensation interrelationship with forms of leave~~Workers compensation - General.

(a) Employees injured or ill from an occupational disease arising out of and in the course of their employment for the ~~c~~City are eligible to receive workers compensation benefits while they are temporarily totally disabled and still employed as a regular employee of the ~~c~~City, in accordance with the Workers Compensation Act (K.S.A. 44-501 et seq., 44-5a01 et seq.) and rules. ~~Where temporary total disability results from the injury or occupational disease, no compensation (temporary total benefits) shall be paid during the first week of disability unless the temporary total disability exists for three consecutive weeks, in which case compensation shall be paid for the first week of disability. Temporary total benefits shall not be charged against leave accruals.~~

~~(b) Employees injured or ill as a result of an impact/contact injury arising out of and in the course of their employment, and who are eligible to receive workers compensation while they are temporarily totally disabled and still employed as a regular employee of the city, may elect to receive compensation from the city from accrued leaves in an amount representing the difference between their total base compensation including longevity from the city and the amount received from workers compensation, if the latter amount is less. Under this election, the employee's accrued sick or other leave shall be prorated (accrual shall be proportionate to the amount of leave being used) while the employee is receiving temporary total disability workers compensation benefits, provided the total amount received by the employee from the city does not exceed the amount of a normal paycheck per pay period. When the employee's accrued~~

~~leaves are depleted, any additional compensation from the city shall cease.~~

~~(c) Department heads may, at their discretion, establish light duty positions for permanent full-time or permanent part-time employees injured or ill from an occupational disease arising out of and in the course of city employment and who are medically recommended to perform light duty work, but unable to perform their regular work duties for a limited time. If established light duty positions are available and a position is vacant, the department head, at his sole discretion, may place the injured or ill employee in the position. The department head will notify the city risk manager whenever an employee is placed in a light duty position. The department head may remove an employee from a light duty position at any time. The department head will notify the city risk manager whenever an employee is removed from a light duty position but not returned to regular duty. An employee removed from light duty whose medical status continues to prevent him from returning to regular duty shall be eligible for workers compensation benefits in accordance with K.S.A. 44-510c.~~

Section 103. That section 2.140.140, Assessment against city department--Rate, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 3.25.060 and amended to read as follows:

~~Assessment against city department—Rate~~Self-Insurance Fund.

(a) ~~Commencing on January 1, 1976, each city department shall each month transfer one-twelfth the amount of the city workers compensation self-insurance fund assessment for such city department for such fiscal year to the credit of the city~~Established; Rate of Assessment. A workers compensation self-insurance fund was established January 1, 1976.

~~(b)~~ The rate of the ~~c~~City workers compensation self-insurance fund assessment for all ~~c~~City departments shall be set by the ~~c~~City's ~~r~~Risk ~~m~~Manager using applicable workers compensation rates based upon payroll~~,~~ and shall ~~further~~ be sufficient to pay any and all claims reasonably expected to be brought thereunder, ~~and~~as well as all administrative costs~~, which balance shall include an initial fund amount of $225,000~~.

(b) Annual Self-Insurance Permit Required. State law requires that cities wishing to self-insure for workers compensation apply for a corresponding permit. This application must contain financial information sufficient to ensure there is adequate reserve funding available. The City shall complete all steps necessary to obtain this permit.

Section 104. That section 2.140.150, Claims for compensation – Service of claims – Defense of fund, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.110 and amended to read as follows:

Claims ~~for compensation~~ – Service; Process; Defense ~~of claims – Defense of fund~~.

(a) ~~All claims under this article against any city department for claims arising on and after January 1, 1976, shall be made against the city workers compensation self-insurance fund.~~Service. Workers compensation claims shall be served upon the ~~c~~City's ~~r~~Risk ~~m~~Manager in his/~~ or~~ her capacity as administrator of the ~~c~~City workers compensation self-insurance fund in the manner provided for claims against other employers under the Workers Compensation Act (K.S.A. 44-501 et seq., 44-5a01 et seq.) The ~~c~~City ~~m~~Manager shall be authorized to secure outside counsel to defend any

claim against the ~~c~~City workers compensation self-insurance fund.

(b) Investigation. The ~~c~~City's ~~r~~Risk ~~m~~Manager shall investigate or cause to be investigated each claim against the ~~c~~City workers compensation self-insurance fund. For the purposes of such investigations, the ~~r~~Risk ~~m~~Manager is authorized to obtain expert advice regarding the injuries, occupational diseases, disabilities and damages involved in such claims.

(c) Claim Payments. If, based upon such investigation and any other available information, the ~~c~~City's ~~r~~Risk ~~m~~Manager finds that there is no material dispute as to any issue involved in a workers compensation claim, that the claim is valid and that the claim should be settled by agreement, the City ~~m~~Manager may proceed to enter into such an agreement with the claimant, for the ~~c~~City workers compensation self-insurance fund, for any settlement not in excess of $~~10~~35,000. For any workers compensation settlement amounts in excess of $~~10~~35,000, the ~~c~~City's ~~r~~Risk ~~m~~Manager shall obtain the approval of the ~~g~~Governing ~~b~~Body, and any settlement made without ~~g~~Governing ~~b~~Body approval shall be invalid. Any such agreement may provide for lump sum settlements subject to approval by the ~~c~~City's ~~r~~Risk ~~m~~Manager and all such workers compensation agreements shall be filed in the office of such ~~d~~Director for approval as provided in K.S.A. 44-527. All other claims for workers compensation against such funds shall be paid in accordance with the Workers Compensation Act (K.S.A. 44-501 et seq., 44-5a01 et seq.) pursuant to awards or orders of the workers compensation director or a court.

(~~c~~d) Funds to be Reserved. The ~~city risk manager~~Director of Administrative and Financial Services and the Director of Human Resources shall ~~encumber (~~reserve~~)~~

funds sufficient to meet anticipated expenses for workers compensation claims ~~expected to exceed $1,000~~ in accordance with the Workers Compensation Act (K.S.A. 44-501 et seq., 44-5a01 et seq.) and experience data.

Section 105. That section 2.140.300, Created, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.200.

Section 106. That section 2.140.310, Fees credited to fund, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.210 and amended to read as follows:

Fees credited to fund.

~~There shall be credited to the police benefit account in the law enforcement special revenue fund, the f~~Fees ~~for~~related to the issuance and service of municipal court warrants ~~from the municipal court, when and as such fees which~~ shall be collected by ~~the chief of police~~municipal court, ~~are turned over~~remitted to the Administrative and ~~f~~Financial~~e~~ Services ~~d~~Department and credited to the police benefit account in the law enforcement special revenue fund ~~by the chief of police~~.

Section 107. That section 2.140.320, Purpose, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.220 and amended to read as follows:

Purpose.

The police benefit account shall be held by the ~~finance~~Administrative and Financial Services department for the ~~following~~ purpose~~s~~ ~~and for none other: the~~of providing relief ~~of~~to a member~~s~~ of the police department who ~~may be~~has been injured ~~while on duty~~ or who ~~may~~has become ill or has otherwise incurred medical expense

while he/she is an employees of the department ~~by providing cash payments or reimbursements of part or all of the medical expenses actually incurred by members of the department or by providing life, health or accident insurance for such purposes~~.

Section 108. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 2.125.230, which said section reads as follows:

Benefits provided.

Reimbursements cover part or all of the medical expenses actually incurred by members of the department related to the purpose set forth in TMC 2.125.220.

Section 109. That section 2.140.330, Payment of benefits, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.240 and amended to read as follows:

Payment ~~of benefits~~.

(a) The extent and proportion to which members of the ~~p~~Police ~~d~~Department shall become eligible for ~~cash payments or for~~ reimbursement of medical expenses actually incurred~~, and whether or not life, accident or health insurance shall be provided, and to what extent, from the account~~, shall be determined by the members of the Topeka ~~p~~Police ~~b~~Benefit ~~f~~Fund, ~~incorporated,~~ as provided for in the bylaws of the Topeka ~~p~~Police ~~b~~Benefit ~~f~~Fund~~, incorporated~~. The eligibility of a particular claimant to ~~the~~receive any of the benefits provided ~~in~~through this article shall be ~~passed upon~~decided by the ~~b~~Board of ~~t~~Trustees of the Topeka ~~p~~Police ~~b~~Benefit ~~f~~Fund~~,~~ ~~incorporated~~.

(b) The Director of Administrative and ~~f~~Financial Services ~~department~~, or his/her designee, is hereby authorized to make payments from the law enforcement

special revenue fund only upon receipt of a signed voucher(s) ~~signed~~ and ~~by the individual claimant,~~ approval~~ed~~ by majority vote of the ~~b~~Board of ~~t~~Trustees of the Topeka ~~p~~Police ~~b~~Benefit ~~f~~Fund~~, incorporated,~~ and approval~~ed~~ by Accounts Payable~~the finance and budget director or designee, but not otherwise~~.

Section 110. That section 2.140.340, Group health insurance plan and fund, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.300 and amended to read as follows:

Group ~~h~~Health ~~i~~Insurance ~~p~~Plan and ~~f~~Fund.

(a) The ~~c~~City hereby recognizes the employees' group health insurance plan (the "plan") to provide or otherwise make available certain health care benefits for its eligible employees and their respective dependent family members and the health insurance fund (the "fund") to provide for the payment of such health care benefits. The ~~c~~City hereby ratifies and confirms the validity of the ~~c~~City's health self-insurance plan (also known as the employees' group health insurance plan) and the health insurance fund in existence immediately prior to the effective date of the ordinance codified in this article.

(b) The ~~c~~City ~~m~~Manager is hereby authorized and directed to administer the plan and the fund in accordance with the terms and conditions of this ~~a~~Article ~~and applicable provisions of the personnel code approved by the city council~~.

Section 111. That section 2.140.350, Eligibility, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.310 and amended to read as follows:

Eligibility.

Except as otherwise provided herein, all benefit-eligible employees ~~(as defined in Article I, Section 2.B of the city's personnel code)~~, elected officials and retirees of the ~~c~~City, including those employees who retire with KPERS' disability (collectively "eligible employees"), and their respective dependent family members, shall be entitled to participate in the plan in accordance with the terms and conditions set forth in this Aa~~a~~rticle ~~and provisions of the personnel code approved by the city council~~. No person hired by the ~~c~~City to fill any job or position classified as seasonal or temporary shall be entitled or otherwise eligible to participate in the plan regardless of the number of hours any such seasonal or temporary employee is permitted or required to work during any pay period or combination of pay periods.

Section 112. That section 2.140.360, Plan coverage, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.320 and amended to read as follows:

Plan coverage.

The plan may offer and make available certain "basic health care coverage" and one or more "extended health care coverage" options for medical, vision, dental, prescription drug and other ~~medical expenses~~voluntary benefits to each eligible employee and his/~~ or~~ her dependent family members.

Section 113. That section 2.140.370, Retirees, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.330 and amended to read as follows:

Retirees.

(a) Each person vested under the Kansas Public Employees Retirement

System, including KP&F, who is employed by the ~~c~~City and who retires or retired from active employment after December 31, 1988, shall be eligible to receive health care benefits coverage under the plan upon written application filed with the ~~d~~Director of ~~h~~Human ~~r~~Resources within 30 days following retirement of the employee. Retirees and their dependent family members who have coverage under the ~~c~~City's ~~employees'~~ group health insurance ~~or self-insurance~~ plan immediately prior to the effective date of the ordinance codified in this article shall remain covered and eligible to continue such coverage under the plan without filing a written application under this section as a condition of retaining or continuing such coverage.

(~~a~~b) Each retiree who elects to obtain or continue health care benefits coverage hereunder shall be required to contribute premium payments to the plan for the basic or extended coverage elected, including the administrative costs thereof, but such contribution shall not exceed the percentage of the premium cost for other similarly situated employees as specified by state law.

(~~b~~c) Eligibility for coverage under the plan may cease to be made available upon (1) the retired employee reaching age 65 ~~and/~~or becoming eligible for Medicare~~,~~ ~~whichever is later~~, (2) the retired employee failing to make required premium payments on a timely basis, or (3) the retired employee becoming covered under a health care benefits plan of another employer.

Section 114. That section 2.140.380, Contributions, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.340 and amended to read as follows:

Contributions.

Contributions by the ~~c~~City and eligible employees, including elected officials and retirees~~ under TMC 2.140.370~~, for the premium cost of health care benefits coverage under the plan, including the administrative costs thereof, shall be deposited in or credited to the fund as of the date each contribution is made; such contributions to the fund will be made by the ~~c~~City no less frequently than on a monthly basis. Moneys may be paid into or credited to the fund from any source, including transfers from the general fund and/or the operating budget account of any department of the ~~c~~City, which may be lawfully utilized for the provision of group health care benefits, and contributions deposited in or credited to the fund shall not be transferred or otherwise utilized for any other purpose. Interest earned on the investment of contributions or other money paid into or credited to the fund shall be credited to the fund. However, no interest, surplus and/or investment earning credited to the fund shall be utilized to finance any portion of the ~~c~~City's contributions on behalf of eligible employees.

Section 115. That section 2.140.390, Health care advisory committee, of The Code of the City of Topeka, Kansas, is hereby renumbered as § 2.125.350 and amended to read as follows:

Health ~~c~~Care ~~a~~Advisory ~~c~~Committee.

The ~~c~~City hereby establishes a health care advisory committee (the "committee") to review the employees' group health insurance plan and the health insurance fund, including an assessment of operational performance and cost effectiveness, the extent to which the plan and the fund meet the needs of eligible employees, retirees and their dependent family members and any options that may be available to preserve or enhance existing levels of health care coverage while maintaining or reducing its cost to

the ~~c~~City, eligible employees and dependent family members.

(a) The committee shall be comprised of the ~~d~~Director of ~~h~~Human ~~r~~Resources, or ~~the director's~~ designee; the ~~d~~Deputy ~~m~~Mayor, or his/her~~the deputy mayor's~~ designee of a current councilmember; three members appointed by the ~~c~~City ~~m~~Manager to serve as representatives of management; one member appointed from each of the ~~c~~City's recognized employee organizations to serve as representatives of employee bargaining units; and one non-bargaining unit/non-supervisory employee and one retiree appointed by the ~~c~~City ~~m~~Manager. The committee shall meet on a schedule as determined by the committee but not less than quarterly and no more than once per month unless a majority of the committee votes to call an additional meeting. The committee shall be afforded access, upon request, to plan design options; to any and all documents and information involving performance and/or administration of the plan and the fund, including any contracts or agreements between the ~~c~~City and any person or entity involving the operation and/or administration of the plan and/or the fund; and to any statistical data (historical, actual and projected) regarding benefit claims, and financial data regarding payments and administrative costs or expenses. Individually identifiable medical information and any records protected from disclosure by state or federal law are specifically excluded from the provisions of this subsection.

(b) To the fullest extent practicable, committee meetings shall be held during normal business hours and each member shall be excused from the performance of other duties, for a period of time not to exceed two hours per meeting, in order to attend such meetings unless a longer meeting is scheduled in advance by the ~~d~~Director of ~~h~~Human ~~r~~Resources.

(c) The ~~d~~Director of ~~h~~Human ~~r~~Resources, or ~~the director's~~ designee, shall serve as the chairperson of the committee. The chairperson shall schedule and preside at committee meetings and ensure that each member receives written notice of the date, time and place of any committee meeting at least five calendar days prior to the meeting. The committee may appoint, by majority vote of the members, a vice-chairperson and a recording secretary. The vice-chairperson shall preside at any meeting or part of any meeting during the chairperson's absence and the recording secretary shall prepare minutes of each committee meeting. The appointments referenced herein shall be made so that the ~~d~~Director of ~~h~~Human ~~r~~Resources can schedule the committee's first meeting on or before April 6, 2012.

(d) A simple majority of the members appointed to serve on the committee shall constitute a quorum authorized to conduct scheduled committee business, including the approval of recommendations. Any requirement for action shall be based upon a majority vote. In the event of a tie vote, the ~~c~~City ~~m~~Manager shall cast the tie-breaking vote.

(e) Upon a majority vote of the members and whenever deemed necessary or appropriate, the committee shall be authorized to approve and transmit to the ~~c~~City ~~m~~Manager any recommendation or proposal for change that the committee believes will materially improve the operation, performance and/or administration of the plan and/or the fund on behalf of the ~~c~~City, eligible employees, retirees and dependent family members. ~~However, no later than the first meeting in June of e~~Each year, the committee may ~~transmit~~submit its recommendations to the ~~c~~City ~~m~~Manager regarding ~~the scope of~~ health care coverage, schedule of benefits and schedule of premiums and

recommendation on the RFP process for the selection of the plan administrator(s). ~~Within 20 days, the city manager shall transmit any recommendations received from the health care advisory committee to the city council~~.

DIVISION 3. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

Section 116. That original Chapter 2.05 TMC, Boards and Commissions, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.205.

Section 117. That original Chapter 2.13 TMC, Citizens Government Review Committee, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.210.

Section 118. That original Chapter 2.40 TMC, Board of Building and Fire Appeals, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.235.

Section 119. That original Chapter 2.45 TMC, Board of Zoning Appeals, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.220.

Section 120. That original Chapter 2.55 TMC, Human Relations Commission, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.255.

Section 121. That original Chapter 2.60 TMC, Landmarks Commission, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.230.

Section 122. That original Chapter 2.65 TMC, Topeka Planning Commission, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.225.

Section 123. That original Chapter 2.70 TMC, Public Building Commission, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.215.

Section 124. That original Chapter 2.75 TMC, Office of the Arts, of The Code of

the City of Topeka, Kansas, is hereby renumbered as Chapter 2.245.

Section 125. That original Chapter 2.80 TMC, Americans with Disabilities Act Advisory Council, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.250.

Section 126. That original Chapter 2.95 TMC, Sustainability Advisory Board, of The Code of the City of Topeka, Kansas, is hereby renumbered as Chapter 2.240.

Section 127. That original §§ 2.25.030, 2.25.040, 2.25.050, 2.25.060, 2.125.030, 2.125.040, 2.125.050, 2.125.060, 2.125.070, 2.125.080, 2.125.090, 2.125.100, 2.125.120, 2.125.140, 2.125.150, 2.125.160, 2.125.180, 2.125.190, 2.125.210, 2.125.220, 2.125.250, 2.125.270, 2.125.280, 2.125.290, 2.125.300, 2.125.310, 2.125.350, 2.125.360, 2.125.380, 2.125.390, 2.125.400, 2.125.410, 2.125.420, 2.130.010, 2.135.010, 2.135.040, 2.135.050, 2.135.070, 2.135.100, 2.140.020, 2.140.050, 2.140.060, 2.140.070, 2.140.130, 2.140.140, 2.140.150, 2.140.310, 2.140.320, 2.140.330, 2.140.340, 2.140.350, 2.140.360, 2.140.370, 2.140.380 and 2.140.390 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 128. That the City's "Personnel Rules and Regulations" originally approved by Ordinance No. 16404 as the City's official personnel code is hereby repealed; and that Resolution Nos. 6448, 7758, 7985, 8235 and 8381 amending the Personnel Code are hereby rescinded.

Section 129. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 130. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 131. 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

CLEAN

Title 2
ADMINISTRATION, OFFICERS AND EMPLOYEES

DIVISION 2 "Employees"

Chapter 2.105
"Employment Practices; Diversity and Inclusion"

(Former Chapter 2.135, Article I)

2.105.010 Policy.

(a) Policy Statement. It is the policy of the City to take affirmative action to achieve equal treatment, diversity and inclusion when employing individuals and not to discriminate against any individual based on his/her age, color, disability, familial status, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran status or any other factor protected by law ("Protected Class"). This shall apply to all personnel actions and procedures including, but not limited to, recruitment, hiring, training, transfer, promotion, compensation and other benefits. Former 2.135.010 Personnel Code Article II, Section 2

(b) General Objectives.

(1) Intensify efforts to recruit applicants within a protected class for every level of responsibility;

(2) Develop special training programs to qualify persons within a protected class for beginning level positions and for advancement; and

(3) Develop procedures for monitoring the application flow, final hiring and disposition of persons within a protected class. Former 2.135.030 Personnel Code Article II, Section 3

(c) Administrative Responsibility. The City Manager and all Department Directors shall be responsible for ensuring that the City takes affirmative action to achieve equal opportunity, inclusion and diversity when employing individuals within all departments in accordance with the equal employment opportunity/affirmative action policy. The Human Resources Department shall be responsible for developing recruitment and training programs to include employment goals for each City department. Former 2.135.060 Personnel Code Article II, Section 3

2.105.020 Employment practices.

It shall be an unlawful employment practice for an official, department director, agent or employee of the City to refuse to hire or employ, or to bar or to discharge from employment, a

person because he/she is a member of a protected class, or to otherwise discriminate against such person in relation to his/her compensation or the terms, conditions or privileges of his/her employment; or to follow any employment procedure or practice which, in fact, results in discrimination, segregation or separation without a valid business reason. Former 2.135.040 Personnel Code Article II, Section 3

2.105.030 Recruitment procedures.

The Director of Human Resources shall devise and implement written procedures for the efficient and expeditious recruitment of employees in accordance with federal, state and City laws and guidelines regarding equal employment opportunity. These provisions shall not be required for part-time, temporary or seasonal employees, as defined in the City's Personnel Manual. Former 2.135.050 Personnel Code Article II, Section 3

2.105.040 Reports and Records.

The Director of Human Resources shall comply with required equal employment opportunity/affirmative action reporting. Position interview records and information related to new hires, transfers, promotions and terminations shall be maintained by the Human Resources Department. Former 2.135.100 Personnel Code Article II, Section 3

2.105.050 Equal opportunity officer.

(a) Designated Officer. The Director of Human Resources is designated as the equal opportunity officer to ensure equal employment opportunities. Former 2.135.070 Personnel Code Article II, Section 3

(b) General Duties. It shall be the duty of the equal opportunity officer to:

(1) Conduct periodic departmental reviews to determine compliance with the City's equal employment opportunity/affirmative action policy; Former 2.135.080 Personnel Code Article II, Section 3

(2) Report results obtained, problems encountered, and/or resistance or failure to implement the equal employment opportunity/affirmative action policy to the Governing Body, City Manager and Human Relations Commission and provide recommendations to resolve any problems identified; Former 2.135.080

(3) Serve as a consultant to the Governing Body, City Manager and Department Directors in developing recruitment programs, selection procedures, training programs or other personnel functions necessary to implement the City's equal employment opportunity/affirmative action policy; Former 2.135.080

(4) Recruit personnel in such a manner that clearly demonstrates the City's interest in employing persons within a protected class; and Former 2.135.090

(5) Establish communication with institutions and organizations that provide referral of qualified applicants within a protected class for available positions. Former 2.135.090

Chapter 2.110
"General"

(Former Chapter 2.25, Article I)
EXCEPT Sections 2.25.010 and 2.25.020, which are in new Chapter 2.115

2.110.010 Oath.

(a) Required. All officers of the City, whether elected or appointed, as well as each person employed by the City, shall, before entering upon the duties of his/her respective office, appointment or employment, take and subscribe an oath or affirmation, as follows:

> I do solemnly swear (or affirm, as the case may be) that l will support the Constitution of the United States of America and the Constitution of the State of Kansas and faithfully discharge the duties of _____ (here enter name of office or employment). So help me God. **Former 2.25.030(a)**

(b) Officers. All officers required by law to take and subscribe such oath or affirmation shall be provided with the necessary forms to accomplish this requirement at the expense of the City and, upon taking, subscribing and/or signing any such oath or affirmation, such completed original or copies of oaths shall be filed with the City Clerk. Oaths or affirmations required under this section shall be administered before such officers and in the manner prescribed by state law. **Former 2.25.040(b)**

(c) Employees. All employees required by law to take and subscribe such oath or affirmation shall be provided with the necessary forms to accomplish this requirement at the expense of the City and, upon taking, subscribing and/or signing any such oath or affirmation, such completed original or copies of oaths shall be filed with the Department of Human Resources. Oaths or affirmations required under this section shall be administered before such officers and in the manner prescribed by state law. **Former 2.25.040(c)**

(d) No Funds until Oath Taken. The Department of Administrative and Financial Services shall not disburse any funds in payment for services to any officer or employee of the City until the original oath or affirmation provided for in this section shall have been duly subscribed and the original or a copy is filed with the City Clerk or the Department of Human Resources. **Former 2.25.040(d)**

2.110.020 Residency Required. *NEW TMC SECTION*

Employees, including department directors, employed after December 31, 1981, by the City must be bona fide residents of Shawnee County, except at the time of appointment or employment when they need not be residents of Shaw nee County, but shall establish residency in Shawnee County within six (6) months after completion of the initial employment probation. Employees employed in a public safety position, as defined by the Director of Human Resources, shall within six (6) months after completion of the initial employment probation, reside within the boundaries of Shawnee County at a location which is no more than thirty (30) minutes travel time from the assigned reporting station or office. Said residency shall be maintained within the boundaries of Shawnee County for the duration of the employee's employment. The City

Manager may grant one (1) extension not to exceed six (6) months for establishment of residency upon the request of an individual employee for good cause shown. **Personnel Code Article II, Section 5**

2.110.030 Administrative Policies, Rules, Regulations and Procedures – Personnel Manual.

(a) Promulgation and Posting. The City Manager, in consultation with the Director of Human Resources, shall promulgate and issue administrative policies, rules, regulations and procedures related to personnel, as well as amendments to such provisions, through a Personnel Manual. **Personnel Code Article I, Section 3 A** The City Manager, in conjunction with the Director of Human Resources, shall ensure that this Personnel Manual is in effect and updated on a periodic basis. The City Clerk shall post the Personnel Manual on the City's website and maintain one copy of the City Personnel Manual in his/her office for purposes of making said document available to the public. The City Clerk shall make copies available pursuant to the City's open records policy. **Former 2.25.110**

NEW TMC SUBSECTION

(b) Scope. All persons employed by the City shall be subject to the provisions of the Personnel Manual with the exception of elected officials and independent contractors. **Personnel Code Article II, Section 1, first sentence -- Also in Section 1.3 of Personnel Manual**

NEW TMC SUBSECTION

(c) Conflicts with Bargaining Unit Agreements. Any terms or conditions contained in: (i) an agreement negotiated between the City and a recognized bargaining unit, (ii) an applicable ordinance or resolution; or (iii) the Topeka Municipal Code shall control in the event of a conflict with specific terms or conditions contained in the Personnel Manual. Furthermore, no salary increases granted by the City pay plan shall be or become effective for any employees covered by such an existing labor agreement or for any employees subject to or involved in labor negotiations during the term of such agreement or negotiations, unless specifically provided in a labor agreement. **Personnel Code Article II, Section 1, second sentence -- Also in Section 1.4 of Personnel Manual**

NEW TMC SUBSECTION

(d) Deviations. The City Manager and the Director of Human Resources may permit deviations from the provisions contained in the Personnel Manual; provided however, that any approved deviation must be in writing and executed by the City Manager and the Director of Human Resources. **Personnel Code Article I, Section 3 C**

NEW TMC SUBSECTION

(e) Standard Operating Procedures. In addition to the provisions contained in the Personnel Manual, a department director shall have the authority to issue written rules and regulations concerning personnel matters in order to govern situations that are unique to the particular department; provided, however, that the department adheres to the same process for amending the Personnel Manual. For disciplinary and termination purposes, a violation of departmental rules and/or regulations shall be considered the same as a violation of the Personnel Manual. **Personnel Code Article I, Section 4 -- Also in Section 1.6 of Personnel Manual**

NEW TMC SUBSECTION

(f) Compliance. Any person who knowingly violates or conspires to violate the provisions of this Title 2 or the Personnel Manual may be disciplined consistent with the nature and extent of the violation. **Personnel Code Article II, Section 4 -- Also in Section 14.1 of Personnel Manual**

2.110.040 Personnel Records. *NEW TMC SECTION*

(a) Annual Accounting of Personnel. Each year, in conjunction with the budget process, the Director of Administrative and Financial Services and the Director of Human Resources shall ensure that the number of personnel and corresponding compensation accurately reflects the information contained in the adopted budget. This statement shall be in a format determined by the Director of Human Resources. **Personnel Code Article I, Section 5 A**

(b) Payroll Records. The Administrative and Financial Services Department shall be required to keep adequate records of all persons employed, with a corresponding pay scale, time worked and accrued leave. **Personnel Code Article I, Section 5 B**

(c) Authorized Employees. The number of employees in a department shall generally be limited to the number of authorized employees within each departmental budget. Variances shall be approved by the City Manager. **Personnel Code Article I, Section 5 C**

2.110.050 Protective Insurance Required.

The City shall provide insurance to protect the City from losses caused by employee neglect of duty or malfeasance. **Former 2.25.040**

2.110.060 Approval of Employment Agreements.

Approval by the Governing Body shall be required prior to the City Manager signing any employment contract that does not follow the Human Resources Department's process for recruitment and selection. Such contracts shall not be subject to the procurement ordinances, Chapter 3.30 TMC. **Former 2.25.060(a)**

2.110.070 Approval of Severance Pay.

(a) Prior Authorization Required. No severance or other payments beyond those authorized by federal, state or local law, or contract, shall be made to a current or former employee without prior authorization by the Governing Body. **Former 2.25.060(b)**

NEW TMC SUBSECTION

(b) Eligibility; Permanent Reduction in Force. Severance pay set forth herein is available only to employees who meet all of the following eligibility requirements: **Personnel Code Article VIII, Section 2 C 1 a-d**

(1) The employee's position has been eliminated pursuant to a reduction in force;

(2) The employee has been employed with the City for one or more continuous years of service;

(3) The employee has not accepted a position with the City or with another governmental entity pursuant to a consolidation agreement;

(4) The employee has not accepted a transfer of employment to an entity that is assuming operational responsibility via contract with the City; and

(5) The employee has executed an agreement and complete release of all claims against the City.

NEW TMC SUBSECTION

(c) Payment.

(1) Eligible employees hired prior to January 1, 2011, shall be eligible to receive severance pay according to the following schedule; provided, however, that in no event shall severance pay exceed one year of salary:

Length of Service	Separation Pay
Zero to Less than One Year	Zero
One Year to Less than Ten Years	One week's salary for each complete year of service, as of the date of separation
Over Ten Years	Two weeks' salary for each complete year of service, as of the date of separation

(2) Eligible employees hired on January 1, 2011 and after, shall be eligible to receive severance pay at the rate of one week of salary for every year of service, pro-rated to the nearest month, but in no case less than four weeks salary and in no case more than twenty-six (26) weeks salary. **Personnel Code Article VIII, Section 2 C 2 a**

(3) Severance pay shall be calculated using the employee's regular base hourly wage and shall not include any premium payments. **Personnel Code Article VIII, Section 2 C 2 b**

(4) The City may elect to make severance payments in equal increments on a pay period basis until such time as the employee receives all severance pay due. In such a case, the payment will amount at least to the base pay of a regular bi-weekly pay period. **Personnel Code Article VIII, Section 2 C 3**

(5) Whether employees can draw both severance pay and unemployment compensation benefits will be dependent upon applicable state law. **Personnel Code Article VIII, Section 2 D 2**

(6) Employees who resign, retire or are terminated for cause shall not be eligible to receive severance pay. **Personnel Code Article VIII, Section 2 E**

Chapter 2.115
"Bargaining Unit Employees"

(Former Chapter 2.25, Article I

2.115.010 Right of Employees to Organize. (Former 2.25.010)

The City hereby elects to come under the provisions of K.S.A. 75-4321 to 75-4335, inclusive.

2.115.020 Approval of Memorandum Agreements in conjunction with the Meet and Confer Process. (Former 2.25.020)

(a) The power and authority of the City to enter into memorandum agreements with City employees represented by a recognized employee organization shall be vested in the Governing Body. Except as otherwise provided in this section, no memorandum of agreement between the City and a recognized employee organization shall be valid unless the agreement is approved by the Governing Body and signed by the City Manager.

(b) The City Manager or designee shall represent the City as head of the negotiating team when collectively bargaining with a recognized employee organization. The City Manager or designee shall negotiate all terms and provisions of a memorandum agreement and may reach a tentative agreement on those terms and provisions with a recognized employee organization.

(c) If a tentative agreement is reached between the City and the recognized employee organization, a memorandum agreement will be prepared within fourteen (14) days and presented to the Governing Body for approval. The Governing Body, as soon as practicable after receiving a report from the Director of Administrative and Financial Services on the fiscal effect the terms of such memorandum agreement will have upon the City, shall consider the memorandum agreement and take appropriate action.

(d) The Governing Body shall take appropriate action to implement the memorandum agreement. If the Governing Body rejects a proposed memorandum agreement, the matter shall be returned to the City negotiating team and the employee organization for further deliberation.

Chapter 2.120
"Civil Service for Police Officers and Firefighters"

(Former Chapter 2.125 – *no substantive revisions*)

Article I. Generally

2.120.010 Scope – Terms of Labor Contract/Collective Bargaining Agreement to take Precedence. (Former section 2.125.010)

All persons employed as civil service personnel of the fire and police departments shall be subject to the rules and compensation policies set forth in this Chapter. When the terms of any collective bargaining agreement between the City and employees governed by this Chapter are inconsistent with the provisions of this Chapter, the terms of the collective bargaining agreement shall take precedence. No salary adjustments provided within an ordinance shall be or become effective for any employees subject to an existing labor contract during the term of such contract or negotiations.

2.120.020 Departmental Regulations. (Former section 2.125.020)

Department Directors may formulate, in writing, reasonable administrative regulations for the conduct of his/her department, which shall be available to all departmental employees. Nothing in this Chapter shall be construed as granting any department authority to adopt regulations in violation of, or in conflict with, personnel regulations.

Article II. Civil Service Commission

2.120.030 Created – Terms – Technical Advisor – Quorum. (Former section 2.125.030)

(a) Terms. A civil service commission is hereby established in the City. The Mayor of the City shall initially appoint five civil service commissioners, who shall hold office for terms of four years. Members shall not serve beyond the end of his/her appointed terms. Upon expiration of a term, the position shall remain vacant until a successor is appointed. To be eligible for appointment as a commissioner, an individual may not be an employee of the city and shall have at least three years of experience in a responsible position requiring knowledge of the legal issues involved in the hiring or disciplining of employees.

(b) Technical Advisor. The City Manager shall designate a representative of the City to serve as a nonvoting member of the civil service commission. This nonvoting member will serve as a technical advisor to the commission.

(c) Quorum. A quorum for conducting business is three voting members.

2.120.040 Oath. (Former section 2.125.040)

Before entering upon the duties of the office, each civil service commissioner appointee shall take and subscribe an oath, which shall be kept in the Human Resources Department, to support the Constitutions of the United States and this state, to obey the laws and to endeavor to secure

and maintain an honest and efficient force, free from partisan influence or control; and to perform the duties of office to the best of his/her ability.

2.120.050 Meetings – Support. (Former section 2.125.050)

(a) The City shall provide suitable rooms in which members of the civil service commission may hold their meetings and shall supply such commission with any equipment, training and documents necessary to properly conduct the duties of the commission.

(b) The City Attorney shall file or defend any lawsuit, action or proceeding on behalf of the civil service commission. The City Attorney shall have direct access to any and all records which, in his/her opinion, are necessary in order to adequately prepare for such lawsuit, action or proceeding. No special counsel shall be retained to represent the commission except by the City Attorney, and such special counsel shall serve solely under the direction of the City Attorney.

2.120.060 Examinations. (Former section 2.125.060)

The civil service commission shall control all examinations. With advice from the Fire Chief, Police Chief, technical advisor and City Attorney, or their respective designees, the commission shall provide uniform rules with respect thereto, and shall hold such examinations as are necessary for the purpose of determining the qualifications and fitness of applicants for positions on the fire and police departments. All such examinations shall be practical and shall fairly test the fitness of applicants to discharge the position to which they seek to be appointed. No questions shall relate to religious faith or party affiliations.

2.120.070 Reports – Rules – Regulations. (Former section 2.125.070)

The civil service commission may make periodic reports to the City Manager or his/her designee, and the City Manager or the City Manager's designee may require special reports from the civil service commission at any time. The civil service commission may prescribe such rules and regulations for the proper conduct of its business as deemed expedient and advisable.

2.120.080 Notification of Vacancies. (Former section 2.125.080)

The Fire Chief or Police Chief, whichever is applicable, shall immediately notify the chairperson of the civil service commission whenever a vacancy exists in his/her department when the vacant position is one that may be filled by appointment only from the applicants examined by the civil service commission.

2.120.090 Certification of Applicants; Eligibility List. (Former section 2.125.090)

The civil service commission shall certify the names and addresses of eligible applicants to the Fire Chief or Police Chief, whichever is applicable, who shall make appointments only from such list so certified. Whenever the eligible list of the civil service commission contains fewer than double the number of applicants to fill the vacancy or vacancies existing, the Human Resources Department shall advertise for applicants and the examination procedure shall commence as soon as practical thereafter. The civil service commission shall document why a candidate is, or is not, certified. What documentation required will be decided by the City Attorney and the technical advisor appointed by the City Manager. The Director of Human Resources shall provide whatever support is appropriate to provide such documentation.

2.120.100 Equal Opportunity. (Former section 2.125.100)

No applicant or employee shall be discriminated against based on his/her age, color, disability, familial status, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran status or any other factor protected by law; except as may be otherwise provided by law.

2.120.110 Striking Applicants from List. (Former section 2.125.110)

The civil service commission may strike from the eligible list the names of all applicants after they have remained thereon for more than one year and have failed to be appointed.

2.120.120 Removal from Employment. (Former section 2.125.120)

All employees, other than probationary employees subject to civil service examination, may be removed from office or employment only upon charges preferred in writing for misconduct or failure to perform their duties; provided, however, that, pending the hearing of such charges, the respective Department Director may suspend with pay any such officer. All such charges shall be heard by the civil service commission after a copy of the charges has been transmitted to the employee against whom filed and due opportunity has been provided to him/her to defend. The civil service commission shall, after hearing the evidence, either revoke, affirm or modify the order appealed from, and their action shall be final.

2.120.130 Hearing Powers. (Former section 2.125.130)

The civil service commissioners shall have the power to require by subpoena the attendance of witnesses and the production of books and papers, and the power to administer oaths.

2.120.140 New Applicants for Police and Fire Positions to Submit to Exam. (Former section 2.125.140)

All new applicants for positions in the fire and police departments shall be required to submit to a civil service examination for position of police officer or firefighter.

2.120.150 Probationary Period for Police. (Former section 2.125.150)

(a) Length. All appointments, other than the Police Chief, shall be for a probationary period of 18 months; provided, however, the probationary period for promotions shall be 12 months.

(b) Employment Status. If during such probationary period the conduct or capacity of the probationer is not satisfactory, then, and in that event, the Police Chief shall forthwith notify the employee and the Director of Human Resources, in writing, that he/she will not receive permanent appointment; in the absence of such notice, such probationer shall forthwith receive permanent appointment at the expiration of his/her probationary period.

2.120.160 When Employee does not Receive Permanent Appointment. (Former section 2.125.160)

In the case of a patrol officer not receiving permanent appointment, employment shall cease immediately. In all other cases of employees not receiving permanent appointment, such employee may resume his/her former position and pay scale.

Article III. Classification and Pay Plan

2.120.170 Rate of Pay – Determined by Position. (Former section 2.125.170)

All civil service employees of the fire and police departments shall be paid at the rates prescribed for the position in which they are employed.

2.120.180 Rate of Pay – Salary Increases and Decreases. (Former section 2.125.180)

(a) The promotion of an employee to a class with a higher salary range shall include an increase in salary to at least the minimum for the new classification.

(b) If an employee is reclassified or demoted to a lower classification, the salary may be lowered; but in no event shall it be fixed at an amount greater than the employee was earning immediately prior to reclassification or demotion.

(c) All salary increases or decreases given for promotions or demotions, either voluntary or involuntary, shall be given in accordance with the personnel provisions promulgated by the Director of Human Resources to effectuate the provisions of the City Personnel Manual, or as otherwise provided for in a labor agreement.

2.120.190 Effective Date of Salary Increase. (Former section 2.125.190)

All salary increases and paydays shall be effective on a date specified in personnel provisions promulgated by the Director of Human Resources, or as otherwise provided for in a labor agreement.

2.120.200 Hours of Work. (Former section 2.125.210)

All employees of the fire and police departments shall work a basic schedule, which shall comply with all provisions of the Fair Labor Standards Act and as the Fire Chief or Police Chief designates.

2.120.210 Notice of Termination. (Former section 2.125.220)

(a) An employee who terminates his/her employment voluntarily shall give a minimum of two weeks' notice to his/her immediate supervisor or Department Director, unless a shorter period of notice is approved by the Department Director.

(b) An employee who is removed without cause shall be entitled to at least two weeks' notice. The City may elect to grant two weeks' pay in lieu of such notice.

2.120.220 Pay on Termination. (Former section 2.125.230)

Any employee who is terminated or who voluntarily resigns shall receive their earned wages not later than the next regular payday upon which they would have been paid if still employed.

2.120.230 Effect of Reemployment within 120 Days. (Former section 2.125.240)

If an employee who has been terminated in good standing is reemployed within a period of 120 days, he/she may be reinstated at not more than the salary he/she was receiving at the time of his/her termination; and he/she shall receive credit for all unused sick leave accrued at the time of termination.

Article IV. Grievances

2.120.240 Defined. (Former section 2.125.250)

A "grievance" is a complaint by a permanent employee alleging a misinterpretation or misapplication of a practice or policy under the personnel provisions set out in this chapter or applicable provisions of the Personnel Manual or rules and regulations of the Human Resources Department that has a detrimental effect upon the employee. The departmental policies, rights and prerogatives of management inherent by virtue of law cannot be the subject of a grievance.

2.120.250 Conference with Supervisor. (Former section 2.125.260)

Any employee who has a grievance shall confer with the employee's supervisor within five working days of the incident causing the grievance.

2.120.260 Appeal from Supervisor's Determination. (Former section 2.125.270)

(a) If the grievance is not resolved, the employee may file an appeal in writing with an appeal officer, which shall be the bureau or division commander if the bureau or division commander is a higher rank than the employee's supervisor, or to the management person to whom the employee's supervisor reports if the employee's supervisor is the bureau or division commander or higher rank. Such appeal shall be filed in writing with the appeal officer under this subsection within 10 calendar days following the meeting with the supervisor. The appeal officer to whom the appeal is addressed shall provide an opportunity for an oral presentation within five days of the grievance being forwarded to such person and shall render a written decision within five days following the date of the hearing.

(b) If a grievance is not resolved, the employee may file an appeal in writing to the Fire Chief or Police Chief, whichever is applicable. Such appeal shall be filed within 30 calendar days following the receipt of the decision under subsection (a) of this section.

2.120.270 Contents of Appeal. (Former section 2.125.280)

Each appeal under TMC 2.120.270 shall contain the following:

(a) A brief and concise statement of the facts surrounding the complaint.

(b) The ordinance, regulation or policy the employee feels has been violated.

(c) The date of the incident causing the grievance and the date the employee conferred with the supervisor.

(d) A list of persons the employee intends to call as witnesses.

(e) A list of any documents or written evidence the employee intends to use to substantiate the grievance.

(f) The remedial action requested by the employee.

2.120.280 Determination of Appeals. (Former section 2.125.290)

(a) Response by the Chief. The Chief shall respond to the grievant within ten calendar days of the filing of appeal, stating his/her determination in the matter.

(b) Appeal from Determination by the Chief.

(1) In cases of suspension or in cases of termination, an aggrieved employee shall be granted ten calendar days from receipt of the decision of the Chief to file an appeal of the Chief's determination with either the Human Resources Department or civil service commission, but not both. In cases of lesser disciplinary action or cases involving an interpretation of personnel provisions, an aggrieved employee shall be granted ten calendar days from receipt of the response of the chief to file an appeal with the Human Resources Department.

(i) Upon receiving a grievance, the Director of Human Resources or the civil service commission, whichever is applicable, shall meet within 10 working days to consider the grievance and shall give not less than three working days' notice in writing to the grievant and all interested parties of the time and place of such meeting.

(ii) If the grievance arises from an interpretation of rules and regulations, or if the grievance concerns a disciplinary action less severe than a suspension, the Director of Human Resources shall investigate and shall issue a ruling concerning the matter within 15 calendar days of receipt of the grievance.

(2) If the aggrieved employee does not consider that the ruling from the Director of Human Resources satisfactorily resolves the matter, the employee shall be granted five calendar days from receipt of the ruling from the Director of Human Resources in which to file a notice of intent to arbitrate with the Human Resources Department; after which the Director of Human Resources shall request a listing of five arbitrators from the Federal Mediation Service from which the parties shall select an arbitrator utilizing the alternative striking method. Fees and expenses for the arbitrator's services shall be borne equally by the parties, except that the City shall pay for all fees and expenses for the arbitrator's services if the grievance involves a disciplinary action.

(3) Hearings before an arbitrator or the civil service commission shall comply with the following rules:

(i) Hearings shall be closed to the public at the request of any party to that grievance. Transcribing costs of the hearing, if any, shall be paid by the party requesting the

transcript. City costs of recording and transcribing shall be paid from a non-departmental appropriation in the general operating fund for such purpose.

(ii) The arbitrator or the civil service commission, whichever applies, shall submit its findings to the employee and Department Director within 30 working days after the hearing, and its recommendations shall be binding.

Article V. Compulsory Physical Examinations

2.120.290 Request for Examination. (Former section 2.125.300)

(a) Written Request of Chief. Any employee of the fire or police department shall submit to a physical examination to test the employee's ability to perform his/her duties upon the written request of the chief of the department when there is reason to believe that a medical problem may exist which might limit the employee's ability to perform the employee's duties. Such written request shall specify the time and place of such physical examination.

(b) City Medical Advisor to Select Examining Physician. The physical examination shall be conducted by a physician selected by the City Medical Advisor.

(c) Cost Paid by City. The cost of the physical examination requested pursuant to this Article V shall be paid by the City.

(d) Periodic Physicals. Nothing in this section may be construed as limiting the right of the Fire Chief or Police Chief to mandate periodic physicals for all sworn personnel.

2.120.300 Report of Examining Physician. (Former section 2.125.310)

The report by the physician shall be immediately forwarded to a physician appointed by the Director of Human Resources, who shall be designated for the purposes of this chapter as the City Medical Advisor. If the City Medical Advisor determines that such employee is physically disqualified from properly performing the duties of a firefighter or police officer, and if reasonable accommodations cannot be provided, he/she shall be retired from service at the end of the month in which such determination is made by the City Medical Advisor, if permitted under applicable pension plan, or terminated.

2.120.310 Request for Reexamination. (Former section 2.125.320)

Any employee found to be physically disqualified from properly performing the duties as a firefighter or police officer shall have the right to reexamination by written request directed to the chief of the department. The written request for a reexamination shall be delivered to the chief of the department within 10 calendar days from the date the employee is notified of the finding of physical disqualification.

2.120.320 Reexamination by Three Physicians. (Former section 2.125.330)

The reexamination of an employee under this article shall be made within 20 calendar days from the date of delivery of the notice by the employee to the chief of the department. All costs of the reexamination shall be borne by the City. For the purposes of such reexamination, the employee shall designate one physician, the City Medical Advisor shall designate one physician (who shall

not be the same physician who made the original examination) and the two physicians so designated shall designate a third physician. The employee affected and the City Medical Advisor shall appoint a physician within seven calendar days from the date of delivery of the notice demanding reexamination to the chief of the department.

2.120.330 Report of Reexamining Physicians – Determination of City Medical Advisor. (Former section 2.125.340)

A written report of the reexamination, signed by each of the examining physicians, shall be filed with the City Medical Advisor. If the City Medical Advisor determines that the reexamination confirms the original finding as to physical disqualification, the original order of compulsory retirement shall remain effective. If the City Medical Advisor determines that the reexamination discloses that the employee is capable of properly performing as a firefighter or police officer, the employee shall be retained in the department without loss of time or pay.

2.120.340 Frequency of Examination. (Former section 2.125.350)

No employee of the Fire Department or Police Department shall be subjected to more than one compulsory physical examination in any six-month period by the City Manager, or the Fire Chief or Police Chief, whichever is applicable.

Article VI. Disciplinary Action

2.120.350 Authority of Department Directors. (Former section 2.125.360)

Department Directors shall have authority to discipline employees, up to, and including, termination for the serious, willful or repeated violation of personnel provisions or departmental regulations. Department Directors shall have authority to discipline employees, up to, and including, termination.

Article VII. Personnel Records

2.120.360 Personnel Records to be Maintained. (Former section 2.125.370)

The Human Resources Department shall keep and preserve in a permanent form a full record of all proceedings pertaining to all police and fire employees for the full duration of employment and for a minimum of three years after termination of employment. The Fire Chief and Police Chief shall be responsible for ensuring that these records are forwarded immediately to the Human Resources Department upon their creation.

2.120.370 Annual Performance Evaluation. (Former section 2.125.380)

It shall be the duty and responsibility of the Fire Chief and Police Chief to cause an appraisal of the performance of each member of the department at least once a year by the division chief or immediate supervisor of each member of the department appointed under civil service. The Fire Chief and Police Chief shall endorse on each appraisal his/her personal appraisal of each individual member of the department or any comments pertinent thereto. They shall also see to it that each appraisal is discussed with the employee being appraised, the purpose of these discussions being to constructively develop the appraised employee to improve his/her job performance and potential for advancement.

2.120.380 Evaluation Ratings to be made Part of Personnel Record. (Former section 2.125.390)

The periodic evaluations required by Section 2.120.390 above shall be made a part of the permanent personnel file of each individual member of the department and shall be considered whenever a member of the department is subject to promotion, demotion, dismissal or a major change of assignment.

2.120.390 Inspection. (Former section 2.125.410)

The records kept under this article are subject to the exclusionary provisions of the state Open Records Act (K.S.A. 45-215 et seq.) Therefore, these records shall be given the same level of confidentiality as are all other personnel records maintained by the Human Resources Department.

2.120.400 Violation of Chapter. (Former section 2.125.420)

Any official who shall violate the provisions of this Chapter shall be subject to corrective action, up to, and including, termination.

Chapter 2.125
"Benefits"

Article I. Social Security

2.125.010 Benefits Extended – State Act Incorporated. [Former 2.140.020 and 2.140.030]

(a) The City hereby extends the benefits of Title II of the Federal Social Security Act to the employees of the City in accordance with the provisions of K.S.A. Chapter 40, Article 23 (K.S.A. 40-2301 et seq.) and the following plan of coverage.

(b) The City submits the following plan of coverage to the state Department of Administration, the authorized state agency for approval, and agrees that the provisions of K.S.A. Chapter 40, Article 23 (K.S.A. 40-2301 et seq.) shall be, and are agreed to as, part of such plan.

2.125.020 Services Covered. [Former 2.140.040]

The plan contained in this Article I includes coverage of all services performed by employees of the City, except as specifically excluded by law or the plan of coverage, and includes elected officials of the City.

2.125.030 Contribution by City. [Former 2.140.050]

(a) The City hereby agrees to pay to the Internal Revenue Service (IRS), at such time or times and in such manner as prescribed by the Internal Revenue Code.

(b) Amounts deducted from any remuneration paid to an employee subject to the provisions of this plan shall be remitted to the IRS as prescribed by the Internal Revenue Code.

2.125.040 Sources of City's Contributions. [Former 2.140.060]

The City will pay its contributions required under K.S.A. 40-2305 from the same fund that the wages for which such contribution is made are paid or from any other funds available to it for the purpose. The City may levy a tax, which may be in addition to all other taxes authorized or limited by law, for the purpose of making its contributions under K.S.A. 40-2305(c), which tax together with any other funds available to the City for such purpose shall be sufficient to enable it to make such contributions.

2.125.060 Compliance with Regulations. [Former 2.140.070]

The City agrees that it will comply with such rules and regulations as the Department of Administration may prescribe to carry out the purposes of Section 218 of the Social Security Act, as amended.

2.125.070 Modification of Plan. [Former 2.140.080]

This plan may be modified at the request of the City to include additional groups, or additional services not now included, such modification to be consistent with the provisions of Section 218 of the Social Security Act, as amended, and the State Act.

2.125.080 Effective Date. [Former 2.140.120]

This plan shall be effective as of January 1, 1951.

Article II. Workers Compensation

2.125.100 Workers Compensation – General. (Former 2.140.130)

(a) Employees injured or ill from an occupational disease arising out of and in the course of their employment for the City are eligible to receive workers compensation benefits while they are temporarily totally disabled and still employed as a regular employee of the City, in accordance with the Workers Compensation Act (K.S.A. 44-501 et seq., 44-5a01 et seq.) and rules.

2.125.110 Claims – How Served; Processed; Defended. (Former 2.140.150)

(a) Service. Workers compensation claims shall be served upon the City's Risk Manager in his/her capacity as administrator of the City workers compensation self-insurance fund in the

manner provided for claims against other employers under the Workers Compensation Act (K.S.A. 44-501 et seq., 44-5a01 et seq.)

(b) Investigation. The City's Risk Manager shall investigate or cause to be investigated each claim against the City workers compensation self-insurance fund. For the purposes of such investigations, the Risk Manager is authorized to obtain expert advice regarding the injuries, occupational diseases, disabilities and damages involved in such claims.

(c) Claim Payments. If, based upon such investigation and any other available information, the City's Risk Manager finds that there is no material dispute as to any issue involved in a workers compensation claim, that the claim is valid and that the claim should be settled by agreement, the City Manager may proceed to enter into such an agreement with the claimant, for the City workers compensation self-insurance fund, for any settlement not in excess of $35,000. For any workers compensation settlement amounts in excess of $35,000, the City's Risk Manager shall obtain the approval of the Governing Body, and any settlement made without Governing Body approval shall be invalid. Any such agreement may provide for lump sum settlements subject to approval by the City's Risk Manager and all such workers compensation agreements shall be filed in the office of such Director for approval as provided in K.S.A. 44-527. All other claims for workers compensation against such funds shall be paid in accordance with the Workers Compensation Act (K.S.A. 44-501 et seq., 44-5a01 et seq.) pursuant to awards or orders of the workers compensation director or a court.

(d) Outside Counsel. The City Manager shall be authorized to secure outside counsel to defend any claim against the City workers compensation self-insurance fund.

(e) Funds to be Reserved. The Director of Administrative and Financial Services and the Director of Human Resources shall reserve funds sufficient to meet anticipated expenses for workers compensation claims in accordance with the Workers Compensation Act (K.S.A. 44-501 et seq., 44-5a01 et seq.) and experience data.

Article III. Police Benefit Account

2.125.200 Created. (Former 2.140.300)

(a) There is hereby created in the City treasury a separate accounting unit within the law enforcement special revenue fund to be known as the police benefit account.

(b) Any remaining balance in the police benefit fund as of January 1, 2010, shall be transferred to the law enforcement special reserve fund.

2.125.210 Fees Credited to Fund. (Former 2.140.310)

Fees related to the issuance and service of municipal court warrants shall be collected by municipal court, remitted to the Administrative and Financial Services Department and credited to the police benefit account in the law enforcement special revenue fund.

2.125.220 Purpose. (Former 2.140.320 – first part)

The police benefit account shall be held by the Administrative and Financial Services Department for the purpose of providing relief to a member of the Police Department who has been injured or who has become ill or has otherwise incurred medical expense while he/she is an employee of the department.

2.125.230 Benefits Provided. (Former 2.140.320 – second part)

Providing reimbursement to cover part or all of the medical expenses actually incurred by members of the department related to the purpose set forth in Section 2.125.220.

2.125.240 Payment. (Former 2.140.330)

(a) The extent and proportion to which members of the Police Department shall become eligible for reimbursement of medical expenses actually incurred, shall be determined by the members of the Topeka Police Benefit Fund, as provided for in the bylaws of the Topeka Police Benefit Fund. The eligibility of a particular claimant to receive any of the benefits provided through this article shall be decided by the Board of Trustees of the Topeka Police Benefit Fund.

(b) The Director of Administrative and Financial Services, or his/her designee, is hereby authorized to make payments from the law enforcement special revenue fund only upon receipt of a signed voucher(s) and approval by majority vote of the Board of Trustees of the Topeka Police Benefit Fund and approval by Accounts Payable.

Article IV. Health Insurance

2.125.300 Group Health Insurance Plan and Fund. (Former 2.140.340)

(a) The City hereby recognizes the employees' group health insurance plan (the "plan") to provide or otherwise make available certain health care benefits for its eligible employees and their respective dependent family members and the health insurance fund (the "fund") to provide for the payment of such health care benefits. The City hereby ratifies and confirms the validity of the City's health self-insurance plan (also known as the employees' group health insurance plan) and the health insurance fund in existence immediately prior to the effective date of the ordinance codified in this article.

(b) The City Manager is hereby authorized and directed to administer the plan and the fund in accordance with the terms and conditions of this Article.

2.125.310 Eligibility. (Former 2.140.350)

Except as otherwise provided herein, all benefit-eligible employees, elected officials and retirees of the City, including those employees who retire with KPERS' disability (collectively "eligible employees"), and their respective dependent family members, shall be entitled to participate in the plan in accordance with the terms and conditions set forth in this Article. No person hired by the City to fill any job or position classified as seasonal or temporary shall be entitled or otherwise eligible to participate in the plan regardless of the number of hours any such seasonal

or temporary employee is permitted or required to work during any pay period or combination of pay periods.

2.125.320 Plan Coverage. (Former 2.140.360)

The plan may offer and make available certain "basic health care coverage" and one or more "extended health care coverage" options for medical, vision, dental, prescription drug and other voluntary benefits to each eligible employee and his/her dependent family members.

2.125.330 Retirees. (Former 2.140.370)

(a) Each person vested under the Kansas Public Employees Retirement System, including KP&F, who is employed by the City and who retires or retired from active employment after December 31, 1988, shall be eligible to receive health care benefits coverage under the plan upon written application filed with the Director of Human Resources within 30 days following retirement of the employee. Retirees and their dependent family members who have coverage under the City's group health insurance plan immediately prior to the effective date of the ordinance codified in this article shall remain covered and eligible to continue such coverage under the plan without filing a written application under this section as a condition of retaining or continuing such coverage.

(b) Each retiree who elects to obtain or continue health care benefits coverage hereunder shall be required to contribute premium payments to the plan for the basic or extended coverage elected, including the administrative costs thereof, but such contribution shall not exceed the percentage of the premium cost for other similarly situated employees as specified by state law.

(c) Eligibility for coverage under the plan may cease to be made available upon (1) the retired employee reaching age 65 or becoming eligible for Medicare, (2) the retired employee failing to make required premium payments on a timely basis, or (3) the retired employee becoming covered under a health care benefits plan of another employer.

2.125.340 Contributions. (Former 2.140.380)

Contributions by the City and eligible employees, including elected officials and retirees, for the premium cost of health care benefits coverage under the plan, including the administrative costs thereof, shall be deposited in or credited to the fund as of the date each contribution is made; such contributions to the fund will be made by the City no less frequently than on a monthly basis. Moneys may be paid into or credited to the fund from any source, including transfers from the general fund and/or the operating budget account of any department of the City, which may be lawfully utilized for the provision of group health care benefits, and contributions deposited in or credited to the fund shall not be transferred or otherwise utilized for any other purpose. Interest earned on the investment of contributions or other money paid into or credited to the fund shall be credited to the fund. However, no interest, surplus and/or investment earning credited to the fund shall be utilized to finance any portion of the City's contributions on behalf of eligible employees.

2.125.350 Health Care Advisory Committee. (Former 2.140.390)

The City hereby establishes a health care advisory committee (the "committee") to review the employees' group health insurance plan and the health insurance fund, including an assessment

of operational performance and cost effectiveness, the extent to which the plan and the fund meet the needs of eligible employees, retirees and their dependent family members and any options that may be available to preserve or enhance existing levels of health care coverage while maintaining or reducing its cost to the City, eligible employees and dependent family members.

(a) The committee shall be comprised of the Director of Human Resources, or designee; the Deputy Mayor, or his/her designee of a current councilmember; three members appointed by the City Manager to serve as representatives of management; one member appointed from each of the City's recognized employee organizations to serve as representatives of employee bargaining units; and one non-bargaining unit/non-supervisory employee and one retiree appointed by the City Manager. The committee shall meet on a schedule as determined by the committee but not less than quarterly and no more than once per month unless a majority of the committee votes to call an additional meeting. The committee shall be afforded access, upon request, to plan design options; to any and all documents and information involving performance and/or administration of the plan and the fund, including any contracts or agreements between the City and any person or entity involving the operation and/or administration of the plan and/or the fund; and to any statistical data (historical, actual and projected) regarding benefit claims, and financial data regarding payments and administrative costs or expenses. Individually identifiable medical information and any records protected from disclosure by state or federal law are specifically excluded from the provisions of this subsection.

(b) To the fullest extent practicable, committee meetings shall be held during normal business hours and each member shall be excused from the performance of other duties, for a period of time not to exceed two hours per meeting, in order to attend such meetings unless a longer meeting is scheduled in advance by the Director of Human Resources.

(c) The Director of Human Resources, or designee, shall serve as the chairperson of the committee. The chairperson shall schedule and preside at committee meetings and ensure that each member receives written notice of the date, time and place of any committee meeting at least five calendar days prior to the meeting. The committee may appoint, by majority vote of the members, a vice-chairperson and a recording secretary. The vice-chairperson shall preside at any meeting or part of any meeting during the chairperson's absence and the recording secretary shall prepare minutes of each committee meeting. The appointments referenced herein shall be made so that the Director of Human Resources can schedule the committee's first meeting on or before April 6, 2012.

(d) A simple majority of the members appointed to serve on the committee shall constitute a quorum authorized to conduct scheduled committee business, including the approval of recommendations. Any requirement for action shall be based upon a majority vote. In the event of a tie vote, the City Manager shall cast the tie-breaking vote.

(e) Upon a majority vote of the members and whenever deemed necessary or appropriate, the committee shall be authorized to approve and transmit to the City Manager any recommendation or proposal for change that the committee believes will materially improve the operation, performance and/or administration of the plan and/or the fund on behalf of the City, eligible

employees, retirees and dependent family members. Each year, the committee may submit its recommendations to the City Manager regarding health care coverage.

Chapter 2.130
"Firefighters Relief Association"

2.130.010 Composition. (Former 2.130.010 and 2.130.020)

(a) There is a firefighters relief association composed of all full-time paid members of the fire department.

(b) The firefighters relief association is governed by the Firefighter's Relief Act, K.S.A. 40-1701 et seq.

CITY OF TOPEKA PERSONNEL PROVISIONS

- History / Background
- Comprehensive Review Process
- Policy & Finance (P&F) Committee
- Governing Body Considerations
  - Amend TMC
  - Repeal Personnel Code

HISTORY / BACKGROUND

Personnel Code Article I, Section 1 currently states, in part:

- "The provisions of this chapter effectuate the mandate of City of Topeka Charter Ordinance, Section A2-3, calling for the adoption of a comprehensive personnel system."

Charter Section A2-3 "General Powers" currently states, in part:

- "The city shall have the right and power to make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in this Charter Ordinance."

There is no mention made in Charter Section A2-3 of the "adoption of a comprehensive personnel system."

Question: Where did the language currently contained in Article I, Section 1, of the Personnel Code come from?

- Answer: Charter Ordinance No. 65, adopted in 1984.

What did Charter Ordinance No. 65 do?

- Changed the form of government from "Commission" to "Strong Mayor-Council-Chief Administrative Officer"
- Established a Personnel Code.

  "The council shall adopt and when necessary revise a personnel code providing a comprehensive personnel system for appointive officers and employees. The personnel code may authorize the mayor or personnel director to promulgate regulations dealing with personnel matters."

Question: So what's the problem?

- Answer: Charter Ordinance No. 65 was repealed 15 years ago, in 2004, by Charter Ordinance No. 94.

What did Charter Ordinance No. 94 do?

- Changed the form of government from "Strong Mayor-Council-Chief Administrative Officer" to "Council-Manager"
- Amended the authority granted to the City Manager, Mayor and Governing Body.

Charter Section A2-24(a)(viii) – "The Mayor shall…[h]ave no administrative powers."

Charter Section A2-25(a) – "The council and mayor…shall be vested with all powers of legislation in municipal affairs….It shall have no administrative powers."

Charter Section A2-55 – "The city manager shall have the power and it shall be his or her duty…

- (a)…to administer the affairs of the city.
- (l)…to prescribe such general rules and regulations as he or she may deem necessary or expedient to the general conduct of the administrative departments under his or her jurisdiction."

Charter Section A2-71 – "…All departments or other administrative agencies…shall be administered by the city manager or by a department head or other officer appointed by and responsible to him or her."

- In light of this information, Staff began a comprehensive review of the administrative personnel-related documents almost two years ago.

- Underlying purpose/goal – to identify *administrative* functions and address them in a comprehensive administrative document known as the Personnel Manual.

COMPREHENSIVE REVIEW PROCESS

Documents Reviewed Included:

- Administrative Policies
- Administrative Rules and Regulations (“ARRs”)*
- Personnel Code

*Every administrative policy and ARR was reviewed (almost 60, total)

Updates were processed as follows:

- Department Director Review
- Opportunity for employee input through established “hearing process”
- Email notification to employees - and union leaders - regarding these employee hearings
- Documents signed by City Manager upon finalization
- Follow-up email to employees notifying them where to preview final documents and the effective date
- Final documents posted on the City’s Intranet site for 14-days prior to becoming effective

Personnel Manual

NEW Document: Personnel Manual

- Incorporated all administrative policies, rules and regulations into one document
- Document provides clear references for finding information
- Document provides efficient "One-Stop" resource for all personnel-related provisions



City's Vision, Mission and Value Statements (adopted by Governing Body)

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Reference Table

- E.g. Funeral Leave
  - Section 6.10 (ARR 122)

One document to review for answers to personnel-related matters

CROSS REFERENCE TABLE

[Personnel Manual Section with corresponding Policy and ARRs]

Section 6

Absences and Leave

6.1	Definitions	
6.2	Personal Leave Day	(ARR 112/7-30-18)
6.3	Vacation	(ARR 107/4-15-18)
6.4	Holidays	(ARR 108/9-27-18)
6.5	Sick	(ARR 110/4-15-18)
6.6	Family Medical Leave	(P107/3-28-19)
6.7	Extended Sick Leave	(ARR 109/8-4-18)
6.8	Family Crisis Leave	(ARR 120 and ARR 121
6.9	Shared Leave	(ARR 111/7-30-18)
6.10	Bereavement Leave	(ARR 122/8-14-18)

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1.5 AMENDMENTS TO PERSONNEL MANUAL. 1
1.6 DEPARTMENTAL WORK RULES AND/OR OPERATING PROCEDURES. 2

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2.2 DIVERSE AND INCLUSIVE WORKFORCE. 3
2.3 RECRUITMENT, SELECTION AND APPOINTMENT. 3
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3.8 USE OF CITY POSITION AND RESOURCES. 21
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Personnel Manual Provides for Process Transparency / Employee Input

Section 1.5 Amendment to Personnel Manual states: Any newly-proposed language or proposed revisions to existing language will be developed, reviewed and implemented in accordance with the following process:

- Suggestions for proposed new language or revisions will be presented to the Director of Human Resources for his/her consideration and review.
- The Director of Human Resources shall present proposed language to Department Directors for their collective review and input.
- The Director of Human Resources, or designee, shall conduct an open hearing(s) for the purpose of presenting the proposed new language or revisions to all affected employees for their review and input. Notice of the hearing(s) shall be communicated prior to such hearing(s). Employees may also submit written comments regarding the proposed language to the Director of Human Resources, or designee, on or before the deadline established for the submission of such comments.
- The proposed new language or revisions shall be submitted, reviewed and approved for legal content and form by the City Attorney, or designee, then submitted to the City Manager for his/her review and approval. Following approval, revisions shall be posted prior to implementation.
- The Director of Human Resources, or designee, shall notify affected employees following City Manager approval. An effective date shall be assigned and the information will be posted to the City's intranet site within a reasonable period of time (not to exceed thirty (30) days).

Personnel Code

Following review and implementation of the Personnel Manual, staff reviewed ALL sections of the Personnel Code to ensure each section was covered either in the Personnel Manual or identified as a legislative or policy-related provision.

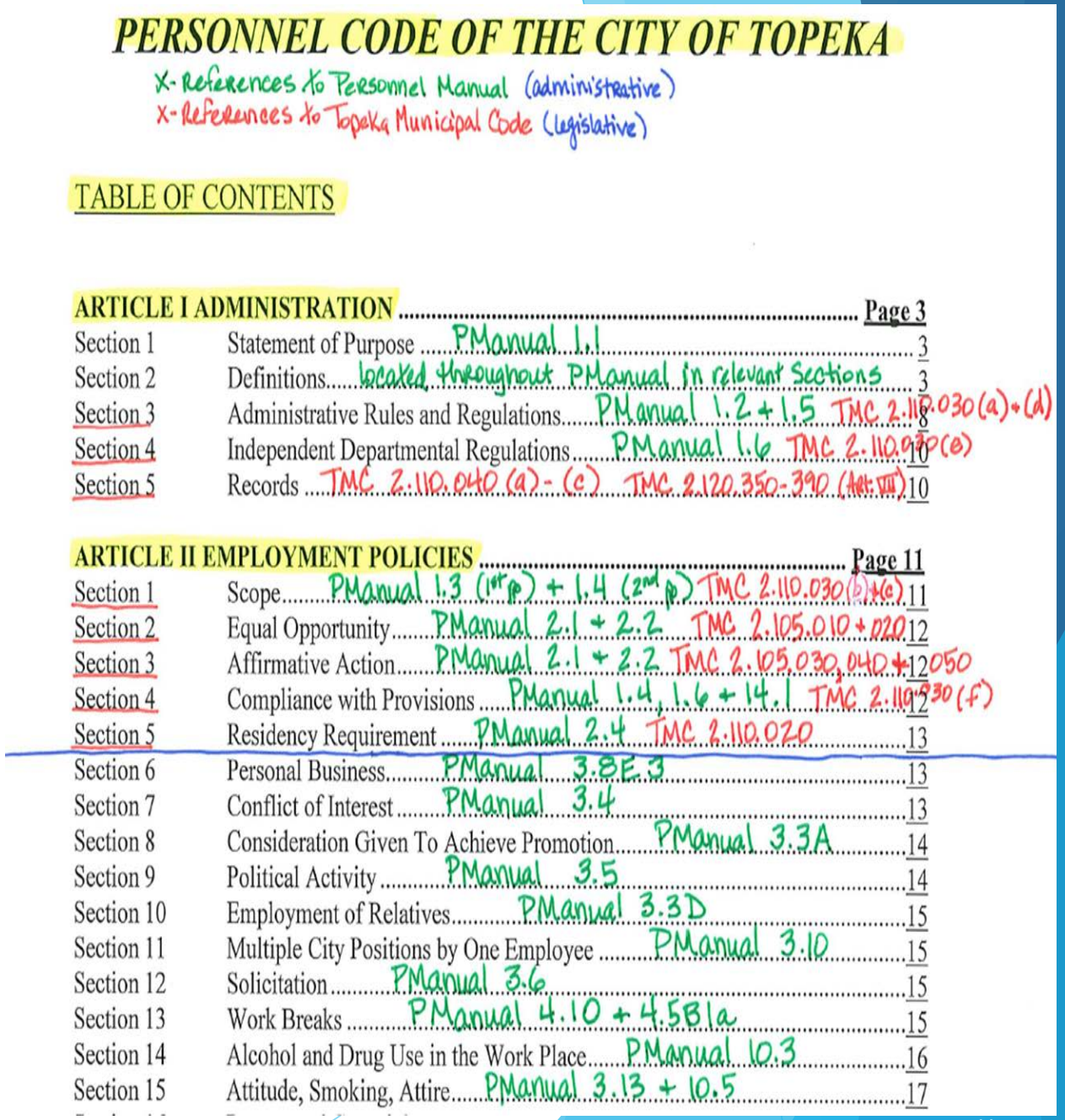
What about those legislative, policy-related provisions contained in the Personnel Code? How should this language be addressed?

- These provisions comprise less than ten percent (10%) of the Personnel Code.
- These provisions would not be suited for inclusion in the Personnel Manual, which is an administrative document.
- These provisions would be better suited for inclusion in the Topeka Municipal Code ("TMC").

Examples of the type of language that should be codified in the TMC include:

- Residency Requirement
- Severance Pay

Upon codification of this language in the TMC, the Personnel Code can be repealed



PERSONNEL CODE OF THE CITY OF TOPEKA

X-References to Personnel Manual (administrative)
X-References to Topeka Municipal Code (legislative)

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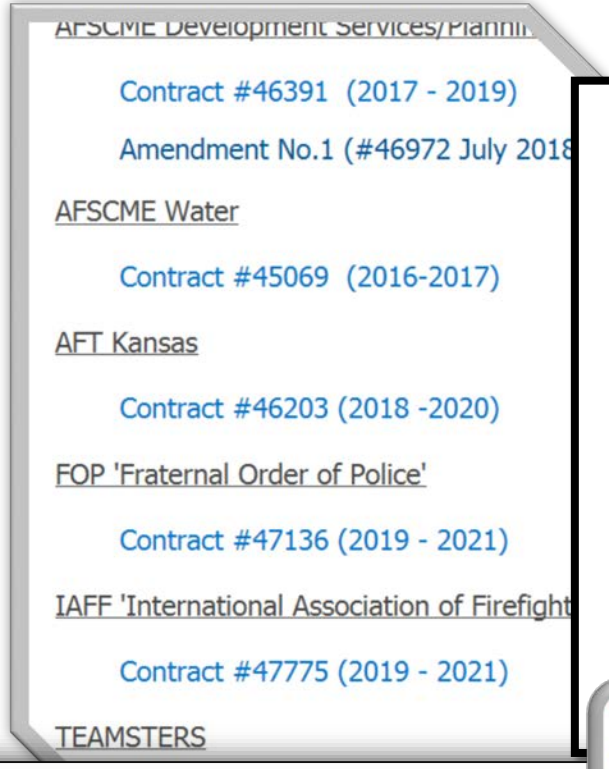
Section 1	Statement of Purpose ..... PManual 1.1	3
Section 2	Definitions ..... located throughout PManual in relevant Sections	3
Section 3	Administrative Rules and Regulations ..... PManual 1.2 + 1.5 TMC 2.110.030 (a) + (d)	8
Section 4	Independent Departmental Regulations ..... PManual 1.6 TMC 2.110.030 (e)	10
Section 5	Records ..... TMC 2.110.040 (a) - (c) TMC 2.120.350-390 (Art. III)	10

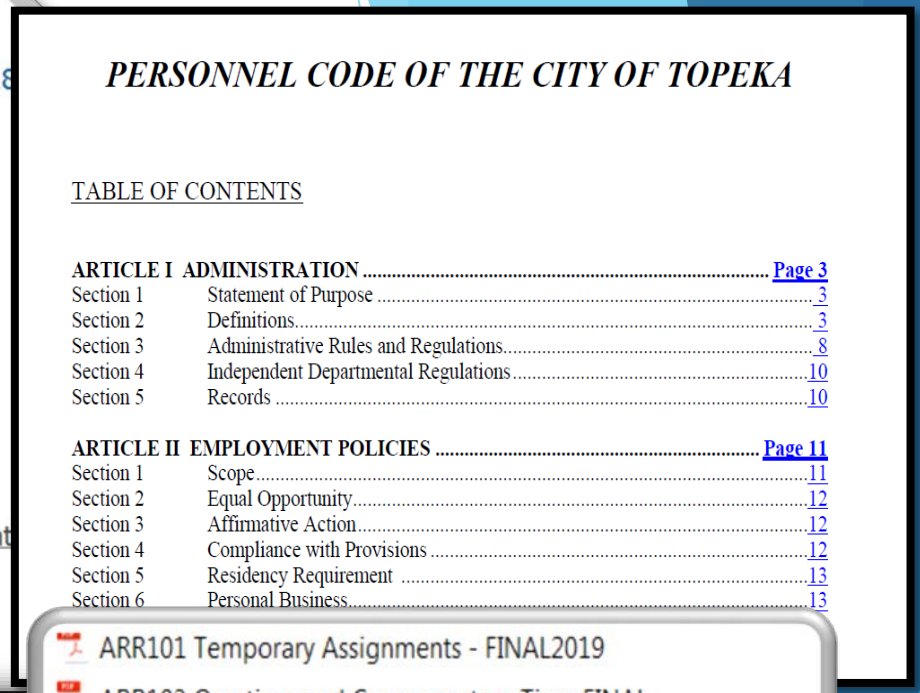
ARTICLE II EMPLOYMENT POLICIES ..... Page 11

Section 1	Scope ..... PManual 1.3 (1st p) + 1.4 (2nd p) TMC 2.110.030 (b) + (c)	11
Section 2	Equal Opportunity ..... PManual 2.1 + 2.2 TMC 2.105.010 + 020	12
Section 3	Affirmative Action ..... PManual 2.1 + 2.2 TMC 2.105.030, 040 + 050	12
Section 4	Compliance with Provisions ..... PManual 1.4, 1.6 + 14.1 TMC 2.110.030 (f)	12
Section 5	Residency Requirement ..... PManual 2.4 TMC 2.110.020	13
Section 6	Personal Business ..... PManual 3.8E.3	13
Section 7	Conflict of Interest ..... PManual 3.4	13
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Section 9	Political Activity ..... PManual 3.5	14
Section 10	Employment of Relatives ..... PManual 3.3D	15
Section 11	Multiple City Positions by One Employee ..... PManual 3.10	15
Section 12	Solicitation ..... PManual 3.6	15
Section 13	Work Breaks ..... PManual 4.10 + 4.5B1a	15
Section 14	Alcohol and Drug Use in the Work Place ..... PManual 10.3	16
Section 15	Attitude, Smoking, Attire ..... PManual 3.13 + 10.5	17

Current Process Review

1. **Labor Contract** (to determine if supersedes)
2. **Topeka Municipal Code**
3. **Personnel Code**
4. **Administrative Policies**
5. **Administrative Rules and Regulations**
6. **Standard Operating Procedures (SOPs)**



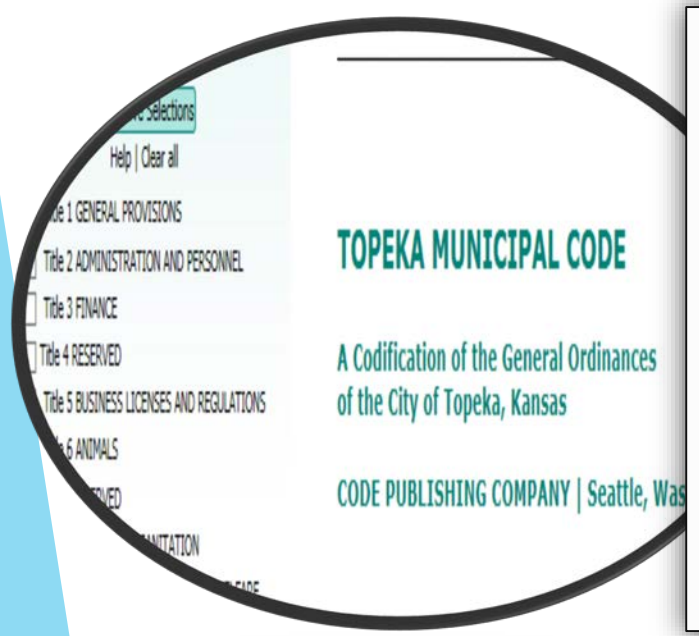


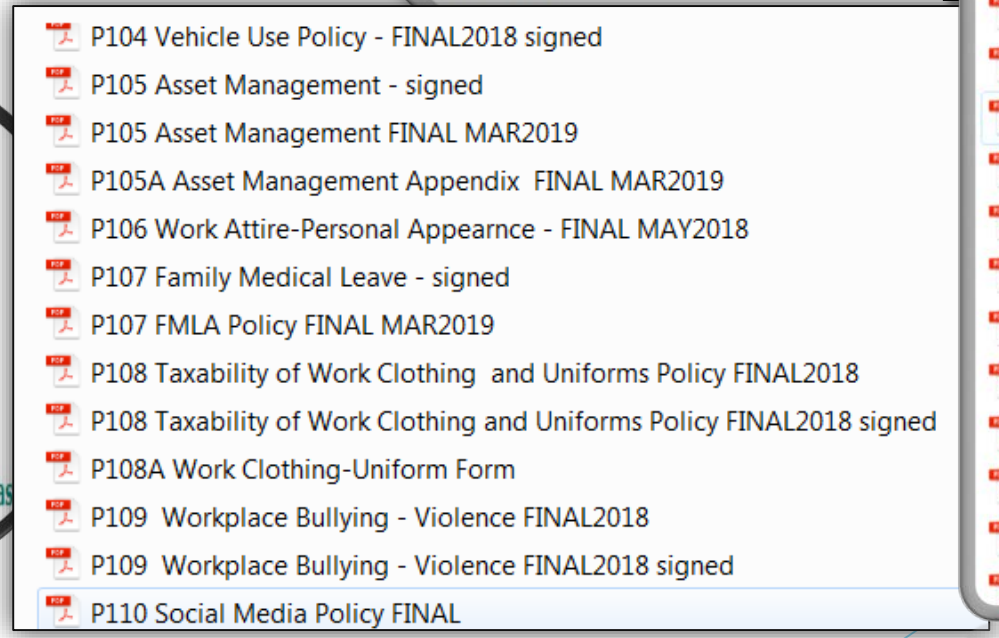
PERSONNEL CODE OF THE CITY OF TOPEKA

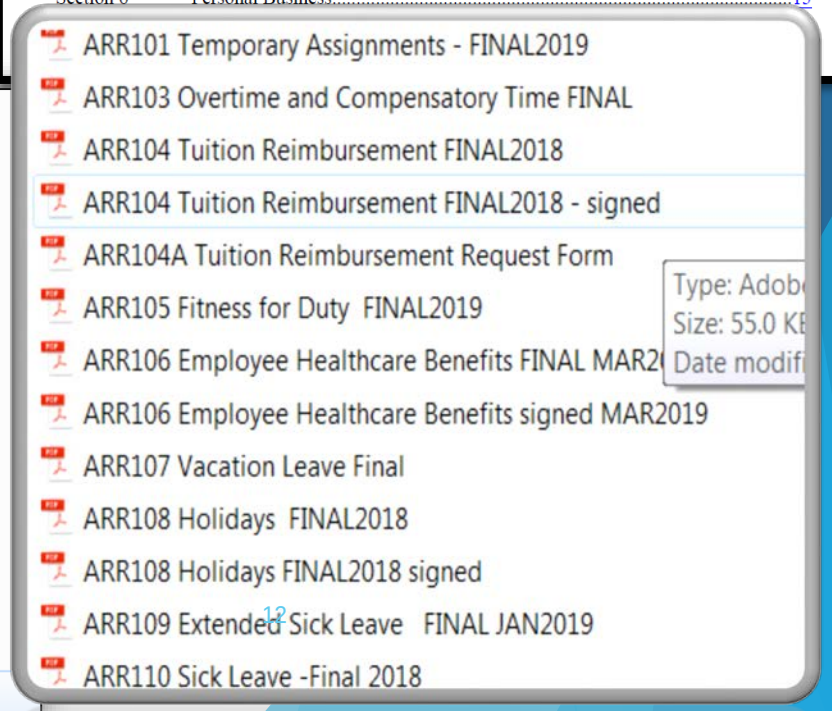
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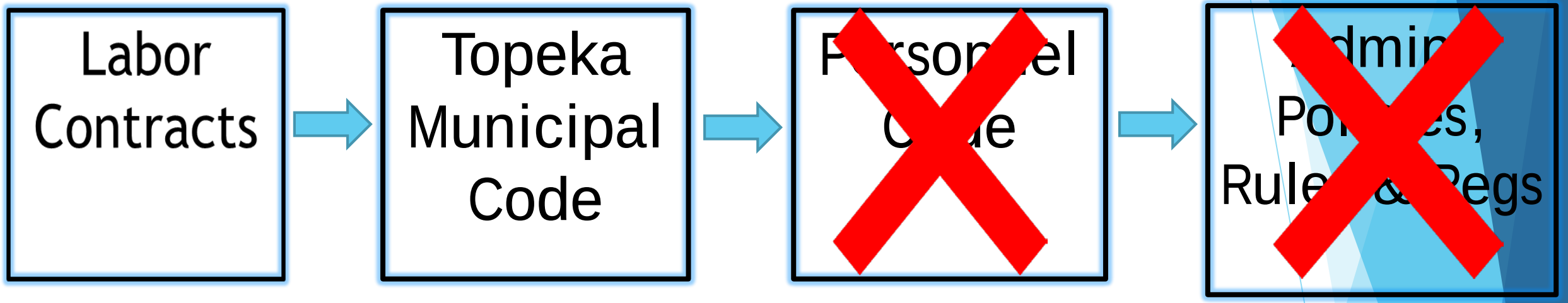
ARTICLE II EMPLOYMENT POLICIES ..... Page 11
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Section 6 Personal Business 13







PROPOSED PROCESS



RESULT: PROCESS EFFICIENCY



Example of Post-Personnel Manual Process



Administrative Process Question –

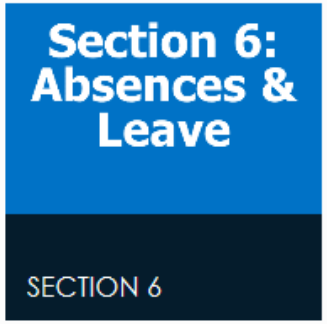
How many days does an employee get for funeral leave?

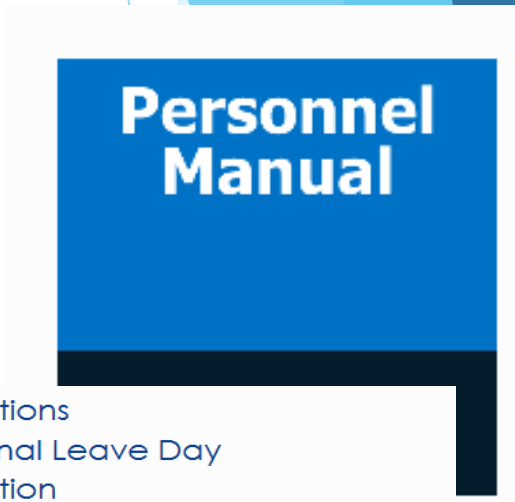
Employee/Supervisor calls HR –
HR Staff must review personnel provisions related to time and process



Review:

- Labor Contract (to determine if supersedes)
- Personnel Manual
  - Absences & Leave

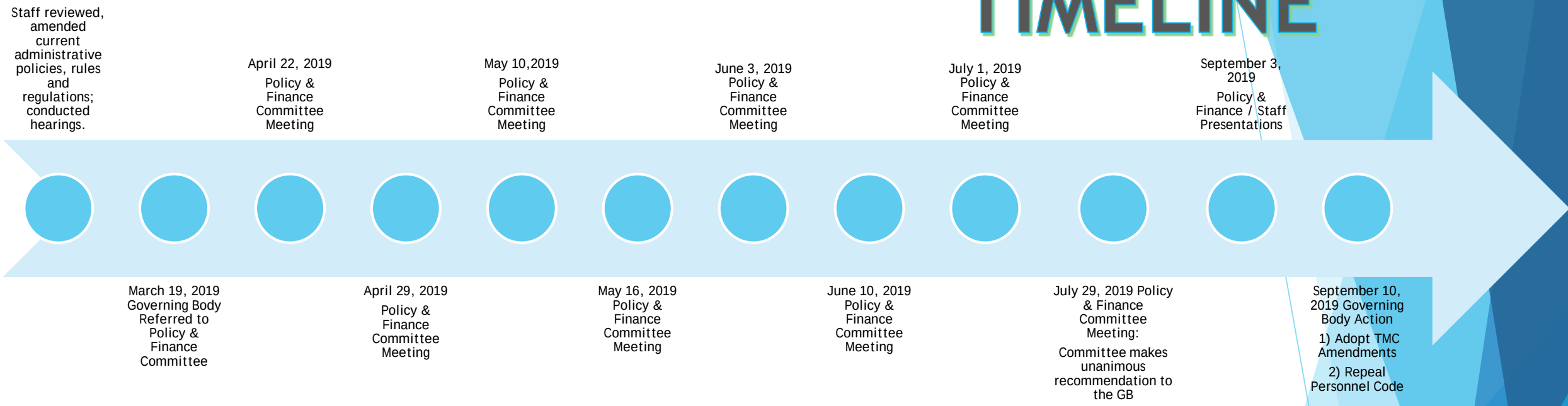






POLICY & FINANCE COMMITTEE

TIMELINE



- Objective: Conduct a comprehensive review of personnel-related provisions contained in the Personnel Code and the Topeka Municipal Code to update, reorganize or repeal such provisions.

- Committee Work: Section-by-section review of TMC Title 2 and Personnel Code during eight meetings; content was evaluated and appropriate placement was discussed.

GOVERNING BODY CONSIDERATIONS

The work of the Policy & Finance Committee whose members voted unanimously (3-0) to recommend:

- Amending the TMC to incorporate legislative, policy-related language from the Personnel Code
- Updating any existing personnel-related language contained in the TMC (specifically Title 2)
- Repealing the Personnel Code

The corresponding Ordinance, which proposes:

- Revising/Updating Chapters 2.25, 2.130, 2.135 (Article I) and 2.140 (Articles II, III, V & V)
- Reviewing Chapter 2.125 (Articles I – VII) following staff discussion with Civil Service Commission
- Repealing Chapter 2.140 (Articles I & IV)
- Repealing Personnel Code

Questions?

Thanks to everyone involved in this process!

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
September 3, 2019

DATE:	**September 3, 2019**	
CONTACT PERSON:	**Molly Hadfield, Media Relations Director**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Graphic Design RPI**	**PROJECT #:**
CATEGORY/SUBCATEGORY	**006 Communication / 005 Other**	
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

AN OVERVIEW of the Graphics Design Rapid Process Improvement Event.

VOTING REQUIREMENTS:

Discussion only. No action required by the Governing Body.

POLICY ISSUE:

Not Applicable

STAFF RECOMMENDATION:

Internal process improvements will be discussed, but no action is required by the Governing Body or requested by staff.

BACKGROUND:

The Graphics Design process for the Communications Division was selected for an RPI Event for the City. The Event kicked off on June 3, 2019, with the following staff involved:

Facilitation Team:
Kelly Baker, City Manager's Office
Mike Hall, Planning and Development Department
Brandon Bayless, Public Works

Team Members:
Taylor Schley, Production Specialist
LaToya Martinez, Community Engagement Coordinator, Neighborhood Relations
Ryan Woolaway, Community Education Manager Utilities

Michele Smith, Manager, Human Resources
Gretchen Koenen, PR Specialist, Topeka Police Department

The work the Team did during the Event week allowed the elimination of 19 steps from the original 34 step process. This elimination of steps will result in an immediate 55.90% increase in efficiency.

All of the improvements will eliminate delays in graphics production time as well as establish a consistent brand for the City. The greatest impact of the Event was the introduction of the Graphics Request Form, which was the solution to a majority of the barriers discussed during the RPI event.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

RPI Summary
Graphic Design Presentation
Brand Design Guide

RAPID PROCESS IMPROVEMENT

01 Based on Lean Enterprise concepts intended to take the waste out of work processes by reducing defects, rework, and non value-added steps in the process.

02 Utilizes a team of people who perform the work on a daily basis, or the subject matter experts, to improve their own processes while meeting a specific mission.

03 A team creates a visual description of how work is performed today using sticky notes. Then they analyze the process and design a new, improved process.

04 Once the team finalizes the new process they then create a standard work playbook and an implementation plan used to share and follow the new process.

05 The team learns how to improve their own processes by learning just what they need to know when they need to know it using "Just in Time Training"

06 Led by the manager or supervisor who has operational accountability for improving the process.

07 Intended to pick the problems considered to be the low hanging fruit. Focuses on low cost/no cost, obvious solutions to problems.

08 People driven process, not a data driven process so it is known to be a significant source of positive organizational culture.

PQS
PRACTICAL QUALITY SERVICES

RPI EVENTS LEAD BY FACILITATORS

- Cross-Functional: Evaluates large parts of value streams
- Intense with significant advanced planning required
- Led by highly trained Facilitators: Often their full-time job for the period of the event
- Continuous event that usually lasts 3-5 days in a row
- Champion is usually selected from the Executive or Department Director level
- Analysis and solutions involve many departments and functions
- Requires a Team Charter
- Facilitators are not decision makers: The Team makes all of the decisions
- Facilitator leads the Planning and event while the Team Leader leads the Implementation

RPI EVENTS LEAD BY MANAGERS (RPIM)

- Focuses only on the area reporting to the Manager: Evaluates small parts of value streams
- Much less planning required due to limited scope of work and the Planning is done between the Manager and the Champion
- Led by the Manager of the area that is being improved
- Events may be broken into smaller pieces over a longer period of time
- Champion is usually at the Department Director or Division Head level
- Analysis is limited to the area reporting to the Manager but may pull in others from outside functional areas for assistance
- Typically requires a Team Charter
- The Manager is a Team Member and participates in the decision making with the Team
- The Manager leads the entire project including serving as a Facilitator and Team Leader

RPI WHEEL



Rapid Process Improvement (RPI)

Graphic Design Request Process

City4 Overview

- The Communications department works with every city department.
- Graphic Design is a small but important piece.

City4 Overview

- Services provided:
  - Graphics
  - Video
  - Broadcast meetings
  - Crisis communication
  - Public relations and media relations
  - Social media
  - Press events
  - Photography





Mission

To create a **standardized** Graphic Design Process.

Process before RPI

Why are you conducting an RPI process on this?

- Issues with people submitting things through different avenues (i.e: CityWorks)
- Lack of communication on graphics details
- Inconsistent branding

RPI Team & Players

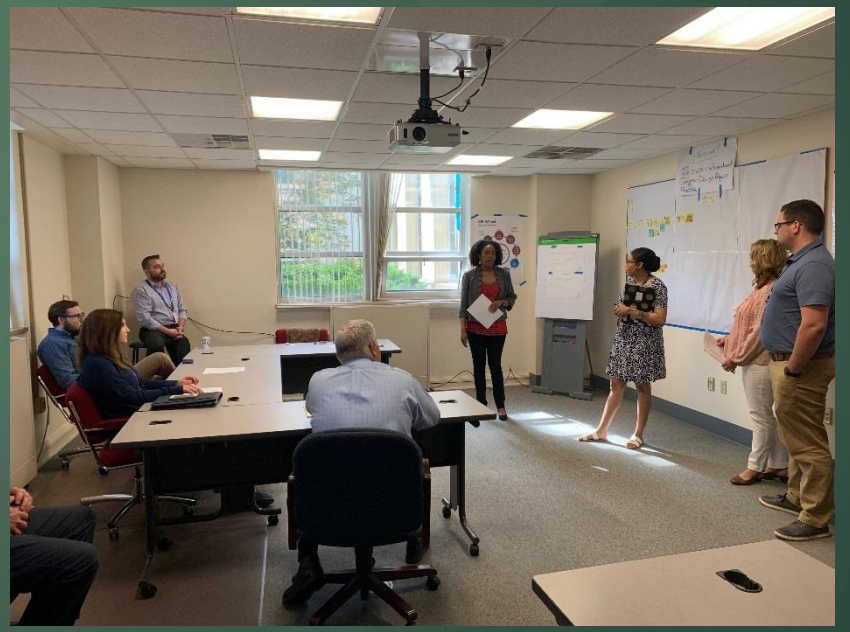


RPI Team

- Taylor Schley, Production Specialist/Team Leader
- LaToya Martinez, Community Engagement Coordinator, Neighborhood Relations
- Ryan Woolaway, Community Education Manager, Utilities
- Gretchen Koenen, PR Specialist, TPD
- Michele Smith, HR Manager

Much Thanks to our Bench Strength & Support Players!!

- Kelly Baker, City Manager's Office - Event Facilitator
- Brandon Bayless, Public Works - Event Facilitator
- Mike Hall, Planning – Event Facilitator
- Sherry Schoonover, IT – Bench Strength
- Erik Blankenship, IT– Bench Strength



Barriers & Solutions

Some examples of barriers & their solutions:

- All information/needs not provided upfront
  - ✓ Graphics Request Form on intranet
- Requester doesn't understand what's needed
  - ✓ FAQ page that provides info on file types/types of graphics
- Requester has no design ideas
  - ✓ Branding and template guides created

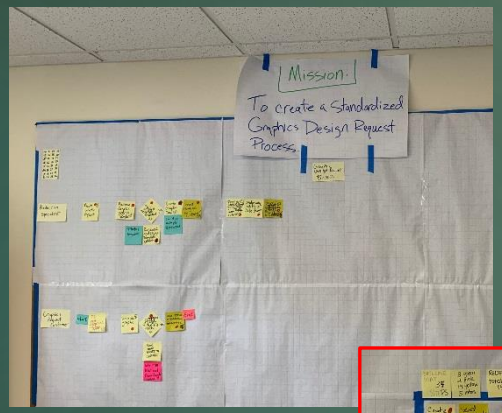
Steps Eliminated

- 34 step original process
- 19 steps eliminated
- 55.90% increase in efficiency

The elimination of steps in the process results in time savings.



Process Map Before



Process Map After



Steps Eliminated

COLOR SCHEME

PRIMARY COLORS

The dark green represents the fertility of the Kaw Valley and corn, an important agricultural product of the region.

GREEN

RGB
51/97/61

CMYK
87/39/100/40

#33613d

The gold reflects the city's nickname, "The Golden City", given by the early settlers because of the beauty of the city's sunlit rolling hills and autumn elms.

GOLD

RGB
243/195/32

CMYK
9/24/95/0

#f3c320

SECONDARY COLORS

GREY

RGB
74/74/74

CMYK
66/59/58/40

#4a4a4a

BLUE

RGB
36/61/129

CMYK
100/89/18/5

#243d81

PRESS RELEASES

CITY OF TOPEKA
City Communications
City Hall, 215 SE 7th Street
Topeka, KS 66603
Tel: 785-368-0991
www.topeka.org

TOPEKA POLICE DEPARTMENT
Bill Cochran, Chief of Police
320 S Kansas Avenue Suite 100
Topeka, KS 66603
Tel: 785-368-9551
www.topeka.org

TOPEKA FIRE DEPARTMENT
Craig Duke, Fire Chief
324 SE Kansas Jefferson Street
Topeka, KS 66607
Tel: 785-368-4000
Fax: 785-368-4030
www.topeka.org

The font used for contact information on press release headers is Century Gothic in the style bold. Body text for press releases should use the font Calibri in size 11.

SAMPLE PRESS RELEASE:

CITY OF TOPEKA
City Communications
City Hall, 215 SE 7th Street
Topeka, KS 66603
Tel: 785-368-0991
www.topeka.org

For Immediate Release

Contact for further information: Molly Hadfield, Director of Media Relations 368-0991, mhadfield@topeka.org

Monday, July 29, 2019

There Seems to be Something More than Sharks in the Water at the Topeka Zoo

TOPEKA, KS – People coming to the Topeka Zoo and Conservation Center to see the new Saving Sharks exhibit may also encounter some new births and hatchlings.

In the early hours of Thursday morning, Esperta, a Golden Lion Tamarin who will turn four years old on August 4, gave birth to twin infants. Golden Lion Tamarins are native to the coastal forests of Brazil and are an endangered species. Kris, the proud father, was transferred to the Topeka Zoo from the Santa Barbara Zoo last year at the recommendation of the Species Survival Plan. The birth of the twins brings the troop size to five. While it is normal for Golden Lion Tamarins to have twins, one of the twins is weaker than the other and is receiving supplemental care from the Zoo's veterinary team. Esperta and the other infant can be viewed at the Golden Lion Tamarin habitat at the Zoo's Tropical Rain Forest.

Early Friday morning, Zoo staff watched as a Grey Crowned Crane chick hatched. Official Zoo records state that the names of the two adult cranes are Mbawa (male, age 38) and Kuanga (female, age 25). To online chatters who watch the giraffe habitat, the pair of cranes is known as Hank and Mrs. Hank. Baby Hank is also the product of a Species Survival Plan recommended pairing. The crane family will move to an off exhibit space for about a month to allow the chick to grow to a safe height before they return to the giraffe habitat.

The crane chick will be available to be viewed by media at 2:30 this afternoon. Please contact Brendan Wiley at 785-506-3797 if interested.

DEPARTMENT LOGOS

NEIGHBORHOOD RELATIONS DEPARTMENT

PLANNING & DEVELOPMENT DEPARTMENT

FINANCIAL SERVICES DEPARTMENT

HUMAN RESOURCES DEPARTMENT

CITY OF TOPEKA MUNICIPAL COURT

PUBLIC WORKS DEPARTMENT

INFORMATION TECHNOLOGY DEPARTMENT

CITY OF TOPEKA UTILITIES

TOPEKA POLICE DEPARTMENT

TOPEKA FIRE DEPARTMENT

SOCIAL MEDIA ELEMENTS

CITY SOCIAL MEDIA HANDLES

- City of Topeka Government
- @CityofTopeka
- @CityofTopeka

CITY SOCIAL MEDIA HEADER



- Profile pictures on social media should be the City seal.
- The City's social media policy can be accessed at: https://www.topeka.org/communications/social-media/; this site also includes a list of authorized City of Topeka social media accounts.

IGTV VIDEO COVER

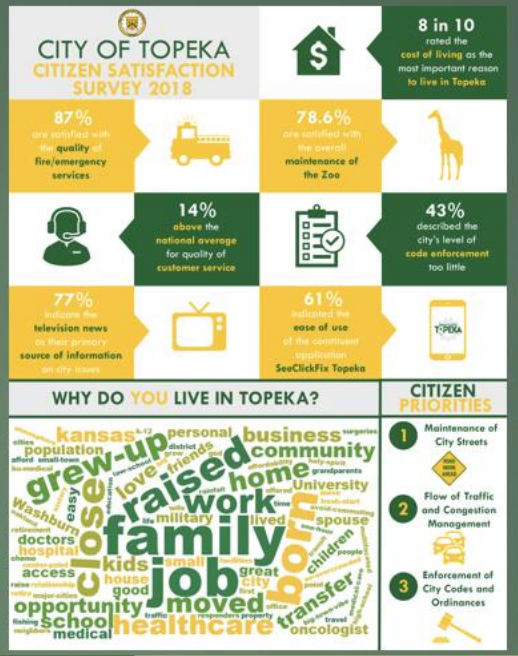


FACE BOOK EVENT HEADER EXAMPLE

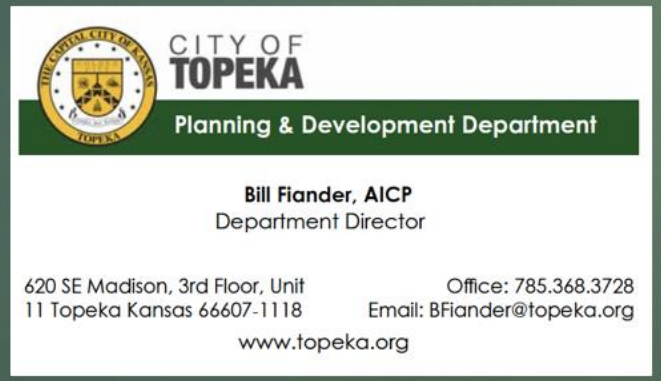


BRAND EXAMPLES











Summary

- ✓Improved communication
- ✓Eliminated delays
- ✓Implemented consistency in branding



CITY OF TOPEKA

BRAND GUIDELINES

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4| Branding Strategy
5| City of Topeka Seal
6| Color Scheme
7| Typography
8| Department Logos
9| Department Color Schemes
10| Sub Brands
11| Press Releases
12| Social Media Elements
13| Brand Examples

3| CITY VALUES STATEMENT

We recognize and value a diverse workforce committed to serving the community. We value and believe in:

- **Collaboration**. We embrace a spirit of teamwork, empowerment, cooperation, communication, and community involvement.
- **Integrity**. We hold ourselves to the highest level of honesty, truthfulness, and ethical conduct.
- **Accountability**. We use public resources responsibly and regularly report on the achievement of stated performance objectives.
- **Professionalism**. We are committed to ensuring the highest level of professional standards.
- **Transparency**. We provide access by the public to timely and reliable information on decisions and performance.

4| BRANDING STRATEGY

It is important that the City of Topeka has a recognizable public identity. Each element distributed to the public should represent our brand.

This branding guide will help the City to:

- Ensure our citizens can easlily identify communications from the City of Topeka
- Present the City in a more modern and professional manner
- Raise awareness of City services and programs
- Have a consistent and cohesive look across all departments

5| CITY SEAL HISTORY

The **gold** on the flag reflects the city's nickname, "The Golden City", given by the early settlers because of the beauty of the city's sunlit rolling hills and autumn elms. The **dark green** represents the fertility of the Kaw Valley and corn, an important agricultural product of the region. The beehive and locomotive drive wheel symbolize industry and the major part the railroads contributed to the region's development. The Kaw hut recalls the original settlers of the land, and the arrow and corn stalk suggest that the Kaw were both hunters and farmers. The capitol dome shows that Topeka is the capital of Kansas. The zigzag design on the chevron symbolizes the first bridge over the Kansas River, a structure that contributed to the city's growth. The nine stars stand for the nine founders of the city.



OTHER SEAL COLOR OPTIONS:







6| COLOR SCHEME

PRIMARY COLORS

The dark green represents the fertility of the Kaw Valley and corn, an important agricultural product of the region.

RGB
51/97/61

CMYK
87/39/100/40

#33613d

The gold reflects the city's nickname, "The Golden City", given by the early settlers because of the beauty of the city's sunlit rolling hills and autumn elms.

RGB
243/195/32

CMYK
9/24/95/0

#f3c320

SECONDARY COLORS

GREY

RGB
74/74/74

CMYK
66/59/58/40

#4a4a4a

BLUE

RGB
36/61/129

CMYK
100/89/18/5

#243d81

7| TYPOGRAPHY

For City department logos, Basic Sans SF is used in both regular and bold style.

BASIC SANS SF

ABCDEFGHIJKLM
NOPQRSTUVWXYZ
abcdefghijklm
nopqrstuvwxyz
1234567890

BASIC SANS SF (BOLD)

ABCDEFGHIJKLM
NOPQRSTUVWXYZ
abcdefghijklm
nopqrstuvwxyz
1234567890

For press releases, Century Gothic is used in the style bold for contact information in the header.

CENTURY GOTHIC

ABCDEFGHIJKLM
NOPQRSTUVWXYZ
abcdefghijklm
nopqrstuvwxyz
1234567890

CENTURY GOTHIC (BOLD)

ABCDEFGHIJKLM
NOPQRSTUVWXYZ
abcdefghijklm
nopqrstuvwxyz
1234567890

Both fonts can be used interchangeably on City graphics.

8| DEPARTMENT LOGOS

NEIGHBORHOOD RELATIONS DEPARTMENT

PLANNING & DEVELOPMENT DEPARTMENT

FINANCIAL SERVICES DEPARTMENT

HUMAN RESOURCES DEPARTMENT

CITY OF TOPEKA MUNICIPAL COURT

PUBLIC WORKS DEPARTMENT

INFORMATION TECHNOLOGY DEPARTMENT

CITY OF TOPEKA UTILITIES

TOPEKA POLICE DEPARTMENT

TOPEKA FIRE DEPARTMENT

9| DEPARTMENT COLOR SCHEMES

CITY OF TOPEKA UTILITIES

BLUE
RGB
36/61/129
CMYK
100/89/18/5
#243d81

LIGHT BLUE
RGB
156/196/255
CMYK
35/15/0/0
#9cc4ff

TOPEKA POLICE DEPARTMENT

BLUE
RGB
0/50/109
CMYK
100/88/30/19
#00326d

TOPEKA FIRE DEPARTMENT

RED
RGB
194/30/21
CMYK
17/99/100/7
#c21e15

GOLD
RGB
243/195/32
CMYK
9/24/95/0
#f3c320

10| SUB BRANDS

The Topeka Zoo underwent a rebrand in 2018. They have their own branding guide that was created by Bajillion Agency. A copy of the Topeka Zoo Brand Guide can be found here:

https://drive.google.com/file/d/1UPqnlucCptvduidhJYIusyWeHRKj10Lz/view?usp=sharing



CITY OF TOPEKA PROGRAM LOGOS:

IMPACT AVENUES

TEAM UP to CLEAN UP TOPEKA

TOPEKA BIKEWAYS MASTER PLAN MTPO

OUT & ABOUT with TROUT

TOPEKA POLICE PROGRAM LOGOS:

SHAWNEE COUNTY CRIME 785-234-0007 STOPPERS

See Topeka
Security Camera Registration and Mapping

TOPEKA FIRE PROGRAM LOGOS:

CAMP COURAGE
Fire Camp for Girls

11| PRESS RELEASES

CITY OF
TOPEKA

City Communications
City Hall, 215 SE 7th Street
Topeka, KS 66603

Tel: 785-368-0991
www.topeka.org

TOPEKA POLICE
DEPARTMENT

Bill Cochran, Chief of Police
320 S Kansas Avenue Suite 100
Topeka, KS 66603

Tel: 785-368-9551
www.topeka.org

TOPEKA FIRE
DEPARTMENT

Craig Duke, Fire Chief
324 SE Kansas Jefferson Street
Topeka, KS 66607

Tel: 785-368-4000
Fax: 785-368-4030
www.topeka.org

The font used for contact information on press release headers is Century Gothic in the style bold. Body text for press releases should use the font Calibri in size 11.

SAMPLE PRESS RELEASE:

CITY OF
TOPEKA

City Communications
City Hall, 215 SE 7th Street
Topeka, KS 66603

Tel: 785-368-0991
www.topeka.org

For Immediate Release

Contact for further information: Molly Hadfield, Director of Media Relations 368-0991, mhadfield@topeka.org

Monday, July 29, 2019

There Seems to be Something More than Sharks in the Water at the Topeka Zoo

TOPEKA, KS – People coming to the Topeka Zoo and Conservation Center to see the new Saving Sharks exhibit may also encounter some new births and hatchlings.

In the early hours of Thursday morning, Esperta, a Golden Lion Tamarin who will turn four years old on August 4, gave birth to twin infants. Golden Lion Tamarins are native to the coastal forests of Brazil and are an endangered species. Kris, the proud father, was transferred to the Topeka Zoo from the Santa Barbara Zoo last year at the recommendation of the Species Survival Plan. The birth of the twins brings the troop size to five. While it is normal for Golden Lion Tamarins to have twins, one of the twins is weaker than the other and is receiving supplemental care from the Zoo's veterinary team. Esperta and the other infant can be viewed at the Golden Lion Tamarin habitat at the Zoo's Tropical Rain Forest.

Early Friday morning, Zoo staff watched as a Grey Crowned Crane chick hatched. Official Zoo records state that the names of the two adult cranes are Mbawa (male, age 38) and Kuanga (female, age 25). To online chatters who watch the giraffe habitat, the pair of cranes is known as Hank and Mrs. Hank. Baby Hank is also the product of a Species Survival Plan recommended pairing. The crane family will move to an off exhibit space for about a month to allow the chick to grow to a safe height before they return to the giraffe habitat.

The crane chick will be available to be viewed by media at 2:30 this afternoon. Please contact Brendan Wiley at 785-506-3797 if interested.

12| SOCIAL MEDIA ELEMENTS

CITY SOCIAL MEDIA HANDLES

- City of Topeka Government
- @CityofTopeka
- @CityofTopeka

CITY SOCIAL MEDIA HEADER



- Profile pictures on social media should be the City seal.
- The City's social media policy can be accessed at: https://www.topeka.org/communications/social-media/; this site also includes a list of authorized City of Topeka social media accounts.

IGTV VIDEO COVER



FACEBOOK EVENT HEADER EXAMPLE



13| BRAND EXAMPLES







