

AGENDA
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall, 4600 W 51st Street
April 15, 2024 6:00 PM

- | | | |
|--|---|--|
| <ul style="list-style-type: none">• Michael Poppa, Mayor• Emily Hage, Council Member• Benjamin Dickens, Council Member• Jan Faidley, Council Member• Jennifer Hill, Council Member | <ul style="list-style-type: none">• Jeffrey Stocks, Council Member• Tom Madigan, Council Member• Kate Raglow, Council Member• Matthew Lero, Council Member | <ul style="list-style-type: none">• Keith Moody, City Administrator• Jennifer Jones-Lacy, Asst. Admin.• Kelley Nielsen, City Clerk• John Morris, Police Chief• Donnie Scharff, Public Works Director |
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Admin

Lero

Faidley

Finance

Stocks

Dickens

Safety

Hage

Hill

Public Works

Raglow

Madigan

Pledge of Allegiance

A. Instructions on Logging into Meeting Remotely

Roll Call

Modification of Agenda

I. Public Comments

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. Comments about items that appear on the agenda will be taken as each item is considered. Citizens Are Requested To Keep Their Comments Under 5 Minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be accommodated within the time available. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.

II. Consent Agenda

Consent agenda items have been studied by the Governing Body and will be acted on in a single motion. If a Council member requests a separate discussion on an item, it can be removed from the consent agenda and placed on new business for further consideration.

A. Appropriations Ordinance #1041

B. City Council Meeting Minutes April 1, 2024

III. **Business From the Floor**

A. **Applications / Presentations**

IV. **Mayor's Report**

V. **Workshop and Committee Reports**

VI. **Reports of City Liaisons**

A. MARC – Bike & Pedestrian (Jan Faidley)

VII. **Unfinished Business**

VIII. **New Business**

- A. Appoint Sarah Martin to the Roeland Park Community Foundation Board
- B. Stormwater BMP Cost Share Agreement with Johnson County (5 Min)
- C. Approve Service Agreement for Plumbing Maintenance
- D. Approve Service Agreement for HVAC Maintenance
- E. Approve Service Agreement for Electrical Maintenance

IX. **Ordinances and Resolutions:**

- A. Ordinance 1051 - Chapter 1 Code Revisions
- B. Ordinance 1052 - Chapter 2 Code Edits

X. **Workshop Items:**

XI. **Reports of City Officials:**

- A. 2024 1st Quarter Police Department Report
- B. 2024 1st Quarter Public Works Report
- C. 2024 1st Quarter Objectives Progress Report
- D. 2024 1st Quarter Strategic Plan Progress Report

Welcome to this meeting of the City Council of Roeland Park. Below are the Procedural Rules of Council

The City Council encourages citizen participation in local governance processes. To that end, and in compliance with the Kansas Open meetings Act (KSA 45-215), you are invited to participate in this meeting. The following rules have been established to facilitate the transaction of business during the meeting. Please take a moment to review these rules before the meeting begins.

- A. **Audience Decorum.** Members of the audience shall not engage in disorderly or boisterous conduct, including but not limited to; the utterance of loud, obnoxious, threatening, or abusive language; clapping; cheering;

whistling; stomping; or any other acts that disrupt, impede, or otherwise render the orderly conduct of the City Council meeting unfeasible. Any member(s) of the audience engaging in such conduct shall, at the discretion of the Mayor (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or removal from that meeting. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.

- B. **Public Comment Request to Speak Form.** The request form's purpose is to have a record for the City Clerk. Members of the public may address the City Council during Public Comments and/or before consideration of any agenda item; however, no person shall address the Council without first being recognized by the Mayor (Chair). Any person wishing to speak, whether during Public Comments or on an agenda item, shall first complete a Public Comment or Request to Speak form and submit this form to the City Clerk before the Mayor (Chair) calls for Public Comments or calls the particular agenda item
1. **Public Comment on Non-Agenda Items.** The Agenda shall provide for public comment about matters that are within the jurisdiction of the City but are not specifically listed on the Agenda. A member of the public who wishes to speak under Public Comments must fill out a Public Comment Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls for Public Comments.
 2. **Public Comment on Agenda Items.** Public comment will be accepted on Agenda items. A member of the public, who wishes to speak on an Agenda item, including items on the Consent Agenda, must fill out a Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls the Agenda item.
- C. **Purpose.** The purpose of addressing the City Council is to communicate formally with the Council regarding matters that relate to Council business or citizen concerns within the subject matter jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the Council.
- D. **Speaker Decorum.** Each person addressing the City Council, shall do so in an orderly, respectful, dignified manner and shall not engage in conduct or language that disturbs, or otherwise impedes the orderly conduct of the Council meeting. Any person, who so disrupts the meeting shall, at the discretion of the Mayor (Chair) or a majority of the Council Members present, be subject to removal from that meeting.

- E. **Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the City Council, each speaker shall limit comments to five minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be accommodated within the time available.
- F. **Speak Only Once.** Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law. No speaker will be allowed to yield part or all of his/her time to another, and no speaker will be credited with time requested but not used by another.
- G. **Addressing the Council.** Comment and testimony are to be directed to the Mayor (Chair). Dialogue between and inquiries from citizens at the lectern and individual Council Members, members of staff, or the seated audience is not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor (Chair). Always speak from the microphone to ensure that all remarks are accurately and properly recorded. Only one speaker should be at the microphone at a time. Speakers are requested to state their full name, address and group affiliation, if any, before delivering any remarks.
- H. Agendas and minutes can be accessed at www.roelandpark.org or by contacting the City Clerk

The City Council welcomes your participation and appreciates your cooperation. If you would like additional information about the City Council or its proceedings, please contact the City Clerk at (913) 722.2600.

Item Number: Pledge of Allegiance- -A.
Committee 4/15/2024
Meeting Date:



City of Roeland Park

Action Item Summary

Date:

Submitted By:

Committee/Department:

Title: **Instructions on Logging into Meeting Remotely**

Item Type:

Recommendation:

See instructions to log in below.

Details:

The City Council Meeting will be held remotely. Below are instructions for joining the meeting by phone, online or both.

Kelley Nielsen is inviting you to a scheduled Zoom meeting.

Topic: City Council and Governing Body Workshop Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://zoom.us/j/97767592270?pwd=VWNXbjNkejIVb0JBaStWMDF5WXpoZz09>

Meeting ID: 977 6759 2270

Passcode: council

One tap mobile

+16699006833,,97767592270# US (San Jose)

+12532158782,,97767592270# US (Tacoma)

Dial by your location

- +1 669 900 6833 US (San Jose)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 929 205 6099 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 312 626 6799 US (Chicago)

Meeting ID: 977 6759 2270

Find your local number: <https://zoom.us/j/97767592270>

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	3/18/2024 - 12:28 PM

Goals/Objectives & Terms

Item Number: Consent Agenda- II.-A.
Committee 4/15/2024
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Appropriations Ordinance #1041**
Item Type:

Recommendation:

Details:

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	4/11/2024 - 11:48 AM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Appropriations Ordinance #1041	Cover Memo

Appropriation Ordinance - 4/15/2024 - #1041

4600 West Fifty-First Street

Roeland Park, Kansas 66205

City Hall (913) 722-2600 – Fax (913) 722-3713

Thursday, April 11, 2024

Appropriation Ordinance - 4/15/2024 - #1041

An Ordinance making Appropriation for the payment of certain claims. Be it ordained by the Governing Body of the City of Roeland Park, Kansas:

Section 1: That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the City Treasury the sum required for each claim.

Section 2: This Ordinance shall take effect and be in force from and after its passage. Passed and approved this April 15, 2024.

Attest:

City Clerk

Mayor

\$ 113,555.33

Appropriation Ordinance - 4/15/2024 - #1041

					Check /EFT			
Vendor	Dept	Acct #	Description	Invoice Description	Date	Amount	Chk #	Check Amount
						Distribution	Check	
Vendor	Dept	Account	Account Description	Reference	Date	Amount	Check #	Amount
AAKC	102	5305.102	Dues, Subscriptions, & Books	3/28/24 Annual M	04/03/24	50.00	76432	50.00
Advance Auto Parts	106	5260.106	Vehicle Maintenance	5128408622050	04/03/24	58.88	76433	58.88
All City Management Services, Inc.	102	5214.102	Other Contracted Services	92296	04/03/24	334.10	76434	334.10
Aramco Inc.	109	5316.109	K9 Expenses	S6360782001	04/10/24	115.16	76468	115.16
Arrow Cleaners & Dyers, Inc.	102	5224.102	Laundry Service	BBAF99	04/10/24	142.10	76469	142.10
Balls Food Stores	101	5267.101	Employee Related Expenses	83941	04/03/24	44.48	76435	44.48
Balls Food Stores	101	5267.101	Employee Related Expenses	83945	04/10/24	34.78	76470	34.78
Black & McDonald	101	5220.101	Street Light Repair & Maintenance	761615660	04/10/24	2,135.66	76471	3,444.66
Black & McDonald	101	5222.101	Traffic Signal Expense	761615660	04/10/24	1,309.00		
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	1085741	04/10/24	72.30	76472	72.30
Kansas City Board of Public Utilities	101	5222.101	Traffic Signal Expense	2834 3/25/24	04/03/24	34.53	76436	34.53
C&G - Justrite Stamps	101	5301.101	Office Supplies	148195	04/03/24	20.00	76437	20.00
Cintas Fire 636525	290	5210.290	Maintenance & Repair Building	F58692305	04/10/24	2,203.34	76473	3,768.34
Cintas Fire 636525	290	5210.290	Maintenance & Repair Building	F58693272	04/10/24	1,565.00		
Civic Plus	101	5266.101	Computer Software	296951	04/03/24	5,315.71	76438	5,315.71
CS Carey Inc.	110	5262.110	Grounds Maintenance	OR3986901	04/10/24	1,540.00	76474	1,990.00
CS Carey Inc.	110	5262.110	Grounds Maintenance	OR3987001	04/10/24	450.00		
Every Energy Solutions, Inc.	101	5214.101	Other Contracted Services	MS008688	04/03/24	996.80	76439	2,076.67
Every Energy Solutions, Inc.	220	5214.220	Other Contracted Services	MS008688	04/03/24	456.87		
Every Energy Solutions, Inc.	290	5214.290	Other Contracted Services	MS008688	04/03/24	623.00		
Farris Wheel Studios, LLC	101	5239.101	Public Art Maintenance	1236	04/10/24	234.00	76475	234.00
Forensic Psychology Associates, Inc.	102	5207.102	Medical Expense & Drug Testing	1794	04/03/24	600.00	76440	600.00
Redacted	101	5273.101	Neighbors Helping Neighbors	963313	04/10/24	750.00	76476	750.00
Gather Media and Communications, LLC	101	5209.101	Professional Services	1190	04/03/24	3,312.50	76441	3,312.50
Frank Gilman	103	5214.103	Other Contracted Services	Recurring Check	04/01/24	1,190.00	76429	1,190.00
Wade Holtkamp	104	5206.104	Travel Expense & Training	3/3-8/24 EXP	04/10/24	1,245.10	76477	1,283.99
Wade Holtkamp	104	5206.104	Travel Expense & Training	3/3-8/24 EXP	04/10/24	38.89		
Hometown Lawn, LLC	106	5214.106	Other Contracted Services	2986	04/03/24	3,160.00	76442	3,160.00
Hometown Lawn, LLC	106	5214.106	Other Contracted Services	3084	04/10/24	2,360.00	76478	2,360.00
Interstate Billing Service, Inc.	106	5211.106	Maintenance & Repair Equipment	3036057926	04/10/24	736.46	76479	736.46
Anna Jacobson	360	5209.360	Professional Services	12	04/03/24	1,425.00	76443	1,425.00
Johnson County Aging & Human Service	101	5212.101	Utility & Rental Assistance	4/9/24 Donation	04/10/24	4,388.00	76480	12,254.79
Johnson County Aging & Human Service	101	5212.101	Utility & Rental Assistance	4/9/24 Donation	04/10/24	7,866.79		
Ka-Comm., Inc.	106	5306.106	Materials	192321	04/10/24	269.52	76481	269.52
Kansas Gas Service	101	5289.101	Natural Gas	1745 3/25/24	04/03/24	813.08	76444	813.08
Kansas Gas Service	220	5289.220	Natural Gas	2518 4/10/24	04/10/24	143.60	76482	143.60
Kansas One-Call System, Inc.	101	5220.101	Street Light Repair & Maintenance	4030459	04/10/24	130.80	76483	130.80
LANtec of Louisiana, LLC	110	5206.110	Travel Expense & Training	31145	04/10/24	430.00	76484	430.00

League of Kansas Municipalities	108	5206.108	Travel Expense & Training	8869	04/10/24	175.00	76485	175.00
The Legal Record	101	5204.101	Legal Printing	L17581	04/03/24	9.98	76445	9.98
Lynda Leonard	101	5230.101	Art Commissioner	Recurring Check	04/01/24	200.00	76430	200.00
Lippert Mechanical Service Corp	290	5210.290	Maintenance & Repair Building	S12115833	04/10/24	1,430.70	76486	1,430.70
Little Government Relations	101	5209.101	Professional Services	4-6/2024 Advocac	04/10/24	2,093.75	76487	2,093.75
Lynn Peavey Company	102	5301.102	Office Supplies	408481	04/10/24	45.50	76488	45.50
Manning NavComp, Inc.	106	5214.106	Other Contracted Services	48703	04/03/24	34.95	76446	69.90
Manning NavComp, Inc.	106	5214.106	Other Contracted Services	49022	04/03/24	34.95		
Mauer Law Firm PC	101	5215.101	City Attorney	3/27/24	04/03/24	12,705.00	76447	12,705.00
Venessa Maxwell-Lopez	103	5209.103	Professional Services	4/5/24 Public De	04/10/24	375.00	76489	375.00
MEI Total Elevator Solutions	101	5210.101	Maintenance & Repair Building	1065299	04/03/24	179.77	76448	179.77
Moss Printing	101	5237.101	Community Events	17765	04/03/24	50.00	76449	126.00
Moss Printing	102	5306.102	Materials	17741	04/03/24	76.00		
Mulch-Smart	300	5470.300	Park Maintenance	20242419	04/10/24	2,010.00	76490	2,010.00
National Business Furniture, LLC	360	5442.360	Building Improvement	ZK228537SAU	04/03/24	1,031.74	76450	1,031.74
Policy Confluence, Inc.	101	5253.101	Public Relations	19618	04/03/24	6,960.00	76451	6,960.00
Redishred Kansas Inc.	102	5214.102	Other Contracted Services	1387723	04/03/24	26.77	76452	53.54
Redishred Kansas Inc.	105	5214.105	Other Contracted Services	1387723	04/03/24	26.77		
Rejis Commission	102	5214.102	Other Contracted Services	527522	04/03/24	238.88	76453	238.88
Ripple Glass, LLC	115	5272.115	Solid Waste Contract	10840	04/03/24	220.00	76454	220.00
SFS Architecture	360	5442.360	Building Improvement	15925	04/10/24	2,568.84	76491	2,568.84
Staples	101	5301.101	Office Supplies	8073671044	04/03/24	7.16	76455	7.16
Strasser True Value	106	5306.106	Materials	451193	04/10/24	38.93	76492	60.75
Strasser True Value	106	5318.106	Tools	451156	04/10/24	21.82		
Strasser True Value	106	5308.106	Clothing & Uniforms	450744	04/03/24	11.63	76456	11.63
James Earl Teuscher Jr.	220	5206.220	Travel Expense & Training	4/10/24	04/10/24	1,400.00	76493	1,400.00
Karen Torline	103	5214.103	Other Contracted Services	Recurring Check	04/01/24	1,445.00	76431	1,445.00
Town & Country Building Services	101	5210.101	Maintenance & Repair Building	165021	04/03/24	745.00	76457	1,220.00
Town & Country Building Services	106	5210.106	Maintenance & Repair Building	165057	04/03/24	475.00		
US BANK	101	5206.101	Travel Expense & Training	Nielsen 4/5/24	04/05/24	240.35	32920	8,089.14
US BANK	102	5206.102	Travel Expense & Training	Morris 4/5/24	04/05/24	250.00		
US BANK	102	5206.102	Travel Expense & Training	Morris 4/5/24	04/05/24	600.00		
US BANK	102	5206.102	Travel Expense & Training	Nielsen 4/5/24	04/05/24	15.25		
US BANK	104	5206.104	Travel Expense & Training	Holtkamo 4/5/24	04/05/24	9.81		
US BANK	104	5206.104	Travel Expense & Training	Holtkamo 4/5/24	04/05/24	15.69		
US BANK	104	5206.104	Travel Expense & Training	Holtkamo 4/5/24	04/05/24	17.33		
US BANK	104	5206.104	Travel Expense & Training	Holtkamo 4/5/24	04/05/24	24.82		
US BANK	104	5206.104	Travel Expense & Training	Holtkamo 4/5/24	04/05/24	22.14		
US BANK	104	5206.104	Travel Expense & Training	Holtkamo 4/5/24	04/05/24	11.81		
US BANK	104	5206.104	Travel Expense & Training	Holtkamo 4/5/24	04/05/24	46.99		
US BANK	104	5206.104	Travel Expense & Training	Holtkamo 4/5/24	04/05/24	18.35		
US BANK	104	5206.104	Travel Expense & Training	Holtkamo 4/5/24	04/05/24	24.97		
US BANK	104	5206.104	Travel Expense & Training	Holtkamo 4/5/24	04/05/24	35.00		
US BANK	104	5206.104	Travel Expense & Training	Holtkamo 4/5/24	04/05/24	325.00		

US BANK	104	5206.104	Travel Expense & Training	Lacey 4/5/24	04/05/24	250.00		
US BANK	105	5206.105	Travel Expense & Training	Lacey 4/5/24	04/05/24	170.00		
US BANK	105	5206.105	Travel Expense & Training	Lacey 4/5/24	04/05/24	25.00		
US BANK	105	5206.105	Travel Expense & Training	Moody 4/5/24	04/05/24	210.00		
US BANK	106	5206.106	Travel Expense & Training	Scharff 4/5/24	04/05/24	500.00		
US BANK	103	5209.103	Professional Services	Nielsen 4/5/24	04/05/24	31.60		
US BANK	103	5209.103	Professional Services	Nielsen 4/5/24	04/05/24	(31.60)		
US BANK	220	5210.220	Maintenance & Repair Building	Long 4/5/24	04/05/24	725.82		
US BANK	106	5214.106	Other Contracted Services	Scharff 4/5/24	04/05/24	135.00		
US BANK	101	5237.101	Community Events	Marshall 4/5/24	04/05/24	350.00		
US BANK	101	5237.101	Community Events	Marshall 4/5/24	04/05/24	39.56		
US BANK	101	5237.101	Community Events	Marshall 4/5/24	04/05/24	65.00		
US BANK	101	5239.101	Public Art Maintenance	Nielsen 4/5/24	04/05/24	36.67		
US BANK	108	5251.108	Mayor Expenses	Nielsen 4/5/24	04/05/24	179.46		
US BANK	102	5260.102	Vehicle Maintenance	Morris 4/5/24	04/05/24	17.60		
US BANK	102	5260.102	Vehicle Maintenance	Morris 4/5/24	04/05/24	22.00		
US BANK	102	5260.102	Vehicle Maintenance	Morris 4/5/24	04/05/24	17.60		
US BANK	102	5260.102	Vehicle Maintenance	Morris 4/5/24	04/05/24	17.60		
US BANK	102	5260.102	Vehicle Maintenance	Morris 4/5/24	04/05/24	17.60		
US BANK	102	5260.102	Vehicle Maintenance	Morris 4/5/24	04/05/24	329.00		
US BANK	102	5260.102	Vehicle Maintenance	Morris 4/5/24	04/05/24	17.60		
US BANK	104	5260.104	Vehicle Maintenance	Holtkamo 4/5/24	04/05/24	5.50		
US BANK	104	5260.104	Vehicle Maintenance	Holtkamo 4/5/24	04/05/24	6.25		
US BANK	102	5266.102	Computer Software	Morris 4/5/24	04/05/24	19.99		
US BANK	101	5267.101	Employee Related Expenses	Nielsen 4/5/24	04/05/24	86.26		
US BANK	101	5305.101	Dues, Subscriptions, & Books	Lacey 4/5/24	04/05/24	45.00		
US BANK	101	5305.101	Dues, Subscriptions, & Books	Lacey 4/5/24	04/05/24	380.00		
US BANK	101	5305.101	Dues, Subscriptions, & Books	Nielsen 4/5/24	04/05/24	175.89		
US BANK	104	5305.104	Dues, Subscriptions, & Books	Lacey 4/5/24	04/05/24	35.00		
US BANK	106	5306.106	Materials	Vandenbos 4/5/24	04/05/24	65.97		
US BANK	360	5315.360	Machinery & Auto Equipment	Morris 4/5/24	04/05/24	899.99		
US BANK	360	5442.360	Building Improvement	Nielsen 4/5/24	04/05/24	10.94		
US BANK	360	5442.360	Building Improvement	Nielsen 4/5/24	04/05/24	120.41		
US BANK	360	5442.360	Building Improvement	Nielsen 4/5/24	04/05/24	127.40		
US BANK	360	5442.360	Building Improvement	Nielsen 4/5/24	04/05/24	10.94		
US BANK	360	5442.360	Building Improvement	Scharff 4/5/24	04/05/24	1,316.58		
USIC Locating Services, LLC	101	5220.101	Street Light Repair & Maintenance	649635	04/03/24	1,388.94	76458	1,388.94
Velocity Electric & Automation, LLC	300	5476.300	Community Center Improvement	1112	04/10/24	1,905.00	76494	1,905.00
Watchmen Security Services, LLC	106	5214.106	Other Contracted Services	87497	04/03/24	80.00	76459	140.00
Watchmen Security Services, LLC	106	5214.106	Other Contracted Services	87498	04/03/24	60.00		
Water District No 1 of Johnson County	101	5287.101	Water	1593 3/8/24	04/10/24	92.87	76495	265.67
Water District No 1 of Johnson County	106	5287.106	Water	1229 3/8/24	04/10/24	43.20		
Water District No 1 of Johnson County	106	5287.106	Water	1391 3/8/24	04/10/24	43.20		
Water District No 1 of Johnson County	106	5287.106	Water	1489 3/8/24	04/10/24	43.20		

Water District No 1 of Johnson County	106	5287.106	Water	1681 3/8/24	04/10/24	43.20		
Watts Up	101	5210.101	Maintenance & Repair Building	INV048328.	04/03/24	93.00	76460	93.00
KPERS	101	2040.101	KPERS Accrued Employee	4/4/24 EFT	04/04/24	2,794.11	EFT	2,794.11
KPERS	101	2040.101	KPERS Accrued Employee	4/4/24 EFT	04/04/24	4,644.38	EFT	4,644.38
KPERS	107	5131.107	KP&F City Contribution	4/4/24 EFT	04/04/24	5.60	EFT	5.60
KP&F	101	2045.101	KP&F Employee Withholding Payable	4/4/24 EFT	04/04/24	2,577.87	EFT	2,577.87
KP&F	101	2045.101	KP&F Employee Withholding Payable	4/4/24 EFT	04/04/24	8,328.50	EFT	8,328.50
Wex Bank	102	5302.102	Motor Fuels & Lubricants	4/5/24 EFT	04/05/24	2,089.53	EFT	2,089.53

113,555.33

Item Number: Consent Agenda- II.-B.
Committee 4/15/2024
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **City Council Meeting Minutes April 1, 2024**
Item Type:

Recommendation:

Details:

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	4/10/2024 - 4:22 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▫ City Council Meeting Minutes April 1, 2024	Cover Memo

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
ROELAND PARK CITY HALL
4600 WEST 51ST STREET, ROELAND PARK, KS 66205
April 1, 2024, 6:00 P.M.

- | | | |
|--|---|---|
| <ul style="list-style-type: none">• Michael Poppa, Mayor• Emily Hage, Council Member• Benjamin Dickens, Council Member• Jan Faidley, Council Member• Jennifer Hill, Council Member | <ul style="list-style-type: none">• Tom Madigan, Council Member• Jeffrey Stocks, Council Member• Matthew Lero, Council Member• Kate Raglow, Council Member | <ul style="list-style-type: none">• Keith Moody, City Administrator• Jennifer Jones-Lacy, Asst. City Admin.• Kelley Nielsen, City Clerk• John Morris, Police Chief• Donnie Scharff, Public Works Director |
|--|---|---|

Admin
Lero
Faidley

Finance
Stocks
Dickens

Safety
Hage
Hill

Public Works
Raglow
Madigan

(Roeland Park Council Meeting Called to Order at 6:03 p.m.)

Pledge of Allegiance

Mayor Poppa called the meeting to order and led everyone in the Pledge of Allegiance.

Roll Call

City Clerk Nielsen called the roll. CMBRS Dickens and Hage were absent. All other Governing Body members were present. Staff present were City Administrator Moody, City Attorney Felzien, Assistant City Administrator/Finance Director Jones-Lacy, Police Chief Morris, Public Works Director Scharff, and City Clerk Nielsen.

Modification of Agenda

There were no modifications to the agenda.

I. Public Comments

Jason Wilson (5006 Mission) Mr. Wilson spoke to the Mission Road 2025 project. After learning of the project, Mr. Wilson encouraged his neighbors to contact the Councilmembers. He stated he is in opposition to the scope of the project, most notably dedicated bike lanes and spoke to the impact this would have on their street. He created a petition that outlined their concerns. It was signed by his neighbors, read into the record, and a copy was filed with the City Clerk.

Jodi Wilson (5006 Mission) Mrs. Wilson said she gave the PowerPoint presentation to her neighbors and encouraged them to reach out to their Councilmembers about losing their on-street parking for dedicated bike lanes. She expressed concerns because of the community meeting and shared comments from her neighbors who all felt as though they were not listened to.

Evelyn Lopez (5054 Mission) Ms. Lopez stated she has a very large family that frequently visits and she is concerned about where they will park should the on-street parking be removed.

Bonnie & Tom Kane (5066 Mission) Mrs. Kane spoke about the parking issue that will be caused by the projected and noted there are other street options for bikes. She said at times Mission Road has a lot of traffic and expressed concern with people backing out of their driveway, traffic from side streets turning onto Mission, and then adding bike lanes makes a dangerous mix for the small street.

Scott Hardesty (4836 Mission) Mr. Hardesty said they currently have been able to co-exist with the bikes on Mission. He said they do have heavy traffic and there is no crosswalk in his area. He also noted that there was a high-speed chase on Mission Road and his children were almost hit while out on bicycles.

Dean Jerome (5000 Mission) Mr. Jerome thanked the Councilmembers and the Mayor for the work they have done on other projects in the City. He expressed his opposition to eliminating on-street parking and is concerned that it will affect property values as potential buyers will have nowhere to park. He said they take pride in the appearance of their neighborhood and adding a slab for additional parking does not fit in.

Avea Mahan (5024 Mission) Ms. Mahan stated she operates a childcare business and taking away the on-street parking will inconvenience the parents as they pick up and drop off their children and did not want to see them having to cross Mission Road with small children as they would have to park on the Westwood side of the street. She said this would also affect her driveway play space as she parks her car on the street to make additional space for the children. The current project plans will affect her business.

Brandon Frey (4916 Mission) said he would receive a driveway expansion with the project but did not consider that fair that others should have to pay for that. Due to speeds in the area, he asked the Governing Body to consider flashing lights for the school zone. He also noted the safety concerns in backing out of a driveway, projects costs, the timeline and length of construction. He also wanted the City to see if there is a compromise they can have with Westwood regarding on-street parking.

Mayor Poppa thanked everyone for speaking up and for their civic engagement. He said he appreciates the people wanting to be involved. For next steps, he suggested that he along with the Councilmembers from Ward 2 and Ward 4 sit down and have more discussion. He does want to listen to them hear more about how they could compromise on this project. He also wanted the residents to know that they have been heard and recognized that sometimes government does not move quickly and for them to remember this is a joint plan with the City of Westwood.

CMBR Hill agreed she would like to see them attend the meeting with the wards together.

CMBR Madigan said he would like to attend the meeting, but Mayor Poppa said they would have quorum at that point. Mr. Madigan said if someone is not available, then he would like to step in.

CMBR Faidley asked about Mission being included on the map. City Manager Moody said it is on page 14. Mayor Poppa added that Mission Road is included in the map but is not included in the list.

CMBR Stocks also encouraged the residents to take up the Mayor on his offer for a meeting.

Mayor Poppa asked that one Councilmember and one resident coordinate the meeting. Ms. Wilson volunteered on behalf of the residents.

II. Consent Agenda

- A. Appropriations Ordinance #1040**
- B. City Council Meeting Minutes March 18, 2024**
- C. Resolution 708 - 2025 to 2029 CARS Project**

MOTION: CMBR HILL MOVED AND CMBR LERO SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (MOTION CARRIED 6-0.)

III. Business from the Floor

A. Proclamations/Applications/Presentations

There was no Business from the Floor.

IV. Mayor's Report

- A. Child Abuse Prevention Month Proclamation**
- B. Earth Day Proclamation**
- C. Arbor Day Proclamation**
- D. AAPI Proclamation**
- E. Fair Housing Month Proclamation**

Mayor Poppa addressed all the proclamations jointly. He said that the AAPI Proclamation will be taken up at the first meeting in May.

Child Abuse Prevention Month and Fair Housing Month are both in April of 2024. Arbor Day was designated as April 1st and Earth Day will be April 22nd.

Mayor Poppa hoped that all residents and constituents would pay attention and get involved.

All Councilmembers signed on to the proclamations.

CMBR Faidley added in reference to Earth Day there will be a city-wide cleanup on April 20th. They will be meeting at 9 a.m. at City Hall, and there is plenty of work to be done.

Mayor Poppa also stated that Roeland Park has been named one of 12 best metro cities to live in *Kansas City Magazine*. He said kudos to the residents and staff for making that happen.

V. Reports of City Liaisons and Committees

No reports were given.

VI. Unfinished Business

- A. Review Chapter 1 of the City Code**

City Attorney Felzien said that after discussions with the League of Kansas Municipalities and other city attorneys he has submitted the best legally defensible language for the oath making the phrase “so help me God” optional.

Mr. Felzien said he also spoke with the Kansas Attorney General regarding a quorum and received confirmation that all committees and subcommittees are subject to the Kansas Open Meetings Act. A quorum is defined as a majority plus one and there is no latitude for change even with subcommittees. Boards that are not affiliated with government can operate without a quorum.

Mr. Felzien said these changes will be split out into two ordinances and will be presented for approval at an upcoming meeting.

CMBR Faidley asked for clarification of the composition of committees. The ordinance language states a committee can have one non-resident member and the others all are to be residents. In the presentation slide it stated the majority of the committee will be residents.

The ordinance language is correct in that there is only one non-resident member. Mayor Poppa added that any committee can have as many non-residents as consultants, but they are non-voting members.

VII. New Business

A. Review Proposed 2025 Solid Waste Assessment

Mayor Poppa said the rate changes are as expected and detailed in the staff report. Staff costs to manage this are not included in the solid waste numbers for 2025. He added that they are also in the last year of a three-year agreement with Ripple for curbside glass collection.

CMBR Madigan said he thought it was a five-year agreement. City Manager Moody said the agreement was for three years.

CMBR Faidley asked about the negotiated GFL rates for 2025/2026 and whether they will be doing this with other cities again. City Manager Moody said he anticipates that will be so. He has already had a meeting with GFL about extending their current contract. GFL is putting together a proposal for them and the indication is that rates will be higher. He said they also indicated they would like to see how the yard waste service is administered. City Manager Moody said that Fairway and Westwood are a part of the agreement, and they are beginning these conversations early.

CMBR Faidley asked if they have any data of reduction in waste tonnage due to their participation in curbside glass recycling. She also asked if that could be used as a negotiating tool because a lot of weight has been taken out.

Mayor Poppa said that aspect can be discussed for the 2026 budget and that staff can get back to CMBR Faidley with the information as they believe it is a significant amount of tonnage of glass recycling that is not going into the landfill.

City Manager Moody said that GFL is aware of the glass waste taken out, but it is difficult to track as the trash collection trucks are used for all three cities.

CMBR Hill said she did research on other cities' trash services and they about \$16 to \$24 a month. She feels like the \$19 a month is a fair cost.

MOTION: CMBR MADIGAN MOVED AND CMBR HILL SECONDED SETTING THE SOLID WASTE ASSESSMENT AT \$241.30 FOR THE 2025 BUDGET. (THE MOTION CARRIED 6-0.)

B. Review Proposed Storm Water Utility Fee

Mayor Poppa said they are still on track with the \$70 single-family residence rate and on target to be able to lower the mill rate by two points at the end of its implementation.

MOTION: CMBR MADIGAN MOVED AND CMBR LERO SECONDED TO APPROVE THE STORM WATER UTILITY FEE OF \$.26/SF OF IMPERVIOUS AREA FOR THE 2025 BUDGET ON PROPERTIES NOT CURRENTLY SUBJECT TO A STORM WATER IMPROVEMENT ASSESSMENT. (THE MOTION CARRIED 6-0.)

C. Special Use Permit Amendment for Daycare at 5015 Buena Vista

Mayor Poppa said the amendment will allow the owner to operate the daycare on the lower level as well. The original SUP was for the main level but because of anticipated capacity needs, they are requesting the ability to use the lower level.

CMBR Hill asked if there was a reason they only applied for the first floor. Ms. Jones-Lacy said the initial request was for the main floor, but now they would like to amend that to be able to expand.

MOTION: CMBR LERO MOVED AND CMBR STOCKS SECONDED TO APPROVE AN AMENDMENT TO THE SPECIAL USE PERMIT FOR THE DAYCARE FACILITY GIOISA MONTESSORI LOCATED AT 5015 BUENA VISTA STREET IN ROELAND PARK TO ALLOW CHILDCARE IN THE BASEMENT OR LOWER LEVEL OF THE FACILITY IN ADDITION TO THE FIRST FLOOR. (THE MOTION CARRIED 5-1 WITH CMBR HILL VOTING NO.)

D. Approve Task Order for 2024 CDBG Project

Public Works Director Scharff presented the proposed task order from Lamp Rynearson for the sidewalk extension from El Monte Street to Delmar noting that it provides a connection point. He also made a correction to the award amount of \$196,000.

CMBR Hill asked if there was any pushback from the residents. Public Works Director Scharff said there has not been, and he was contacted by residents noting that most folks seem receptive, and they have received no opposition.

CMBR Hill asked about the sidewalk being able to meander around some of the larger older trees. Public Works Director Scharff said they may need to remove some trees, but as they go through the design process they will try to avoid as many as possible.

CMBR Faidley asked for confirmation that Delmar does have sidewalks, but El Monte does not. Public Works Director Scharff said that is correct.

CMBR Stocks said he was in the area and noted there are a pretty substantial number of old growth trees. He too was curious how they would be navigating around the mature trees. Public Works Director Scharff assured him they will do everything they can. He added they could also add trees if anything had to be removed.

Mayor Poppa said the designs will come back to Council before anything is done.

CMBR Hill said the sidewalk cuts through back yards is not seen well from the street.

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE DESIGN TASK ORDER WITH LARKIN, LAMP, RYNEARSON FOR THE 2024 EL MONTE STREET TO DELMAR STREET SIDEWALK AT A COST NOT TO EXCEED \$42,000. (THE MOTION CARRIED 6-0.)

VIII. Ordinances and Resolutions

A. Charter Ordinance 40 - Elections for Appointed Governing Body Members

Mayor Poppa said the charter ordinance being proposed is to have the appointment of a councilmember or mayor to last until the next regular City election and not the regularly scheduled general election to help them avoid partisan elections.

CMBR Faidley said she wanted it to be clear that their vote for this ordinance needs a two-third majority vote. It would have to be unanimous since they have two absent Councilmembers. Mr. Felzien said the Mayor would also get to vote on the charter ordinance tonight and one person could vote no.

MOTION: CMBR HILL MOVED AND CMBR STOCKS SECONDED TO APPROVE CHARTER ORDINANCE NO. 40, WHICH REPEALS CHARTER ORDINANCE NO. 38 AND REPLACES IT WITH A NEW CHARTER ORDINANCE WHICH ALLOWS MAYORAL APPOINTMENTS OF COUNCILMEMBERS TO REMAIN IN OFFICE UNTIL THE NEXT REGULARLY SCHEDULED CITY ELECTION. (THE MOTION CARRIED 7-0 WITH THE MAYOR VOTING YES.)

IX. Reports of City Officials

No reports were given.

Adjourn:

MOTION: CMBR MADIGAN MOVED AND CMBR LERO SECONDED TO ADJOURN. (THE MOTION CARRIED 6-0.)

(Roeland Park City Council Meeting Adjourned at 7:01 p.m.)

Kelley Nielsen, City Clerk

Michael Poppa, Mayor

Item Number: Reports of City Liaisons- VI.-A.
Committee 4/15/2024
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/15/2024
Submitted By: Jan Faidley
Committee/Department: Admin
Title: **MARC – Bike & Pedestrian (Jan Faidley)**
Item Type: Report

Recommendation:

For informational purposes only.

Details:

The MARC Bicycle Pedestrian Advisory Committee (BPAC) met for their regularly scheduled meeting on Wednesday, March 13, 2024 at 1:30 PM at MARC offices and virtually.

After a welcome and approval of minutes by Missouri Co-Chair Matt Davis the committee moved to a discussion and eventual approval of the Missouri Unfunded Needs list of projects that focus on bicycle/pedestrian priorities. There is a May deadline to submit the list to the Active Transportation Planning Committee. The list of Unfunded Needs has been developed at the request of the State of Missouri. These projects were prioritized by the committee with the intent that if funds become available the projects will be considered at a future date.

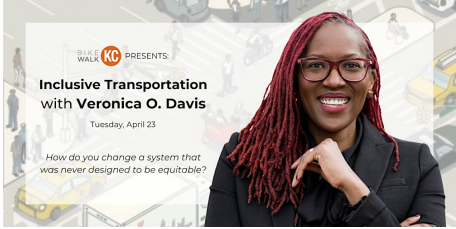
The committee then reviewed the updated Regional Trails & Bikeways Map 2024 print edition which can be viewed here in its digital version: <https://marc-gis.maps.arcgis.com/apps/instant/sidebar/index.html?appid=adfd7dbbf48c4044bdd6e17cba757891>

MARC staff then presented on progress with the Connected KC 2050 update: <https://connectedkc.org/wp-content/uploads/2023/11/CKC2050-Public-Meeting-2025-Update.pdf>

Finally the 2027-2028 sub-allocated funding call for projects was discussed. Roeland Park's City Engineer and PW Director will look at any upcoming projects that may qualify for funding.

Other items discussed in Roundtable updates included Bike Month 2024 which takes place in May and Kansas City, MO's work on Vision Zero. BikeWalkKC policy director Michael Kelley shared an upcoming event with

author Veronica Davis on Inclusive Transportation: <https://www.eventbrite.com/e/inclusive-transportation-with-veronica-o-davis-tickets-814253533237?aff=oddtcreator>



Inclusive Transportation with Veronica O. Davis
Tuesday, April 23
How do you change a system that was never designed to be equitable?

Inclusive Transportation with Veronica O. Davis

A fundraiser for BikeWalkKC featuring Veronica O. Davis, author of *Inclusive Transportation: A Manifesto for Repairing Divided Communities*.

www.eventbrite.com

Kelley also spoke of BikeWalkKC's work for "vulnerable road users" plans in both Kansas and Missouri.

Next meeting of BPAC will May 8, 2024.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	4/11/2024 - 4:13 PM

Goals/Objectives & Terms

Item Number: New Business- VIII.-A.
Committee 4/15/2024
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 5/6/2024
Submitted By: Jennifer Jones-Lacy, Assistant City Administrator/Finance Director
Committee/Department: Admin
Title: **Appoint Sarah Martin to the Roeland Park Community Foundation Board**
Item Type: Other

Recommendation:

Appoint Sarah Martin as the Parks & Trees Committee Representative for the Roeland Park Community Foundation Board.

Details:

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
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- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Jones-Lacy, Jennifer	Approved	3/25/2024 - 11:19 AM

Goals/Objectives & Terms

Item Number: New Business- VIII.-B.
Committee 4/15/2024
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 4/10/2024
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: Stormwater BMP Cost Share Agreement with Johnson County (5 Min)
Item Type: Agreement

Recommendation:

To approve the Stormwater Best Management Practices (BMP) Cost-Share Program Agreement with Johnson County.

Details:

Attached is the agreement with Johnson County for 2024. The County's BMP reimbursement program was initiated in 2011. The program acts as a resource to assist Johnson County residents to use stormwater friendly methods on their property to manage stormwater such as: Rain Barrels, Native Tree Plantings, Rain Gardens, and Pollinator Gardens.

Reimbursements to the residents come from the City, but the City is reimbursed from the County. Roeland Park was approved for \$3,000 for reimbursements in 2024.

<u>Project Type</u>	<u>Project Reimbursement Cap</u>
Rain Barrel	\$75 per barrel, up to two
Native tree planting	\$150 per tree, up to two
Pollinator/Native plant garden	\$1,000
Pre-Approved Rain Garden	\$1,000

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?

- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description: 300 Stormwater Maintenance	

Additional Information

In 2023, 8 residents participated in the cost share program. Items that were planted were native trees, native flowers and the installation of a rain garden. We have seen an increase in the participation in this program in the past few years. This program benefits residents that want to assist with reducing the amount of stormwater runoff in our city.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works	Moody, Keith	Approved	4/10/2024 - 10:16 AM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ 2024 CTR Agreement with Johnson County	Cover Memo

Agreement

For “Contain the Rain” BMP Cost-Share Program

THIS AGREEMENT is entered into by and between the Board of County Commissioners of Johnson County, Kansas, acting through its Public Works Department (hereinafter “the County”) and the City of Roeland Park, Kansas, (hereinafter “the City”) (hereinafter collectively “the Parties”) as of the _____ day of _____, 2024.

Recitals

A. The City and the County cooperate, in general, and have entered into numerous beneficial arrangements in the past for the control of stormwater runoff to reduce the amount of pollutants in local streams, prevent stream bank erosion, and reduce flooding caused by stormwater.

B. The Stormwater Management Advisory Council determined that it is in the best interests of the residents of Johnson County for the County’s Stormwater Management Program to participate in a cost-share program with the City that promotes the use of best management practices including rain barrels, rain gardens, native trees, and native plantings on residential property to reduce stormwater runoff as well as increase public awareness of stormwater-related issues, all as required by federal NPDES stormwater rules and regulations.

C. The City has developed the Contain the Rain Program (“Program”), a BMP cost-share program which allows its residents to seek and receive reimbursement for a portion of costs related to the installation of certain BMPs.

D. The County, with the concurrence of the Stormwater Management Advisory Council, hereby agrees to provide \$6,000 to the City for its Program upon the following terms and conditions:

Agreement

1. **Purpose of Agreement.** The Parties enter into this Agreement for the purpose of providing City residents the opportunity to receive partial reimbursement for implementing certain stormwater best management practices. The Parties acknowledge that residents shall be allowed to apply for funding in accordance with the Program requirements set forth in the attached Exhibit A.
2. **County Contribution.** The County agrees to contribute up to \$6,000 towards the Program. Not more than once each calendar quarter, the City shall submit to the County a statement satisfactory in form and content to the Manager of the Stormwater Management Program detailing the expenditure of funds during the preceding calendar quarter.
3. **Administration of Program.** It is acknowledged and agreed that the City shall enter into all contracts relating to the Program in its own name and not as an agent of the County. The City agrees to be solely responsible for the administration of all other contracts for the Program. Any contract disputes shall be resolved by the City at the City’s sole cost and expense.
4. **Reporting Requirements.** The City agrees to provide a final report, formatted as set forth in the attached Exhibit B, to the County summarizing the projects completed under the Program.

5. **Duration and Expiration of Agreement.** This Agreement shall be effective as of March 18, 2024, and shall expire on January 31, 2025. The Parties acknowledge and agree that any prior agreements on the same subject matter have expired and neither party has any unfilled obligations under that agreement.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed in duplicate by each of the Parties hereto.

City of Roeland Park, Kansas

Johnson County Public Works Department

NAME
TITLE

Brian Pietig
Director of Public Works

Approved as to form:

Approved as to form:

NAME
TITLE

Scott Abbott
Asst. County Counselor

Attest:

NAME
TITLE

Exhibit A

Contain the Rain Program Requirements – 2024

The City encourages individual homeowners and businesses to incorporate Stormwater Best Management Practices (BMPs) on their property to aid in the improvement of local and regional water quality. Additionally, the City encourages planting native plants and trees to support the natural ecosystem and provide food sources for birds and pollinators. The program will reimburse applicants up to 50% of eligible expenses, not to exceed a project reimbursement cap for the proper installation of the following BMPs:

Project Type	Project Reimbursement Cap
Rain Barrel	\$75 per barrel, up to two
Native Tree	\$150 per tree, up to two
Native Plant Garden (must receive runoff)	\$1000
Rain Garden (must have pre-approval)	\$1000

Program Applicant Guidelines

1. All trees and plants must be native to KC Metro area. Cities may provide plant lists to participants for guidance.
2. Trees must not be planted where it will interfere with traffic sight lines or in the right-of-way.
3. Homeowner is responsible for verifying the tree species is appropriate for space. Consult <https://www.arborday.org/trees/righttreeandplace/> for more information.
4. The City is not liable for personal injury or property damage resulting from work related to the project.
5. The funded project must be maintained for a minimum of three years. All maintenance costs are the sole responsibility of the applicant and/or property owner. The City is not responsible for trees or plants that do not survive.
6. The applicant is responsible for obtaining applicable permits, including notifying Kansas One-Call before digging. The Dig Safe phone number is 811.
7. To be reimbursed:
 - a. City will reimburse participant after all costs have been incurred, final receipts submitted and project final approval obtained. Project and costs must be complete in the funding year.
 - b. All reimbursements are on a first-come, first-served basis until funding runs out.
 - c. Applicant is responsible for all project costs.
 - d. All projects and/or installations must be completed with all final documentation submitted by November 30, 2024.
8. For Rain Gardens Only:
 - a. Pre-approval required before work can begin.
 - b. City requires access to property for evaluation of the application prior to the start of project, during installation and after project is complete for final inspection.
 - c. Projects pre-approved for funding carry no implied warranty or guarantee of reimbursement by City.
 - d. Implementation of approved project is sole responsibility of applicant.

Instructions to Apply for Rain Garden Reimbursement

1. Complete pre-approval application. Applicant provides:
 - a. Completed online or paper application
 - b. Description of proposed project and preliminary sketch or design
 - c. Photo(s) of project location on property
 - d. Cost summary and/or contractor's estimate for project
 - e. Contractor's Certificate of Insurance listing City name as additional insured
 - f. Anticipated project schedule and completion date
2. Submit form and supporting documents/photos online or mail to contact below.
3. A site visit will be scheduled by JoCo SMP staff. This initial site visit must be complete before work can begin.
4. After initial site visit, and once pre-approval is issued, project may begin.
5. Contact JoCo SMP staff for final inspection once project is complete.
6. Submit final receipts and photos, if applicable, to JoCo SMP staff for final approval.
7. Approval decision will be issued within five business days of completed final application.
8. Payment of approved projects will be issued within six-eight weeks.

All reimbursements made on a first-come, first-served basis while funding is available. Pre-approval of project does not guarantee reimbursement.

Contact Information:

Lesley Rigney
Johnson County Stormwater Management Program (JoCo SMP)
1800 Old 56 Hwy, Olathe, KS 66061
Lesley.Rigney@jocogov.org
913-715-8316

Exhibit B

Contain the Rain Final Report Template – 2024

Total Reimbursement Amount Requested/ Official Invoice

Project Table

Last Name	First Name	Street Address	City	Zip	Email	Project Type	Project Reimbursement

Project Narrative

- Program Background: Include brief overview of project, name(s) of program contacts, program website
- Promotion/ outreach methods and strategies
- Participation overview
- Program assessment (successes, lessons learned, suggestions for program improvement)
- Project Documentation (photos, unique designs, positive feedback)
- Project Location Map (optional)

Item Number: New Business- VIII.-C.
Committee 4/15/2024
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/10/2024
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Approve Service Agreement for Plumbing Maintenance**
Item Type: Agreement

Recommendation:

Staff recommends approving the 2024-2026 On-Call Building Services Agreement for Plumbing with Lexington Plumbing

Details:

Staff issued an RFP for on-call building plumbing services due to the limited resources we have to complete certain tasks. Staff time did improve during the maintenance contract years by having this agreement in place without the need to seek quotes to perform certain small tasks that are out of the skill set of public works, building codes, and community center/aquatic center staff.

This agreement is similar to the agreement that were issued in 2020-2023 and have had these agreements in place in the past. The plumbing services ensures that any related plumbing problems that occur can be handled by professionals in this trade in a timely manner. This agreement will ensure consistency for other on call services in each of the City owned facilities.

Lexington Plumbing held the previous plumbing agreement for 2020-2023. and staff have been pleased with the services that Lexington Plumbing has provided to the city facilities.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?

- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount: \$10,000 in 5210.101, \$3,500 in 5210.106, \$15,000 in 5210.290
Line Item Code/Description: City Hall Building M&R 5210.101, PW Building M&R 5210.106, CC M&R 5210.290	

Additional Information

This agreement will also serve well for staff when emergency type situations occur at our facilities that need to be addressed more rapidly. The agreements require the contractor to provide a staff member on site within 3 hours of notification.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works	Moody, Keith	Approved	4/10/2024 - 3:17 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description		Type
▣	2024-2026 Plumbing Service Bid Tabulation	Cover Memo
▣	2024-2026 Plumbing Services Agreement	Cover Memo

Bid Tab: Plumbing

	2024 Rate		2025 Rate		2026 Rate	
	Bidder: LEXINGTON PLUMBING					
	Hourly	OT	Hourly	OT	Hourly	OT
Regular Hourly Employees						
Supervisor	\$ 110.00	\$ 165.00	\$ 110.00	\$ 165.00	\$ 115.00	\$ 175.00
Journeyman Plumber	\$ 110.00	\$ 165.00	\$ 110.00	\$ 165.00	\$ 115.00	\$ 175.00
Apprentice Plumber	\$ 90.00	\$ 135.00	\$ 90.00	\$ 135.00	\$ 100.00	\$ 140.00
Helper	\$ 90.00	\$ 135.00	\$ 90.00	\$ 135.00	\$ 100.00	\$ 140.00
Equipment Operator	\$ 90.00	\$ 135.00	\$ 90.00	\$ 135.00	\$ 100.00	\$ 140.00
Equipment Rates	Hourly	Daily	Hourly	Daily	Hourly	Daily
Backhoe w/transport	\$ 200.00	\$ 1,500.00	\$ 200.00	\$ 1,500.00	\$ 200.00	\$ 1,500.00
Air compressor	\$ 150.00	\$ 1,000.00	\$ 150.00	\$ 1,000.00	\$ 150.00	\$ 1,000.00
Electric Jack Hammer	\$ 110.00	\$ 1,000.00	\$ 110.00	\$ 1,000.00	\$ 110.00	\$ 1,000.00
Dump Truck	\$ 180.00	\$ 1,250.00	\$ 180.00	\$ 1,250.00	\$ 180.00	\$ 1,250.00
2-1/2" Pump	\$ 110.00	\$ 880.00	\$ 110.00	\$ 880.00	\$ 110.00	\$ 880.00
Materials	Markup		Markup		Markup	
Purchase invoice cost plus	20%		20%		20%	
	\$ 310.00	\$ 465.00	\$ 310.00	\$ 465.00	\$ 330.00	\$ 490.00
	2024		2025		2026	
	\$ 775.00		\$ 775.00		\$ 820.00	

	2024 Rate		2025 Rate		2026 Rate	
Bidder:	Rand Construction Co.					
	Hourly	OT	Hourly	OT	Hourly	OT
	\$ 127.00	\$ 177.00	\$ 127.00	\$ 177.00	\$ 130.00	\$ 180.00
	\$ 118.00	\$ 168.00	\$ 118.00	\$ 168.00	\$ 121.00	\$ 171.00
	\$ 89.00	\$ 139.00	\$ 89.00	\$ 139.00	\$ 92.00	\$ 142.00
	\$ 74.00	\$ 124.00	\$ 74.00	\$ 124.00	\$ 77.00	\$ 127.00
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Hourly	Daily	Hourly	Daily	Hourly	Daily
	\$ 117.00	\$ 850.00	\$ 117.00	\$ 850.00	\$ 117.00	\$ 850.00
	\$ 15.00	\$ 85.00	\$ 15.00	\$ 85.00	\$ 15.00	\$ 85.00
	\$ 15.00	\$ 85.00	\$ 15.00	\$ 85.00	\$ 15.00	\$ 85.00
	\$ 150.00	\$ 950.00	\$ 150.00	\$ 950.00	\$ 150.00	\$ 950.00
	\$ 15.00	\$ 85.00	\$ 15.00	\$ 85.00	\$ 15.00	\$ 85.00
	Markup		Markup		Markup	
	17.5%		18%		18%	
	\$ 334.00	\$ 484.00	\$ 334.00	\$ 484.00	\$ 343.00	\$ 493.00
	2024		2025		2026	
	\$ 818.00	\$ 818.00	\$ 836.00			

AGREEMENT for PLUMBING SERVICES

This Agreement, made this _____ day of _____, ____2024____, by and between _____, hereinafter referred to as Contractor, and the CITY OF ROELAND PARK, KANSAS, hereinafter referred to as City, shall be in full force and effect during calendar years 2024 through 2026 with the following terms and conditions.

The Contractor proposes and agrees to provide all necessary machinery, tools, and equipment; and to do all the work specified in these documents of the agreement in the manner herein prescribed and according to the requirements of the City as herein set forth.

This document will be the only executed agreement. Any additions or changes must be added as a written supplement to this agreement at time of proposal. City Council must approve each year the terms of this agreement based on the budgetary allowance.

1.0 Service Specifications

1.1 The Contractor will provide plumbing services in City buildings and City Parks

1.2 The Contractor will annually check and test all backflow preventers to WaterOne standards in these locations:

City Hall & Police Department

4600 W. 51 st Street	Serial #304982	Heating/Cooling	Size 4.00
4600 W. 51 st Street	Serial #LF -1295	Fire Protection	Size .75
4600 W. 51 st Street	Serial #204212	Detector Assembly	Size 2.50
4600 W. 51 st Street	Serial #194756	Office Building	Size 1.00

Community Center

4850 Rosewood Drive	Serial #MC03-2296694-248		Size 1.00
	Serial# 678002		Size .75

Aquatic Center

4843 Rosewood Drive	Serial #1543M000818	Filter house	Size 1.5
	Serial# 1101A004061	Snack Bar	Size .75

Public Works Facility	Serial # 03114	Riser Room	Size 6.0
1800 Merriam Lane	Serial # 2122732	Riser Room	Size 2.0

**Park
Restrooms/Drinking
Fountains**

4801 Nall Avenue	Serial #027338	Nall Park - Restroom Mechanical Room	Size 1.00
5535 Juniper	Serial #053909	R Park - Drinking Fountain	Size .75
5535 Juniper	Serial #158736	R Park Restroom	Size 2.00
5198 Granada	Serial #037244	Granada Park	Size .75

- 1.3 A permit shall be applied for through the City of Roeland Park Building Inspector's Office for all repairs, at no cost to the Contractor.
 - 1.4 The Contractor is required to have a valid City of Roeland Park Non-Domicile Business License while under contract with the City. License and information can be obtained at the City Hall located at 4600 W. 51st Street.
 - 1.5 The City, in accordance with City Purchasing Policy 3/17/2015 will retain the right to obtain competitive pricing on any singular item costing more than \$7,500.
 - 1.6 The Contractor will supply a direct contact name, phone number and email and will notify the City if this contact information changes during the Contract period.
-

- 1.7 The Contractor is admonished that their employees will be properly attired, refrain from abusive language, refrain from improper behavior, and be aware that they are representing the City.
- 2.0 **General**
- 2.1 This signed agreement will be the authorization for the Contractor to provide the described services as requested by the City.
- 2.2 City Hall & Police Department - Wade Holtkamp, Building Inspector, at (913) 722-2600 Email -wholtkamp@roelandpark.org, Community Center & Aquatic Center - Dean Long, Building Maintenance Supervisor, at (913) 826-3160dlong@roelandpark.org, Park Restrooms/Drinking Fountains - Anthony Marshal, Parks & Rec Superintendent, at phone-(913)826-3160, Email- amarshall@roelandpark.orgwill be the City coordinator for the Contractor for providing any service and responding to any special needs.
- 2.3 The Contractor will contact the site representatives to schedule work. All work should be performed between 7:30am through 3:30pm weekdays unless otherwise stated by the City.
- 2.4 All work performed by the Contractor will be of acceptable workmanlike quality and installation normally associated with this trade and shall occur to the satisfaction of the City before payment will be made by the City to the Contractor.
- 2.5 All invoices should be grouped by location, with a copy of the service report attached, and are to be sent to City Hall, 4600 W. 51st Street, Roeland Park, KS 66205.
- 2.6 Invoices shall be submitted for payment within thirty days of completion of work.
- 2.7 Insurance:
- A. The Contractor shall procure and maintain, at its expense, the following insurance coverage: (a) Workers' Compensation -- Statutory Limits, with Employer's Liability limits of \$100,000 each employee, \$500,000 policy limit; (b) Commercial General Liability for bodily injury and property damage liability claims with limits of not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate; and (c) Commercial Automobile Liability for bodily injury and property damage with limits of not less than \$1,000,000 each accident for all owned, non-owned and hired automobiles.
 - B. All property damaged shall be repaired or replaced to a condition immediately prior to the time of damage, and to the satisfaction of the City.
 - C. All loss or damage arising out of the nature of the work to be done, or from the action of the elements, or from floods or overflows, or from ground water, or from unusual obstructions or difficulties, or any other natural or existing circumstances either known or unforeseen, which may be encountered in the prosecution of the said work shall be sustained and borne by the Contractor at its own cost and expense.
 - D. The City shall be a named insured on such policies. Satisfactory certificates of insurance shall be filed with the City prior to starting any construction work on this Contract. The certificates shall state that thirty (30) days written notice will be given to the City before any policy coverage thereby is changed or canceled.
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- 2.8 It is the express intent of the parties that this Contract shall not create an employer-employee relationship. Employees of the Contractor shall not be deemed to be employees of the City and employees of the City shall not be deemed to be employees of the Contractor. The Contractor and the City shall be responsible to their respective employees for all salary and benefits. Neither the Contractor's employees nor the City's employees shall be entitled to any salary, wages, or benefits from the other party, including but not limited to overtime, vacation, retirement benefits, workers' compensation, sick leave or injury leave. Contractor shall also be responsible for maintaining workers' compensation insurance, unemployment insurance for its employees, and for payment of all federal, state, local and any other payroll taxes with respect to its employees' compensation.
- 2.9 Contractor shall defend, indemnify and hold harmless City from and against all claims arising out of or resulting from all acts or omissions in connection with this Agreement caused in whole or in part by Contractor or Contractor's agents, servants, and employees, regardless of whether or not caused in part by any act or omission, including negligence, of the City. Contractor is not obligated to indemnify the City for the sole negligence of the City.
- 2.10 Applicable Laws and Permits:
- A. The Contractor shall observe and comply with all applicable federal, state, and local laws, regulations, standards, ordinances or codes and shall be in compliance with all applicable licensure and permitting requirements at all times.
 - B. Pursuant to K.S.A. No. 16-113, if the Contractor does not have a resident agent in the State of Kansas, it shall execute and file "Certificate of Appointment of Process of Agent" with the Clerk of the District Court at the Johnson County, Kansas Courthouse. These forms may be obtained at the Office of the Clerk of the District Court. After execution of the documents, it shall be filed with the Clerk of the District Court. Contractor shall be responsible for the filing fee. This certificate is pursuant to the General Statutes of Kansas, and shall be filed prior to the formal execution of the Contract Documents. Failure to comply with these requirements shall disqualify the Contractor for the awarding of this Contract.
- 2.11 The Contractor warrants to the City that any materials furnished under this Contract will be of good quality and new unless the Contract Documents require or permit otherwise. The Contractor further warrants that the Work will conform to the requirements of the Contract Documents and will be free from defects, except for those inherent in the quality of the Work the Contract Documents require or permit. Work, materials, or equipment not conforming to these requirements may be considered defective. The Contractor's warranty excludes remedy for damage or defect caused by abuse, alterations to the Work not executed by the Contractor, improper or insufficient maintenance, improper operation, or normal wear and tear under normal usage. The Contractor shall furnish satisfactory evidence as to the kind and quality of materials and equipment. This warranty shall be in addition to and not in limitation of any other warranty or remedy required by law or by the Contract Documents.
- 2.12 Contractor shall observe the provisions of the Kansas Act Against Discrimination and shall not discriminate against any person in the performance of work under this Agreement because of race, religion, color, sex, disability, national origin, ancestry, sexual orientation, gender identity or military status. Nothing in this Agreement shall be
-

construed to mean that Contractor shall be forced to hire unqualified or incompetent personnel, or discharge qualified or competent personnel. In all solicitations or advertisements for employees, Contractor shall include the phrase "Equal Opportunity Employer" or a similar phrase approved by the Kansas Human Rights Commission.

If the manner in which Contractor reports to the Kansas Human Rights Commission fails to comply with the Provisions of K.S.A. 44-1031 and amendments thereto, Contractor shall be deemed to have breached this Agreement and the Agreement may be cancelled, terminated, or suspended, in whole or in part by City.

If Contractor is found guilty of violating the Kansas Act Against Discrimination under decision or order of the Kansas Human Rights Commission, and the decision or order becomes final, Contractor shall be deemed to have breached the Agreement and this Agreement may be canceled, terminated or suspended in whole or in part by City.

Contractor shall include provisions comparable to paragraph 1, 2, 3, and this paragraph in every subcontract and purchase order so that such provisions will be binding upon each such subcontractor or vender.

Notwithstanding anything expressed or implied elsewhere in this Agreement, if City exercises any of its rights under the provisions of the preceding four paragraphs, Contractor shall have no right to recompense or additional payments by reason of such action by City.

The provisions of this section shall not apply to a contract entered into by a contractor: (1) Who employs fewer than four employees during the term of such contract; or (2) whose contracts with the City letting such contract cumulatively total \$5,000 or less during the fiscal year of the City.

- 2.13 The Contractor may not use any subcontractors without the prior written consent of the City, which may be withheld for any reason at the City's discretion.
- 2.14 If, on account of a continued default or breach by either party of such party's obligations under the terms of this agreement after any notice and opportunity to cure as may be required hereunder, it shall be necessary for the other party to employ one or more attorneys to enforce or defend any of such other party's rights or remedies hereunder, then, in such event, any reasonable amounts incurred by such other party, including but not limited to attorneys' fees, experts' fees and all costs, shall be paid by the breaching or defaulting party.
- 2.15 This Contract shall not be assigned by Contractor to any other party without first obtaining the written consent of the City.
- 2.16 This Contract shall be governed by and interpreted in accordance with the laws of the State of Kansas without giving effect to Kansas's choice of law provisions. The City and Contractor (1) submit to the jurisdiction of the state and federal courts located in Johnson County, Kansas; (2) waive any and all objections to jurisdiction and venue; and (3) will not raise forum non conveniens as an objection to the location of any litigation.
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- 2.17 This Agreement is for the period of April 1, 2024 through December 31, 2026. Either party may terminate this agreement by giving sixty (60) days prior written notice to the other party. If this Agreement is terminated, the City shall be liable only for payment for services rendered before effective date of termination. Contractor shall prepare an accounting of the services performed and money spent by Contractor up to the effective date of termination and shall return to City any remaining sums within thirty (30) days of such date.
- 2.18 The Contractor will commence work within ten (10) calendar days from and after receiving instructions from the City.
-

3.0 Fees

3.1 The fees for the completion of this service is:

	2024		2025		2026	
Regular Hourly Employees	Hourly Rate	Overtime Rate	Hourly Rate	Overtime Rate	Hourly Rate	Overtime Rate
Supervisor	\$110	\$165	\$110	\$165	\$115	\$170
Journeyman Plumber	\$110	\$165	\$110	\$165	\$115	\$170
Apprentice Plumber	\$90	\$135	\$90	\$135	\$100	\$140
Helper	\$90	\$135	\$90	\$135	\$100	\$140
Equipment Operator	\$90	\$135	\$90	\$135	\$100	\$140
Equipment Rates	Hourly Rate	Daily Rate	Hourly Rate	Daily Rate	Hourly Rate	Daily Rate
Backhoe w/transport	\$200	\$1300	SAME		SAME	
Air compressor	\$150	\$1000	as 2024		as 2024	
Electric Jack Hammer	\$110	\$1000				
Dump Truck	\$180	\$250				
2-1/2" Pump	\$110	\$880				
Materials	Percentage Markup		Percentage Markup		Percentage Markup	
Purchase invoice cost plus	20%		20%		20%	

4.0 References

4.1 The Contractor will provide three (3) local references of comparable work from the last twelve (12) months.

Company: MC Realty Contact: Rich Fortune
Phone #: 816-564-5787 Email: RTFORTUNE@MCREALTYUS.COM
Brief Description on Work: SERVICE PLUMBING / PROJECTS /
EXCAVATION IN MULTIPLE FACILITIES.

Company: BURNS + McDONNELL Contact: DAVE GROSDECK
Phone #: 816-822-3377 Email: dgrosdeck@burnsmcd.com
Brief Description on Work: SERVICE PLUMBING / PROJECTS /
EXCAVATIONS IN MULTIPLE FACILITIES

Company: NETAILITY Contact: CHRIS CARTER
Phone #: 816-888-7899 Email: CCARTER@NETAILITY.COM
Brief Description of Work: SERVICE PLUMBING / PROJECTS
at two facilities

Contractor Contact: TOM ATTELL ATTEST:
Company Name: LEXINGTON PLUMBING
Address: 1620 TROOST Kelley Nielsen, City Clerk Date
MC MO 64108
Telephone Number: 816-231-2254 /s/ Steven E. Mauer, City Attorney Date
Fax Number: 816-241-3782
Email: tom@lexingtonplumbing.com
/s/ 3/6/24 /s/ Keith Moody, City Administrator Date
Contractor Agent Date

Item Number: New Business- VIII.-D.
Committee 4/15/2024
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/10/2024
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Approve Service Agreement for HVAC Maintenance**
Item Type: Agreement

Recommendation:

Staff recommends to approve the 2024-2026 agreement for HVAC services with Lippert Mechanical

Details:

Staff issued an RFP for HVAC maintenance service for city facilities due to the limited resources we have to complete certain tasks. Staff time is limited but necessary when having to seek quotes to perform certain small tasks that are out of the skill set of public works, building codes, and community center/aquatic center staff.

This agreement is similar to the agreement that was issued for HVAC services from 2020-2023 and staff are familiar with these types of service agreements and have used them in the past. The HVAC agreement ensures that our HVAC units and boiler units are all maintained annually. Service agreements will ensure consistency for these services in each of the City owned facilities. Lippert was the awarded contractor for the previous 2020-2023 agreement for HVAC services and staff have been pleased with the services that have been provided to the city facilities. Staff finds Lippert Mechanical to be a qualified contractor.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?

- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount: \$10,000 in 5210.101, \$3,500 in 5210.106, \$15,000 in 5210.290
Line Item Code/Description: City Hall Building M&R 5210.101, PW Building M&R 5210.106, CC M&R 5210.290	

Additional Information

This agreement will also serve well for staff when emergency type situations occur at our facilities that need to be addressed more rapidly. The agreements require the contractor to provide a staff member on site within 3 hours of notification.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works	Moody, Keith	Approved	4/10/2024 - 3:20 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ 2024-2026 HVAC Bid Tab	Cover Memo
▣ 2024-2026 HVAC Services Agreement	Cover Memo

Bid Tab: HVAC

	2024 Rate	2025 Rate	2026 Rate		2024 Rate	2025 Rate	2026 Rate
	Bidder: Rand Constrtuction Co.				Bidder: Lippert Mechanical		
Location	Cost	Cost	Cost		Cost	Cost	Cost
City Hall - Spring	\$ 1,492.50	\$ 1,522.50	\$ 1,553.00		\$ 680.00	\$ 700.00	\$ 740.00
City Hall - Fall	\$ 1,492.50	\$ 1,522.50	\$ 1,553.00		\$ 680.00	\$ 700.00	\$ 740.00
Community Center - Spring	\$ 660.00	\$ 673.25	\$ 686.75		\$ 810.00	\$ 830.00	\$ 850.00
Community Center - Fall	\$ 660.00	\$ 673.25	\$ 686.75		\$ 810.00	\$ 830.00	\$ 850.00
Public Works - Spring	\$ 540.00	\$ 550.75	\$ 561.75		\$ 255.00	\$ 275.00	\$ 300.00
Public Works - Fall	\$ 540.00	\$ 550.75	\$ 561.75		\$ 255.00	\$ 275.00	\$ 300.00
Aquatic Center - Spring	\$ 304.50	\$ 310.75	\$ 317.00		\$ 230.00	\$ 250.00	\$ 270.00
Aquatic Center - Fall	\$ 304.50	\$ 310.75	\$ 317.00		\$ 230.00	\$ 250.00	\$ 270.00
Additional Fees							
Labor Cost per Hour	\$ 116.00	\$ 118.00	\$ 120.00		\$ 128.08	\$ 130.00	\$ 134.00
Labor Cost per Overtime Hour	\$ 159.00	\$ 161.00	\$ 164.00		\$ 165.00	\$ 170.00	\$ 175.00
Materials - Actual Cost Plus Mark Up %	17.5%	18.5%	19.5%		30%	30%	30%
Freon - Cost per Pound Refrigerant	Prices vary depending on the type and what commodities market is				N/A	N/A	N/A
Freon - Cost per Pound Refrigerant	It will be cost plus the mark-up above.						
Service Cost	\$ 5,994.00	\$ 6,114.50	\$ 6,237.00		\$ 3,950.00	\$ 4,110.00	\$ 4,320.00
Hourly 50 hours Reg - 5 hours OT	\$ 6,595.00	\$ 6,705.00	\$ 6,820.00		\$ 7,209.00	\$ 7,350.00	\$ 7,575.00
Materials \$250	\$ 293.75	\$ 296.25	\$ 298.75		\$ 325.00	\$ 325.00	\$ 325.00
Annual Total	\$ 12,882.75	\$13,115.75	\$13,355.75		\$ 11,484.00	\$11,785.00	\$12,220.00
3 Year Total	\$		39,354.25		\$		35,489.00

AGREEMENT FOR HVAC SERVICE

This Agreement, made this _____ day of _____, 20____, by and between , hereinafter referred to as Contractor, and the CITY OF ROELAND PARK, KANSAS, hereinafter referred to as City, shall be in full force and effect during calendar years 2024 through 2026 with the following terms and conditions.

The Contractor proposes and agrees to provide all necessary machinery, tools, and equipment; and to do all the work specified in these documents of the agreement in the manner herein prescribed and according to the requirements of the City as herein set forth.

This document will be the only executed agreement. Any additions or changes must be added as a written supplement to this agreement at time of proposal. City Council must approve each year the terms of this agreement based on the budgetary allowance.

1.0 Service Specifications

- 1.1 The Contractor will provide City HVAC service for cooling system, heating system, special preventative maintenance and repair service for the following locations:

City Hall & Police Department Building - 4600 W. 51st Street
Public Works - 4800 Roe Parkway
Community Center - 4850 Rosewood Drive
Aquatic Center - 4843 Rosewood Drive
Public Works Facility - 1800 Merriam Lane

- 1.2 Spring Cooling Systems Service will be provided quarterly in March, June and September. Check and start up all air conditioning systems in March. Notify the City of any deficiencies or parts which need to be replaced. The following preventive maintenance will be performed on all cooling units during the months of March, June and September:

- a. Lubricate blower & motor bearings
- b. Check belt condition and tension
- c. Check condenser coils and clean
- d. Check evaporator cooling coil and clean
- e. Check operating pressures
- f. Check Freon charge and leak test units with low charge (excluding geothermal units)
- g. Check thermostat and control
- h. Check condenser efficiency and clean contacts
- i. Set dampers and check fan speed for summer operation
- j. Check safety controls for correct operation and setting
- k. Check superheat setting and adjust
- l. Check for proper oil level and add oil, if required
- m. Check voltage and amp draw
- n. Check for correct rotation
- o. Check expansion valve and refrigerant flow through drier (excluding geothermal units)
- p. Check contactors and starters
- q. Check 'start and run' capacitors
- r. Check compressor efficiency
- s. Clean condensate drain
- t. Check thermostat and controls (Automated Logic)
- u. Check fluid cooler
- v. Check water flow and strainers annually
- w. Check pumps
- x. Check inlet and outlet water temps for wells

- y. Check diverting valves for proper operation

1.3

Fall Heating Systems Service will be provided quarterly in September, December and March. Check and start up all heating systems in September. Notify the City of any deficiencies or parts which need to be replaced. The following preventive maintenance will be performed on all heating units during the months of September, December and March:

- a. Lubricate blower and motor bearings
- b. Check belt condition and tension
- c. Check operation of controls and clean contact points
- d. Check to insure that all furnace and heater flues are drawing properly
- e. Check condition of pilot and clean
- f. Check condition of burner for proper flame and adjust
- g. Check gas line pressure
- h. Check manifold pressure
- i. Check combustion
- j. Check fan and limit control
- k. Check pilot safety
- l. Check heat anticipator
- m. Check gas pressure regulator
- n. Check burner operation
- o. Check heat relay
- p. Check safety controls
- q. Check thermocouple output
- r. Check temperature rise through heat exchanger
- s. Set dampers and check fan speed for winter operation
- t. Check for CO₂ to supply ducts and around flues
- u. Check damper actuation
- v. Heat Pumps
 - i. Check condenser coils
 - ii. Check evaporator cooling coil and clean
 - iii. Check operating pressures
 - iv. Check Freon charge and leak test units with low charge (excluding geothermal units)
 - v. Check thermostat and control
 - vi. Check condenser efficiency and clean contacts
 - vii. Set dampers and check fan speed for summer operation
 - viii. Check safety controls for correct operation and setting
 - ix. Check superheat setting and adjust
 - x. Check for proper oil level and add oil, if required
 - xi. Check voltage and amp draw
 - xii. Check for correct rotation
 - xiii. Check expansion valve and refrigerant flow through drier (excluding geothermal units)
 - xiv. Check contactors and starters
 - xv. Check "start and run" capacitors
 - xvi. Check compressor efficiency
 - xvii. Clean condensate drains
 - xviii. Check thermostat and controls (Automated Logic)
 - xix. Change air filter(s)
 - xx. Check belt condition and tension
 - xxi. Check and clean water flow and strainers annually

- xxii. Check pumps
- xxiii. Check inlet and outlet water temps from wells
- xxiv. Check diverting valves for proper operation
- xxv. Lubricate blower and motor bearings

1.4

Provide emergency service within three (3) hours of request at specified hourly or over-time rate plus materials.

- 1.5 Furnish the City with a repair order detailing all work performed by location including labor hours and parts replaced along with Invoice for work performed by location to be delivered to City Hall at 4600 W. 51st Street, Roeland Park, KS 66205 when work is completed.
- 1.6 The City, in accordance with City Council Purchasing Policy Adopted 3/16/2015, will retain the right to obtain competitive pricing on any singular item costing more than \$7,500.
- 1.7 The Contractor is required to have a valid City of Roeland Park Non-Domicile Business License while under contract with the City. License and information can be obtained at the City Hall located at 4600 W. 51st Street.
- 1.8 A permit shall be applied for through the City of Roeland Park Building Inspector's Office for all repairs, at no cost to the Contractor.
- 1.9 The Contractor will supply a direct contact name, phone number and email address and will notify the City if this contact information changes during the Contract period.
- 1.10 The Contractor is admonished that their employees will be properly attired, refrain from abusive language, refrain from improper behavior, and be aware that they are representing the City.

2.0 General

- 2.1 This signed agreement will be the authorization for the Contractor to provide the described services as requested by the City.
- 2.2 **City Hall & Police Department Building** - Wade Holtkamp, Building Inspector, at phone (913) 722-2600, Email-wholtkamp@roelandpark.org, **Community Center & Aquatic Center** - Dean Long, Building Maintenance Supervisor, at phone (913) 826-3160 Email-dlong@roelandpark.org, **Public Works Building & Parks** - Donnie Scharff, Public Works director, at phone-(913)722-2600, Email-dscharff@roelandpark.org, will be the City site coordinator for the Contractor for providing any service and responding to any special needs.
- 2.3 The Contractor will contact the site coordinator to schedule work. All work should be performed between 7:30am through 3:30pm weekdays unless otherwise stated by the City.
- 2.4 All work performed by the Contractor will be of acceptable workmanlike quality and installation normally associated with this trade and shall occur to the satisfaction of the City before payment will be made by the City to the Contractor.
- 2.5 All invoices should be grouped by location and are to be sent to City Hall, 4600 W. 51st Street, Roeland Park, KS 66205.
- 2.6 Invoices shall be submitted for payment within thirty days of completion of work.

- 2.7 Insurance:
- A. The Contractor shall procure and maintain, at its expense, the following insurance coverage:
 - (a) Workers' Compensation -- Statutory Limits, with Employer's Liability limits of \$100,000 each employee, \$500,000 policy limit; (b) Commercial General Liability for bodily injury and property damage liability claims with limits of not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate; and (c) Commercial Automobile Liability for bodily injury and property damage with limits of not less than \$1,000,000 each accident for all owned, non-owned and hired automobiles.
 - B. All property damaged shall be repaired or replaced to a condition immediately prior to the time of damage, and to the satisfaction of the City.
 - C. All loss or damage arising out of the nature of the work to be done, or from the action of the elements, or from floods or overflows, or from ground water, or from unusual obstructions or difficulties, or any other natural or existing circumstances either known or unforeseen, which may be encountered in the prosecution of the said work shall be sustained and borne by the Contractor at its own cost and expense.
 - D. The City shall be a named insured on such policies. Satisfactory certificates of insurance shall be filed with the City prior to starting any construction work on this Contract. The certificates shall state that thirty (30) days written notice will be given to the City before any policy coverage thereby is changed or canceled.
- 2.8 It is the express intent of the parties that this Contract shall not create an employer-employee relationship. Employees of the Contractor shall not be deemed to be employees of the City and employees of the City shall not be deemed to be employees of the Contractor. The Contractor and the City shall be responsible to their respective employees for all salary and benefits. Neither the Contractor's employees nor the City's employees shall be entitled to any salary, wages, or benefits from the other party, including but not limited to overtime, vacation, retirement benefits, workers' compensation, sick leave or injury leave. Contractor shall also be responsible for maintaining workers' compensation insurance, unemployment insurance for its employees, and for payment of all federal, state, local and any other payroll taxes with respect to its employees' compensation.
- 2.9 Contractor shall defend, indemnify and hold harmless City from and against all claims arising out of or resulting from all acts or omissions in connection with this Agreement caused in whole or in part by Contractor or Contractor's agents, servants, and employees, regardless of whether or not caused in part by any act or omission, including negligence, of the City. Contractor is not obligated to indemnify the City for the sole negligence of the City.
- 2.10 Contractor shall observe the provisions of the Kansas Act Against Discrimination and shall not discriminate against any person in the performance of work under this Agreement because of race, religion, color, sex, disability, national origin, ancestry, sexual orientation, gender identity or military status. Nothing in this Agreement shall be construed to mean that Contractor shall be forced to hire unqualified or incompetent personnel, or discharge qualified or competent personnel. In all solicitations or advertisements for employees, Contractor shall include the phrase "Equal Opportunity Employer" or a similar phrase approved by the Kansas Human Rights Commission.

If the manner in which Contractor reports to the Kansas Human Rights Commission fails to comply with the Provisions of K.S.A. 44-1031 and amendments thereto, Contractor shall be deemed to

have breached this Agreement and the Agreement may be cancelled, terminated, or suspended, in whole or in part by City.

If Contractor is found guilty of violating the Kansas Act Against Discrimination under decision or order of the Kansas Human Rights Commission, and the decision or order becomes final, Contractor shall be deemed to have breached the Agreement and this Agreement may be canceled, terminated or suspended in whole or in part by City.

Contractor shall include provisions comparable to paragraph 1, 2, 3, and this paragraph in every subcontract and purchase order so that such provisions will be binding upon each such subcontractor or vender.

Notwithstanding anything expressed or implied elsewhere in this Agreement, if City exercises any of its rights under the provisions of the preceding four paragraphs, Contractor shall have no right to recompense or additional payments by reason of such action by City.

The provisions of this section shall not apply to a contract entered into by a contractor:
(1) Who employs fewer than four employees during the term of such contract; or (2)
whose contracts with the City letting such contract cumulatively total \$5,000 or less during the fiscal year of the City.

2.11 Applicable Laws and Permits:

- A. The Contractor shall observe and comply with all applicable federal, state, and local laws, regulations, standards, ordinances or codes and shall be in compliance with all applicable licensure and permitting requirements at all times.
- B. Pursuant to K.S.A. No. 16-113, if the Contractor does not have a resident agent in the State of Kansas, it shall execute and file "Certificate of Appointment of Process of Agent" with the Clerk of the District Court at the Johnson County, Kansas Courthouse. These forms may be obtained at the Office of the Clerk of the District Court. After execution of the documents, it shall be filed with the Clerk of the District Court. Contractor shall be responsible for the filing fee. This certificate is pursuant to the General Statutes of Kansas, and shall be filed prior to the formal execution of the Contract Documents. Failure to comply with these requirements shall disqualify the Contractor for the awarding of this Contract.

2.12 The Contractor warrants to the City that any materials furnished under this Contract will be of good quality and new unless the Contract Documents require or permit otherwise. The Contractor further warrants that the Work will conform to the requirements of the Contract Documents and will be free from defects, except for those inherent in the quality of the Work the Contract Documents require or permit. Work, materials, or equipment not conforming to these requirements may be considered defective. The Contractor's warranty excludes remedy for damage or defect caused by abuse, alterations to the Work not executed by the Contractor, improper or insufficient maintenance, improper operation, or normal wear and tear under normal usage. The Contractor shall furnish satisfactory evidence as to the kind and quality of materials and equipment. This warranty shall be in addition to and not in limitation of any other warranty or remedy required by law or by the Contract Documents.

2.13 The Contractor may not use any subcontractors without the prior written consent of the City, which may be withheld for any reason at the City's discretion.

2.14 If, on account of a continued default or breach by either party of such party's obligations under the terms of this agreement after any notice and opportunity to cure as may be required hereunder, it shall be necessary for the other party to employ one or more attorneys to enforce or defend any of

such other party's rights or remedies hereunder, then, in such event, any reasonable amounts incurred by such other party, including but not limited to attorneys' fees, experts' fees and all costs, shall be paid by the breaching or defaulting party.

- 2.15 This Contract shall not be assigned by Contractor to any other party without first obtaining the written consent of the City.
- 2.16 This Contract shall be governed by and interpreted in accordance with the laws of the State of Kansas without giving effect to Kansas's choice of law provisions. The City and Contractor (1) submit to the jurisdiction of the state and federal courts located in Johnson County, Kansas; (2) waive any and all objections to jurisdiction and venue; and (3) will not raise forum non conveniens as an objection to the location of any litigation.
- 2.17 This Agreement is for the period of April 1, 2024 through December 31, 2026. Either party may terminate this agreement by giving sixty (60) days prior written notice to the other party. If this Agreement is terminated, the City shall be liable only for payment for services rendered before effective date of termination. Contractor shall prepare an accounting of the services performed and money spent by Contractor up to the effective date of termination and shall return to City any remaining sums within thirty (30) days of such date.
- 2.18 The Contractor will commence work within ten (10) calendar days from and after receiving the fully executed agreement from the City and will complete all work covered in this contract.

3.1 The fees for the completion of this service are:

DESCRIPTION	2024 PRICING	2025 PRICING	2026 PRICING
Labor Cost per Hour:	128.08	130.00	134.00
Labor Cost per Overtime Hour:	165.00	170.00	175.00
Materials - Actual Cost Plus Mark Up %:	30%	30%	30%
Freon - Cost Per Pound for Refrigerant	N/A	N/A	N/A

4.0 Units covered by this agreement

4.1 City Hall & Police Department Building, 4600 W 51st Street

MFG	MODEL #	SERIAL #	TYPE
	WHN399	H11430037453	Boiler
	WHN399	I11H30041574	Boiler
TRANE	RAUJC50EBC03AB	C12C01842	Air Conditioner
	DF00020		
TRANE	CSAA035UAC00	K12C29940	Air Handler
PRICE	FDVLP5 3014X8	785266-004-001	Fan Power Box
PRICE	FDVLP5 2008	785266-003-001	Fan power Box
PRICE	FDVLP5 2008	785266-001-001	Fan Power Box
PRICE	FDVLP5 2008	785645-005-001	Fan Power Box
PRICE	FDVLP5 3014X8	785646-012-001	Fan Power Box
PRICE	FDVLP5 3014X8	785645-002-001	Fan Power Box
PRICE	FDVLP5 2008	785645-007-001	Fan Power Box
PRICE	FDVLP5 2008		Fan Power Box
PRICE	FDVLP5 3014X8	785266-002-001	Fan Power Box
PRICE	FDVLP5 3013X9	785645-004-001	Fan Power Box
PRICE	FDVLP5 2008	785645-006-001	Fan Power Box
PRICE	FDVLP5 2008	785645-003-001	Fan Power Box
PRICE	FDVLP5 3014X8	785645-001-001	Fan Power Box
PRICE	FDVLP5 3014X8	785645-011-001	Fan Power Box
PRICE	FDVLP5 2008	785645-008-001	Fan Power Box
PRICE	FDVLP5 2008	785645-010-001	Fan Power Box
PRICE	FDVLP5 3014X8	785645-009-001	Fan Power Box
PRICE	FDVLP5 3014X8	785266-005-001	Fan Power Box

4.2 Community Center, 4850 Rosewood Drive

<u>MFG</u>	<u>MODEL #</u>	<u>SERIAL #</u>	<u>LOCATION</u>
Lennox	ML296UHV		Juniper B
Lennox	C33-50/60C-2F-6	6012E43279	Cardio Room
American Standard	4TXCD061BC3HCBA	6012E43279	Weight Room
Lennox	CX35-60D-6F-1	6017G18280	CDC
Lennox	ML296UHV		Buena Vista
Lennox	EL196UH090XE48C	5919K07842	Main Hallway/Office
Lennox	EL196UH070XE36B	5919A29844	East Hallway
Lennox	C33-62C-2F-6	6014M10634	MPR
Lennox	C33-62C-2F-6	6015H07970	NP
Lennox	ML296UHV		Juniper A
Lennox	C33-50/60C-2F-6	6015G40680	Room 1
Lennox	EL16XC1-036-230	5819K12146	Roof Top - Eastside
Lennox	TSA060S4N44Y	5815B01482	Outside South Side
Lennox	TSA060S4N44Y	5815C10864	Outside East Side
Lennox	TSA060S4N44Y	5815C10867	Outside East Side
Lennox	13ACXN036-230-17	1915K17767	Outside North Side
Lennox	13ACX-036-230-17	1912G23077	Outside North Side
Carrier	38EH036330DL	R609826	Outside North Side
Lennox	13ACX-036-230-17	1912G23075	Outside North Side
Lennox	2SCU13LC160T-3	1616E15391	Outside North Side
Lennox	14ACX-060-230-15	1917E41213	Outside North Side
Carrier	3687E04172	38EN048520	Outside West Side
Lennox	EL16XC1-042-230	5819H14949	Roof Top -Westside

4.3 Aquatic Center, 4843 Rosewood Drive

<u>MFG</u>	<u>MODEL #</u>	<u>SERIAL #</u>	<u>LOCATION</u>
Lennox	HS29-681-1P	5897C 46931	Outside
Payne	PG95SAS42100CBA A	1015A46477	Mechanical Room
Payne	PG95SAS60100CBA A	4614A50833	Mechanical Room
Lennox	C26-65EAP-1	6097B25349	Snack Bar
Lennox	C26-65EAP-1	6097B25349	Pool House

4.4 Public Works Building, 1800 Merriam Lane

<u>MFG</u>	<u>MODEL #</u>	<u>SERIAL #</u>	<u>LOCATION</u>
LENNOX	LF24-250A-2	6396J17480	SHOP, Wash Bay
MODINE	PDP200AE0130SBAN	43010917093523- 3647	SHOP, CEILING
MODINE	PDP200AE0130SBA	43010917093523- 3656	SHOP, CEILING
TRANE	TWE090A100EA	3342XS45H	SHOP, ABOVE OFFICE
RHEEM	RAWD-076CAZ	6416-M1801-17225	CONDENSER, ROOF
CARRIER	2317E38889	24ABB360A5220	CONDENSER, ROOF

5.0 References

5.1 The Contractor will provide three (3) references of comparable work from the last twelve (12) months.

5.2

Company: _____ Contact: _____

Phone #: _____ Email: _____

Brief Description on Work: _____

Company: _____ Contact: _____

Phone #: _____ Email: _____

Brief Description on Work: _____

Company: _____ Contact: _____

Phone #: _____ Email: _____

Brief Description of Work: _____

Contractor Contact: _____

Company Name: _____

Address: _____

Telephone Number: _____

Email: _____

/s/ _____

Contractor Agent

Date

ATTEST:

/s/ _____

Kelley Nielsen, City Clerk Date

/s/ _____

Steven Mauer, City Attorney Date

/s/ _____

Keith Moody, City Administrator Date

Item Number: New Business- VIII.-E.
Committee 4/15/2024
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/10/2024
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Approve Service Agreement for Electrical Maintenance**
Item Type: Agreement

Recommendation:

Staff recommends to approve the 2024-2026 On-Call Building Services for electrical services with Pro Circuit Inc.

Details:

Staff issued an RFP for on-call building services for electric due to the limited resources we have to complete certain tasks. Staff time is limited but necessary when having to seek quotes to perform certain small tasks that are out of the skill set of public works, building codes, and community center/aquatic center staff.

The attached agreement is very similar to the agreement from 2020-2023. Having a service agreement in place increases staff time to focus on other tasks without the need to contact multiple vendors when seeking quotes for electrical services. All agreements will ensure consistency for these services in each of the City owned facilities.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount: \$10,000 in 5210.101, \$3,500 in 5210.106, \$15,000 in 5210.290
Line Item Code/Description: City Hall Building M&R 5210.101, PW Building M&R 5210.106, CC M&R 5210.290	

Additional Information

This agreement will also serve well for staff when emergency type situations occur at our facilities that need to be addressed more rapidly. The agreements require the contractor to provide a staff member on site within 3 hours of notification.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works	Moody, Keith	Approved	4/10/2024 - 3:20 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ 2024-2026 Electrical Services Agreement	Cover Memo

AGREEMENT for ELECTRICAL SERVICES

This Agreement, made this 3 day of April, 2024, by and between _____, hereinafter referred to as Contractor, and the CITY OF ROELAND PARK, KANSAS, hereinafter referred to as City, shall be in full force and effect during calendar years 2024 through 2026 with the following terms and conditions.

The Contractor proposes and agrees to provide all necessary machinery, tools, and equipment; and to do all the work specified in these documents of the agreement in the manner herein prescribed and according to the requirements of the City as herein set forth.

This document will be the only executed agreement. Any additions or changes must be added as a written supplement to this agreement at time of proposal. City Council must approve each year the terms of this agreement based on the budgetary allowance.

1.0 Service Specifications

- 1.1 The Contractor will provide electrical repair services and data cabling in City buildings and on City grounds.
- 1.2 The Contractor is required to have a valid City of Roeland Park Non-Domicile Business License while under contract with the City. License and information can be obtained at the City Hall located at 4600 W. 51st Street.
- 1.3 A permit shall be applied for through the City of Roeland Park Building Inspector's Office for all repairs, at no cost to the Contractor.
- 1.4 The City, in accordance with City Council Purchasing Policy Adopted 3/16/2015 will retain the right to obtain competitive pricing on any singular item costing more than \$7,500.
- 1.5 The Contractor will supply a contact name, direct phone number and email and will notify the City if this contact information changes during the Contract period.
- 1.6 The Contractor is admonished that their employees will be properly attired, refrain from abusive language, refrain from improper behavior, and be aware that they are representing the City.

2.0 General

- 2.1 This signed agreement will be the authorization for the Contractor to provide the described services as requested by the City.
- 2.2 Wade Holtkamp, Building Inspector, at phone-(913) 722-2600, Email- wholtkamp@roelandpark.org, will be the City coordinator for City Hall & Police Department. Donnie Scharff, Director of Public Works, at phone (913) 722-2600, Email - dscharff@roelandpark.org will be the City coordinator for Public Works and Parks. Dean Long, Building Maintenance Supervisor, at phone (913) 826-3160 Email- dlong@roelandpark.org will be the City coordinator for Community Center & Aquatic Center.
- 2.3 The Contractor will contact the site representatives to schedule work. All work should be performed between 7:30am through 3:30pm weekdays unless otherwise scheduled or approved by the City.

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- 2.4 All work performed by the Contractor will be of acceptable workmanlike quality and installation normally associated with this trade and shall occur to the satisfaction of the City before payment will be made by the City to the Contractor.
- 2.5 All invoices should be grouped by location, with a copy of the service report attached, and are to be sent to City Hall, 4600 W. 51st Street, Roeland Park, KS 66205.
- 2.6 Invoices shall be submitted for payment within sixty days of completion of work.
- 2.7 Insurance:
- A. The Contractor shall procure and maintain, at its expense, the following insurance coverage: (a) Workers' Compensation -- Statutory Limits, with Employer's Liability limits of \$100,000 each employee, \$500,000 policy limit; (b) Commercial General Liability for bodily injury and property damage liability claims with limits of not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate; and (c) Commercial Automobile Liability for bodily injury and property damage with limits of not less than \$1,000,000 each accident for all owned, non-owned and hired automobiles.
 - B. All property damaged shall be repaired or replaced to a condition immediately prior to the time of damage, and to the satisfaction of the City.
 - C. All loss or damage arising out of the nature of the work to be done, or from the action of the elements, or from floods or overflows, or from ground water, or from unusual obstructions or difficulties, or any other natural or existing circumstances either known or unforeseen, which may be encountered in the prosecution of the said work shall be sustained and borne by the Contractor at its own cost and expense.
 - D. The City shall be a named insured on such policies. Satisfactory certificates of insurance shall be filed with the City prior to starting any construction work on this Contract. The certificates shall state that thirty (30) days written notice will be given to the City before any policy coverage thereby is changed or canceled.
- 2.8 It is the express intent of the parties that this Contract shall not create an employer-employee relationship. Employees of the Contractor shall not be deemed to be employees of the City and employees of the City shall not be deemed to be employees of the Contractor. The Contractor and the City shall be responsible to their respective employees for all salary and benefits. Neither the Contractor's employees nor the City's employees shall be entitled to any salary, wages, or benefits from the other party, including but not limited to overtime, vacation, retirement benefits, workers' compensation, sick leave or injury leave. Contractor shall also be responsible for maintaining workers' compensation insurance, unemployment insurance for its employees, and for payment of all federal, state, local and any other payroll taxes with respect to its employees' compensation.
- 2.9 Contractor shall defend, indemnify and hold harmless City from and against all claims arising out of or resulting from all acts or omissions in connection with this Agreement caused in whole or in part by Contractor or Contractor's agents, servants, and employees, regardless of whether or not caused in part by any act or omission, including negligence, of the City. Contractor is not obligated to indemnify the City for the sole negligence of the City.
- 2.10 Contractor shall observe the provisions of the Kansas Act Against Discrimination and shall not discriminate against any person in the performance of work under this Agreement because of race, religion, color, sex, disability, national origin, ancestry, sexual orientation, gender identity or military status. Nothing in this Agreement shall be construed to mean that Contractor shall be forced to hire unqualified or incompetent personnel, or discharge qualified or competent personnel. In all solicitations or advertisements for employees, Contractor shall include the
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phrase "Equal Opportunity Employer" or a similar phrase approved by the Kansas Human Rights Commission.

If the manner in which Contractor reports to the Kansas Human Rights Commission fails to comply with the Provisions of K.S.A. 44-1031 and amendments thereto, Contractor shall be deemed to have breached this Agreement and the Agreement may be cancelled, terminated, or suspended, in whole or in part by City.

If Contractor is found guilty of violating the Kansas Act Against Discrimination under decision or order of the Kansas Human Rights Commission, and the decision or order becomes final, Contractor shall be deemed to have breached the Agreement and this Agreement may be canceled, terminated or suspended in whole or in part by City.

Contractor shall include provisions comparable to paragraph 1, 2, 3, and this paragraph in every subcontract and purchase order so that such provisions will be binding upon each such subcontractor or vender.

Notwithstanding anything expressed or implied elsewhere in this Agreement, if City exercises any of its rights under the provisions of the preceding four paragraphs, Contractor shall have no right to recompense or additional payments by reason of such action by City.

The provisions of this section shall not apply to a contract entered into by a contractor:

(1) Who employs fewer than four employees during the term of such contract; or (2) whose contracts with the City letting such contract cumulatively total \$5,000 or less during the fiscal year of the City.

- 2.11 Contractor shall defend, indemnify and hold harmless City from and against all claims arising out of or resulting from all acts or omissions in connection with this Agreement caused in whole or in part by Contractor or Contractor's agents, servants, and employees, regardless of whether or not caused in part by any act or omission, including negligence, of the City. Contractor is not obligated to indemnify the City for the sole negligence of the City.
- 2.12 Applicable Laws and Permits:
- A. The Contractor shall observe and comply with all applicable federal, state, and local laws, regulations, standards, ordinances or codes and shall be in compliance with all applicable licensure and permitting requirements at all times.
 - B. Pursuant to K.S.A. No. 16-113, if the Contractor does not have a resident agent in the State of Kansas, it shall execute and file "Certificate of Appointment of Process of Agent" with the Clerk of the District Court at the Johnson County, Kansas Courthouse. These forms may be obtained at the Office of the Clerk of the District Court. After execution of the documents, it shall be filed with the Clerk of the District Court. Contractor shall be responsible for the filing fee. This certificate is pursuant to the General Statutes of Kansas, and shall be filed prior to the formal execution of the Contract Documents. Failure to comply with these requirements shall disqualify the Contractor for the awarding of this Contract.
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requirements may be considered defective. The Contractor's warranty excludes remedy for damage or defect caused by abuse, alterations to the Work not executed by the Contractor, improper or insufficient maintenance, improper operation, or normal wear and tear under normal usage. The Contractor shall furnish satisfactory evidence as to the kind and quality of materials and equipment. This warranty shall be in addition to and not in limitation of any other warranty or remedy required by law or by the Contract Documents.

- 2.14 The Contractor may not use any subcontractors without the prior written consent of the City, which may be withheld for any reason at the City's discretion.
 - 2.15 If, on account of a continued default or breach by either party of such party's obligations under the terms of this agreement after any notice and opportunity to cure as may be required hereunder, it shall be necessary for the other party to employ one or more attorneys to enforce or defend any of such other party's rights or remedies hereunder, then, in such event, any reasonable amounts incurred by such other party, including but not limited to attorneys' fees, experts' fees and all costs, shall be paid by the breaching or defaulting party.
 - 2.16 This Contract shall not be assigned by Contractor to any other party without first obtaining the written consent of the City.
 - 2.17 This Contract shall be governed by and interpreted in accordance with the laws of the State of Kansas without giving effect to Kansas's choice of law provisions. The City and Contractor (1) submit to the jurisdiction of the state and federal courts located in Johnson County, Kansas; (2) waive any and all objections to jurisdiction and venue; and (3) will not raise forum non conveniens as an objection to the location of any litigation.
 - 2.18 This Agreement is for the period of April 1, 2024 through December 31, 2026. Either party may terminate this agreement by giving sixty (60) days prior written notice to the other party, or immediately upon a default by the other party. If this Agreement is terminated, the City shall be liable only for payment for services rendered before effective date of termination. Contractor shall prepare an accounting of the services performed and money spent by Contractor up to the effective date of termination and shall return to City any remaining sums within thirty (30) days of such date.
 - 2.19 The Contractor will commence work within ten (10) calendar days from and after receiving instructions from the City.
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3.0 Fees

3.1 The fees for the completion of these services are:

Contractor Rates		2024 Rate	2025 Rate	2026 Rate
Hourly Rate		80	80	80
Overtime Rate		104	104	104
Holiday Rate		160	160	160

Equipment Rates		2024 Daily Rate	2024 Hourly Rate		2025 Daily Rate	2025 Hourly Rate		2026 Daily Rate	2026 Hourly Rate	
Scaffold		60	15		60	15		60	15	
Scissor Lift		80	15		80	15		80	15	
Genie Lift		80	15		80	15		80	15	
Bucket Truck		500	85		500	85		500	85	

Materials	2024 % of Markup			2025 % of Markup			2026 % of Markup		
Purchase Invoice Cost Plus	15			15			15		

4.0 References

4.1 The Contractor will provide three (3) references of comparable work from the last twelve (12) months.

Company: Port Authority Contact: Krishan Purvis
Phone #: 816-559-3727 Email: kpurvis@portkc.com
Brief Description on Work: Maintain all electrical systems for interior/exterior lighting and data cable terminations for Port Auth. facilities

Company: City of Prairie Village KS Contact: James Carney
Phone #: 913-385-4644 Email: jcarney@pv.kansas.com
Brief Description on Work: On-Call city wide electrical services from 2019 to present

Company: Metropolitan Community College Contact: James Manthey
Phone #: 816-604-4062 Email: James.manthey@mcc.kc.edu
Brief Description of Work: On call electrical services for all campuses

Contractor Contact: David Erickson
Company Name: Pro Circuit, Inc
Address: 4925 Deramus Ave
Kansas City, Mo 64120
Telephone Number: 816-474-9292
Fax Number: _____
Email: cs+timetors@procircuitinc.com

/s/ Brynd Nolen 4/3/24
Contractor Agent Date

ATTEST:

/s/ _____
Kelley Nielsen, City Clerk Date

/s/ _____
Steven E. Mauer, City Attorney Date

/s/ _____
Keith Moody, City Administrator Date

Item Number: **Ordinances and Resolutions:- IX.-**
 A.
Committee **4/15/2024**
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 4/15/2024
Submitted By: Jennifer Jones-Lacy, Assistant City Administrator/Finance Director
Committee/Department: Admin
Title: **Ordinance 1051 - Chapter 1 Code Revisions**
Item Type: Ordinance

Recommendation:

Approve Ordinance no. 1051, which incorporates the changes to Chapter 1 recommended by City Council.

Details:

The attached ordinance incorporates changes recommended by staff, council and the DEI committee regarding Chapter 1 of the City Code. The ordinance was drafted by City Attorney Alex Felzien and reviewed by staff for accuracy.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request: n/a

Budgeted Item?

Budgeted Amount: n/a

Line Item Code/Description:

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Jones-Lacy, Jennifer	Approved	4/10/2024 - 2:54 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Ordinance no. 1051	Ordinance
▣ Redline - ch. 1	Exhibit

**CITY OF ROELAND PARK, KANSAS
ORDINANCE NO. 1051**

**AN ORDINANCE UPDATING VARIOUS PROVISIONS IN CHAPTER I
OF THE CITY OF ROELAND PARK, KANSAS MUNICIPAL CODE**

Whereas, the Governing Body of the City of Roeland Park, Kansas desires to overhaul Chapter I of the Roeland Park Municipal Code regarding “Administration,” and;

Whereas, the Governing Body of the City of Roeland Park, Kansas desires to remove and replaced all gendered pronouns found within Chapter I of the Roeland Park Municipal Code, and;

Whereas, the Governing Body of the City of Roeland Park, Kansas desires to update the policies and procedures found in Chapter I of the Roeland Park Municipal Code

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
CITY OF ROELAND PARK, KANSAS:**

SECTION 1. Section 1-102(g) is hereby deleted in its entirety and “Reserved” for future use, and Section 1-102(u) is hereby amended to read as follows:

“(u) *Signature, subscription* includes a mark when the person cannot write, when their name is written near such mark and is witnessed by a person who writes their own name as a witness.”

SECTION 2. Section 1-103 is hereby amended to read as follows:

“The provisions appearing in this Code, so far as they are in substance the same as those of ordinances existing at the time of the effective date of this Code, shall be considered as continuations thereof and not as new enactments.”

SECTION 3. Section 1-104 is hereby amended to read as follows:

“The repeal of an ordinance shall not revive an ordinance previously repealed, nor shall such repeal affect any right which has accrued, any duty imposed, any penalty incurred or any proceeding commenced under or by virtue of the ordinance repealed, except as shall be expressly stated therein.”

SECTION 4. Section 1-112 is hereby renamed “Code of Ordinances” and is hereby amended to read as follows:

“Following final passage and approval of each ordinance, the City Clerk shall enter the same in the code of ordinances of the City as provided by law. Each ordinance shall have appended thereto the manner in which the ordinance was passed, the date of passage, the page of the journal containing the record of the final vote on its passage, the name of the newspaper in which published and the date of publication.”

SECTION 5. Section 1-208 is hereby amended to read as follows:

“At all meetings of the Governing Body, a majority of the Councilmembers elect, excluding the Mayor, shall constitute a quorum to do business, but a minority may adjourn from day to day and may compel the attendance of absentees by a fine not exceeding \$10.00 for each offense unless a reasonable excuse be offered.”

SECTION 6. Section 1-209(a) is hereby amended to read as follows:

“(a) The Mayor shall receive a salary of \$510.00 per month for their services. Each Councilmember shall receive a salary of \$425.00 per month for their services.”

SECTION 7. Section 1-210 is hereby amended to read as follows:

“Members of the Governing Body shall be reimbursed for all expenses incurred in the performance of their official duties. However, no expense shall be reimbursed until an itemized accounting is provided to the City Clerk and the payment is approved by the Governing Body in a regular meeting of the Council.”

SECTION 8. Section 1-217 is hereby amended to read as follows:

“The following shall be an addition to the Code of Procedure for Kansas Cities:

Chairs and Co-Chairs of Service Areas. All members of the City Council shall serve as Service Area representatives. Two members shall be appointed annually to serve one-year terms as Co-Chairs of each standing Service Area for the following year. Beginning on January 1, 2017, service area membership shall rotate annually each March in accordance with the schedule set forth below. The following shall be the standing Service Areas:

Administrative (1)

Finance (2)

Safety (3)

Public Works (4)

Each Council position has been assigned a position number for purposes of Service Area assignments:

Ward	Term Expiring	Position
1	2027 (2031)	1
1	2025 (2029)	2
2	2025 (2029)	3
2	2027 (2031)	4
3	2025 (2029)	5
3	2027 (2031)	6
4	2025 (2029)	7
4	2027 (2031)	8

Appointments will change on an eight-year rotation schedule according to the following schedule:

Service Area	2024	2025	2026	2027	2028	2029	2030	2031
(1)	8-1	1-7	7-2	2-6	6-3	3-5	5-4	4-8
(2)	7-4	4-6	6-1	1-5	5-2	2-8	8-3	3-7
(3)	6-3	3-5	5-4	4-8	8-1	1-7	7-2	2-6
(4)	5-2	2-8	8-3	3-7	7-4	4-6	6-1	1-5

Whoever is elected to fill that member's seat will take the position that the outgoing member had in the rotation. At the end of the rotation after year 8, the rotation schedule will start over (with the assignments being the same as for year 1)."

SECTION 9. Section 1-222 is hereby amended to read as follows:

"The following shall be an addition to the Code of Procedure for Kansas Cities:

Point of Order; Appeal. When a member of the Governing Body believes that any person is violating one of these rules of procedure or any procedural guidelines adopted pursuant to section 7 of these rules of procedure, or any amendments thereto, they may raise a Point of Order, thereby calling upon the Chair of the meeting for a ruling and an enforcement of the rules. Any two members of the Governing Body may appeal from the decision of the Chair on a Point of Order. By one member taking the appeal and the second member seconding it, the question is taken from the Chair and vested in the Governing Body for final decision. The question on an Appeal is whether the ruling of the Chair shall be upheld. The Chair does not vote on an Appeal. An Appeal is not debatable, and a majority or tie vote sustains the ruling of the Chair."

SECTION 10. Section 1-307(d) and (e) are hereby amended to read as follows:

"(d) Keep official record of every appointment of office and the date thereof;

(e) Enter each ordinance of the City in the code of ordinances after its passage;"

SECTION 11. Section 1-308 is hereby amended to read as follows:

"The City Clerk shall:

(a) Prepare and keep suitable fiscal records according to generally accepted accounting principles;

(b) Keep a record of all special assessments."

SECTION 12. Section 1-309(c) is hereby amended to read as follows:

“(c) Keep suitable files of all such oaths required in their office, custody, or control.”

SECTION 13. Section 1-311 is hereby amended to read as follows:

“The duties of the City Treasurer, also referred to as the Finance Director, shall be as follows:

- (a) Publish or cause to be published quarterly statements of the financial records of the City in the manner and style provided by law;
- (b) Make quarterly reports to the Governing Body each year;
- (c) Perform such other and further duties as may be provided by the Governing Body such as assisting in internal control analysis and recommending changes in procedures to minimize risk of fraud and collusion in handling cash;
- (d) Reviews entries made to the general ledger for correctness; and
- (e) Advise on application of accounting principles.
- (f) The City Administrator may designate City staff to perform the duties assigned to the City Treasurer by the Code or by state statutes.
- (g) Assist in preparing the annual budget;
- (h) Audit all claims against the City for goods or services rendered for the consideration of the Governing Body. Their accounts shall properly show the amounts paid from any fund of the City and the cash balance existing in each fund;
- (i) Keep an accurate account of all bonds issued by the City.”

SECTION 14. Section 1-314 is hereby amended to read as follows:

“The City Engineer shall be responsible for:

- (a) The design and specifications for all City streets, public buildings and other public facilities, unless otherwise assigned to a third party firm;
- (b) The inspection of all public works projects including streets, and other public facilities.”

SECTION 15. Section 1-315 is hereby amended to read as follows:

“(a) *Office of City Administrator established.* There is hereby created and established the office of City Administrator for the City.

(b) *Appointment and tenure.* A qualified person shall be appointed City Administrator by the Mayor. Such appointment shall be approved by a majority of the City Council. The person so appointed shall serve at the pleasure of the Council, for an indefinite term.

(c) *Qualifications.* The person appointed to the office of City Administrator shall be at least 25 years of age and shall live within 25 miles of Roeland Park, unless otherwise waived, at the time of the effective date of such appointment; and shall be a graduate of an accredited university or college, majoring in public or municipal administration or shall have the equivalent qualifications and experience in financial, administration or related fields.

(d) *Bond.* The City Administrator, before entering upon the duties of the office, shall file with the City a bond in the amount of \$50,000.00, such bond shall be approved by the City Council and such bond shall ensure the City for the faithful and honest performance of the duties of the City and for rendering a full and proper account to the City for funds and property which shall come into the possession or control of the City Administrator. The cost of such bond shall be paid by the City; however, should the City Administrator be covered by a blanket bond to the same extent, such individual bond shall not be required.

(e) *Compensation.* The City Administrator shall receive such compensation as may be determined from time to time by the City Council and such compensation shall be payable bi-weekly.

(f) *Removal of City Administrator.* The City Administrator shall serve at the pleasure of the City Council. The Mayor, with the consent of a majority of the City Council, may remove the City Administrator from office at will, and such City Administrator may also be removed by a 2/3 vote of the City Council independently of the Mayor's approval or disapproval.

(g) *Duties.*

(1) *Administrative office:* The City Administrator shall be the Chief Administrative Assistant to the Governing Body. Except as otherwise specified by ordinance or by the law of the State of Kansas, the City Administrator shall coordinate and supervise the operation of all departments of the City.

(2) *Budget:* The City Administrator shall be the budget officer of the City in accordance with Kansas Statutes and shall assemble estimates of the financial needs and resources of the City for each ensuing year and shall prepare a program of activities within the financial power of the City, embodying in it a budget document with proper supporting schedules and an analysis to be proposed to the Mayor and the City Council for their final approval.

(3) *Financial reports:* The City Administrator, or their designee, shall make quarterly reports to the Mayor and City Council relative to the financial condition of the City. Such reports shall show the financial conditions of the City in relation to the budget.

(4) *Personnel system:* The City Administrator shall act as the personnel officer of the City and shall recommend an appropriate position classification system and pay plan to the Mayor and City Council and administer an appropriate position classification system and pay plan, as approved by the Mayor and City Council. The City Administrator, after consultation with department heads, shall approve advancements and appropriate pay increases within the approved pay plans and position classification system. The City

Administrator shall have the power to appoint and remove (in accordance with personnel system regulations approved by the City Council) all subordinate employees of the City. The City Administrator shall make recommendations to the Mayor regarding the appointment and removal of all appointive officials of the City.

(5) *Policy formulation:* The City Administrator shall recommend to the Mayor and City Council adoption of such measures as they may deem necessary or expedient for the health, safety, or welfare of the City or for the improvement of administrative services for the City.

(6) *City Council agenda:* The City Administrator shall assist the Mayor in preparing an agenda for each City Council meeting at least 48 hours before the time of the regular Council meeting.

(7) *Boards and committees:* The City Administrator shall work with all City boards and committees to help coordinate the work of each.

(8) *Attend Council meetings:* The City Administrator shall attend all meetings of the City Council.

(9) *Bid specifications:* The City Administrator shall supervise the preparation of all bid specifications for services and equipment, and receive sealed bids for presentation to the City Council.

(10) *State and federal aid program:* The City Administrator shall coordinate federal and state programs which may have application to the City.

(11) *Conference attendance:* The City Administrator shall attend state, regional, and national conferences and programs applicable to their office, and the business of the City, whenever such attendance is directed and approved by the City Council and the Mayor.

(12) *Press release:* The City Administrator, in conjunction with the Mayor, shall be responsible for keeping the public informed in the purposes and methods of City government through all available news media.

(13) *Record keeping:* The City Administrator shall keep full and accurate records of all actions taken in the course of their duties, and they shall safely and properly keep all records and papers belonging to the City and entrusted to their care; except as otherwise provided by law, all such records shall be and remain the property of the City and be open to inspection by the Mayor and the City Council at all times.

(14) *Sign contracts:* The City Administrator shall sign contracts on behalf of the City after the contract has been approved or authorized by the City Council.

(15) *Enforce ordinances:* The City Administrator shall execute and enforce all ordinances of the City.

(16) The City Administrator shall perform such other duties as may be described or amended in any City Administrator job description or employment contract.

(h) *Powers.*

(1) *City property:* The City Administrator shall have responsibility for all real and personal property of the City subject to their authority. They shall have responsibility for all inventories of such property and for the upkeep of all such property. Personal property may be sold by the City Administrator only with approval of the City Council. Real property may be sold only with the approval of the City Council by resolution or ordinance.

(2) *Implement administrative policies:* The City Administrator shall have the power to prescribe such rules and regulations as they shall deem necessary or expedient for the implementation of administrative policies as set forth by the Governing Body.

(3) *Coordinate officials:* The City Administrator shall have the power to overrule any action taken by a department head subject to their authority and may supersede him or her in the functions of such office.

(4) *Investigate and report:* The City Administrator shall have the power to investigate and to examine or inquire into the affairs or operation of any department of the City under their jurisdiction and shall report on any condition or fact concerning the City government requested by the Mayor or City Council.

(5) *Appear before the City Council:* The City Administrator shall have the power to appear before and address the City Council at any meeting.

(6) At no time shall the duties or powers of the City Administrator supersede the lawful action of the Mayor and/or City Council.”

SECTION 16. Section 1-317(a) is hereby amended to read as follows:

“(a) No City officer or employee shall be signatory upon, discuss in an official capacity, vote on any issue concerning or otherwise participate in their capacity as a public official or employee in the making of any contract with any person or business:

(1) In which the officer or employee owns a legal or equitable interest exceeding \$5,000.00 or five percent, whichever is less, individually or collectively with their spouse; or

(2) From which the officer or employee receives, in the current or immediately preceding or succeeding calendar year, any salary, gratuity, other compensation or a contract for or promise or expectation of any such salary, gratuity or other compensation or remuneration having a dollar value of \$1,000.00 or more; or

(3) In which they shall hold the position of officer or director, irrespective of the amount of compensation received from or ownership held in the business.

State law reference(s) – K.S.A. 75-4301.”

SECTION 17. Section 1-319 is hereby amended to read as follows:

“There is hereby incorporated by reference for the purpose of establishing employee personnel rules and regulations the document entitled "City of Roeland Park Employee Handbook" A copy of said document shall be marked "Official Copy as adopted by the Code of the City of Roeland Park." and shall be filed with the City Clerk and shall be open to inspection and available to the public at all reasonable business hours.”

SECTION 18. Section 1-401 is hereby amended to read as follows:

“All officers and employees of the City, whether elected or appointed, either under the laws of the State of Kansas or ordinances of the City, shall before entering upon the duties of their respective offices, take and subscribe an oath or affirmation as follows:

Oath: "I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the State of Kansas and all ordinances, both ordinance and charter of the City of Roeland Park, and faithfully discharge the duties of _____ (here enter name of office or position). (So help me God)". (The phrase “So help me God” may be included or omitted at the discretion of the person being sworn in)

Affirmation: "I do solemnly, sincerely and truly declare and affirm that I will support the Constitution of the United States and of the State of Kansas and faithfully discharge the duties of _____ (enter name of office or position). This I do under the pains and penalties of perjury."

State law reference(s)—K.S.A. 75-4308, 54-104, 54-106.”

SECTION 19. Section 1-403 is hereby renamed “Insurance Required” and is amended to read as follows:

“The Governing Body shall provide for the coverage by blanket liability insurance of all employees and public officials in an amount of at least Five Hundred Thousand Dollars (\$500,000.00) per occurrence.”

SECTION 20. Section 1-404 is hereby amended to read as follows:

“All premiums on liability insurance shall be paid by the City.”

SECTION 21. Section 1-406 is hereby deleted and “Reserved” for future use, and 1-405 is hereby renamed “Condition of Insurance” and is hereby amended to read as follows:

“The liability insurance required in section 1-403 of this article shall be conditioned for the faithful performance of duty and all acts required by the laws of Kansas and the ordinances of the City, and for the application and payment over to the proper persons of all moneys or property coming into the hands of each such officer by virtue of their office.”

SECTION 22. Section 1-601(b) is hereby amended to read as follows:

“Any person, upon request, shall have access to such open public records for the purpose of inspecting, abstracting or copying such records while they are in the possession, custody and control of the appointed or designated record custodian thereof, or their designated representative.”

SECTION 23. Section 1-607 is hereby amended to read as follows:

“The following City officers are hereby appointed as official custodians for purposes of the Kansas Open Records Act and are hereby charged with responsibility for compliance with that Act with respect to the hereinafter listed public records:

(a) *City Clerk.* All public records kept and maintained by the City Clerk's office and all other public records not provided for elsewhere in this section.

(b) *City Treasurer/Finance Director.* All public records not on file with the office of the City Clerk and kept and maintained by the City Finance Director's office.

(c) *Chief of Police.* All public records not on file with the office of the City Clerk and kept and maintained by the City police department.

(d) *City Attorney.* All public records not on file with the office of the City Clerk and kept and maintained by the City Attorney's office.

(e) *Clerk of the Municipal Court.* All public records not on file with the office of the City Clerk and kept and maintained by the municipal court.”

SECTION 24. Section 1-609(b) is hereby amended to read as follows:

“(b) Whenever an official custodian shall appoint another person as a record custodian they shall notify the City Clerk of such designation and the City Clerk shall maintain a register of all such designations.”

SECTION 25. Section 1-610 is hereby renamed “Requests to be Directed to the City Clerk” and is hereby amended to read as follows:

“All members of the public, in seeking access to, or copies of, a public record in accordance with the provisions of the Kansas Open Records Act, shall address their requests to the City Clerk who will forward the request to the appropriate record custodian.”

SECTION 26. Section 1-702(a) and (b) are hereby amended to read as follows:

“(a) The Governing Body shall designate the banks, savings and loan associations and savings banks which shall serve as depositories of its funds. The Clerk, Finance Director, or other City officer or employee having custody of City funds shall deposit such funds only at the designated banks, savings and loan associations and savings banks. Only banks, savings and loan associations and savings banks that have main or branch offices in Johnson County shall be designated as official depositories. No such bank, savings bank or savings and loan association shall be designated as a depository until the City is assured that it can obtain satisfactory security for its deposits.

(b) The Clerk, Finance Director or other City officer or employee depositing public funds shall deposit all such public funds coming into such person's possession in their name and official title as such officer. If the Governing Body fails to designate an official depository or depositories, the officer thereof having custody of City funds shall deposit such funds with one or more banks, savings and loan associations or savings banks which have main or branch offices in Johnson County if satisfactory security can be obtained therefore and if not then elsewhere. In such event, the officer or employee shall serve notice in writing on the Governing Body showing the names and locations of such banks, savings and loan associations and savings banks where such funds are deposited, and upon so doing the officer or employee having custody of such funds shall not be liable for the loss of any portion thereof except for official misconduct or for the misappropriation of such funds by the officer or employee.”

SECTION 27. Section 1-704(a)(4) is hereby amended to read as follows:

“(4) In direct obligations of or obligations that are insured as to principal and interest by the United States or any agency thereof, not including mortgage-backed securities with maturities as the governing body shall determine, but not exceeding two years. Such investment transactions shall only be conducted with banks, savings and loan associations and savings banks; the federal reserve bank of Kansas City, Missouri; or with primary government securities dealers which report to the market report division of the federal reserve bank of New York, or any broker-dealer engaged in the business of selling government securities which is registered in compliance with the requirements of section 15 or 15C of the securities exchange act of 1934 and registered pursuant to K.S.A. 17-12a401, and amendments thereto;”

SECTION 28. Section 1-705 is hereby amended to read as follows:

“The City Finance Director shall periodically report to the Governing Body as to the amount of money available for investment and the period of time such amounts will be available for investment, and shall submit such recommendations as deemed necessary for the efficient and safe management of City finances. The recommendations of the City Finance Director shall provide for an investment program which shall so limit the amounts invested and shall schedule the maturities of investments so that the City will, at all times, have sufficient moneys available on demand deposit to assure prompt payment of all City obligations.”

SECTION 29. Section 1-706 is hereby amended to read as follows:

“All securities will be perfected in the name of the City and held by the City or a third-party custodian. A third-party custodian will generally hold securities pledged as collateral by the City’s financial institutions. The City is authorized to use the Federal Reserve Bank of Kansas City as a custodian, but may use other custodians as permitted by state law. Safekeeping records of pledged securities may be mailed, faxed or emailed to the City in order to accommodate timely and legal investment transactions.”

SECTION 30. Section 1-708 is hereby deleted in its entirety and “Reserved” for future use.

SECTION 31. Section 1-1002 is hereby amended to read as follows:

“There is hereby created and established a Community Engagement Committee for the City which shall consist of two members of the City Council, one primary and one alternate, and up to nine additional individuals, one of which may be a non-resident and all additional members shall be residents of the City. The Council representatives shall have a total of one (1) vote on the committee. In the event of the presence of both the primary and alternate members, the primary member shall have voting privileges at that meeting. Youth representatives between the ages of 14 and 17 may join a committee with parental consent. All of the individuals shall be nominated by the Mayor and approved by the City Council. The terms of all members shall be for one year beginning January 1 of each year. In the event a vacancy should occur during the term of any member, their successor shall be appointed in the same manner for the unexpired portion of the term. There shall be no limitation on the number of times an individual may be re-appointed. Any member of the Committee may be removed at any time by a majority vote of the City Council. Neither the Committee nor any individual member shall have any authority to financially obligate, commit or contract on behalf of the City.”

SECTION 32. Section 1-1006 is hereby amended to read as follows:

“The Community Engagement Committee shall meet at such times and places as it shall agree upon or upon call by the City Council. The Committee shall elect a chair and vice chair at its first meeting of each calendar year or co-chairs as determined by members of the committee. Any bylaws or other rules and regulations relating to its meetings and proceedings must be approved by the City Council. The Committee shall keep minutes of its meetings and provide a copy thereof to the City Clerk. A majority of the members appointed to the Community Engagement Committee shall constitute a quorum for the transaction of the business of the Committee.”

SECTION 33. Section 1-1102 is hereby amended to read as follows:

“There is hereby created and established an Arts Advisory Committee for the City which shall consist of two members of the City Council, one primary and one alternate, and up to nine additional individuals, one of which may be a non-resident and all additional members shall be residents of the City. The Council representatives shall have a total of one (1) vote on the committee. In the event of the presence of both the primary and alternate members, the primary member shall have voting privileges at that meeting. Youth representatives between the ages of 14 and 17 may join a committee with parental consent. All of the individuals shall be nominated by the Mayor and approved by the City Council. The terms of all members shall be for one year beginning January 1 of each year. In the event a vacancy should occur during the terms of any member, their successor shall be appointed in the same manner for the unexpired portion of the term. The Art Advisory Committee may elect a vice chair or elect to have co-chairs. There shall be no limitation on the number of times an individual may be re-appointed. Any member of the Committee may be removed at any time by a majority vote of the City Council. Neither the Committee nor any individual member shall have any authority to financially obligate, commit or contract on behalf of the City.”

SECTION 34. Section 1-1103 is hereby amended to read as follows:

“Members of the Arts Advisory Committee shall serve without compensation; provided, however, that the Art Gallery Director shall receive a monthly stipend to be set annually as part of budget adoption process.”

SECTION 35. Section 1-1104(b)(1) is hereby amended to read as follows:

“(1) Find artists from a variety of backgrounds and cultures to exhibit their works in the Gallery.”

SECTION 36. Section 1-1106 is hereby amended to read as follows:

“The Arts Advisory Committee shall meet at such times and places as it shall agree upon or upon call by the City Council. The Committee shall elect a chair and vice chair at its first meeting of each calendar year or co-chairs as determined by members of the committee. Any bylaws or other rules and regulations relating to its meetings and proceedings must be approved by the City Council. The Committee shall keep minutes of its meetings and provide a copy thereof to the City Clerk. A majority of the members appointed to the Arts Advisory Committee shall constitute a quorum for the transaction of the business of the Committee.”

SECTION 37. Article 12 “Youth Advisory Committee” of Section I of the Roeland Park Municipal Code is hereby deleted in its entirety and “Reserved” for future use.

SECTION 38. Section 1-1302 is hereby amended to read as follows:

“There is hereby created and established a Sustainability Committee for the City which shall consist of two members of the City Council, one primary and one alternate, and up to nine additional individuals, one of which may be a non-resident and all additional members shall be residents of the City. The Council representatives shall have a total of one (1) vote on the committee. In the event of the presence of both the primary and alternate members, the primary member shall have voting privileges at that meeting. Youth representatives between the ages of 14 and 17 may join a committee with parental consent. All of the individuals shall be nominated by the Mayor and approved by the City Council. The terms of all members shall be for one year beginning January 1st of each year. In the event a vacancy should occur during the term of any member, their successor shall be appointed in the same manner for the unexpired portion of the term. There shall be no limitation on the number of times an individual may be re-appointed. Any member of the Committee may be removed at any time by a majority vote of the Governing Body. Neither the Committee nor any individual member shall have any authority to financially obligate, commit or contract on behalf of the City.”

SECTION 39. Section 1-1304 is hereby amended to read as follows:

“It shall be the responsibility of the Committee to review current uses and practices as they relate to environmental sustainability, including a review of the City's own practices and procedures, and to make recommendations to the Governing Body relating to policies, guidelines or programs, including but not limited to, maintaining and enhancing air quality, reducing waste disposal and need for landfills, increasing awareness of the need to conserve natural resources and educating the public on the disproportionate impacts of climate change and on methods to protect the environment generally.”

SECTION 40. Section 1-1306 is hereby amended to read as follows:

“The Sustainability Committee shall elect a chair and vice chair at its first meeting of each calendar year or co-chairs as determined by members of the committee. The Committee shall meet at such times and places deemed appropriate upon the call of the chairperson, the vice chairperson or by any three members of the Committee. Any bylaws or other rules and regulations relating to the Committee's meetings and proceedings must be approved by the City Council. The Committee shall keep minutes of its meetings and shall provide a copy thereof to the City Clerk. A majority of the members appointed to the Committee shall constitute a quorum for the transaction of the business of the Committee.”

SECTION 41. Section 1-1604(c) and (d) are hereby amended to read as follows:

“(c) It is incumbent upon the member utilizing remote participation that they can participate fully and does not unduly burden the physically present members of the governing body due to technological issues or telecommunication problems.

(d) Any member of the governing body participating remotely shall ensure their camera is turned "on" for the duration of the meeting.”

SECTION 42. Section 1-1605(f) is hereby amended to read as follows:

“(f) The remote participant will verify their identity at the beginning of the meeting and state that they are fully participating without any undue influence by others.”

SECTION 43. Section 1-1802 is hereby amended to read as follows:

“There is hereby created and established an Aquatic Center Advisory Committee for the City which shall consist of two members of the City Council, a primary and an alternate, and up to nine additional individuals, one of which may be a non-resident and all additional members shall be residents of the City. The Council representatives shall have a total of one (1) vote on the committee. In the event of the presence of both the primary and alternate members, the primary member shall have voting privileges at that meeting. Youth representatives between the ages of 14 and 17 may join a committee with parental consent. If the aquatic center is managed through contract, an ex-officio non-voting seat on the Committee shall be extended to a representative of the management company/organization. All of the individuals shall be nominated by the Mayor and approved by the City Council. The terms of all members shall be for one year beginning January 1st of each year. In the event a vacancy should occur during the term of any member, their successor shall be appointed in the same manner for the unexpired portion of the term. There shall be no limitation on the number of times an individual may be re-appointed. Any member of the Committee may be removed at any time by a majority vote of the City Council. Neither the Committee nor any individual member shall have any authority to financially obligate, commit or contract on behalf of the City.”

SECTION 44. Section 1-1806 is hereby amended to read as follows:

“The Aquatics Center Advisory Committee shall meet at such times and places as it shall agree upon or upon call by the City Council. The Committee shall elect a chair and vice chair at

its first meeting of each calendar year or co-chairs as determined by members of the committee. Any bylaws or other rules and regulations relating to its meetings and proceedings must be approved by the City Council. The Committee shall keep minutes of its meetings and provide a copy thereof to the City Clerk. A majority of the members appointed to the Aquatic Center Advisory Committee shall constitute a quorum for the transaction of the business of the Committee.”

SECTION 45. The language preceding subsections (a) through (d) in Section 1-1902 is hereby amended to read as follows:

“Whenever, in the judgment of the mayor or in the event of their inability to act, the president of the council determines that an emergency exists as a result of a public or natural disaster, or other civil disobedience causing danger of injury or damages to persons or property, they shall have power to impose by proclamation any or all of the following regulations necessary to preserve the health, safety, peace and order of the City:”

SECTION 46. Article 20 of Section I of the Roeland Park Municipal Code is hereby renamed “Diversity, Equity & Inclusion Committee”.

SECTION 47. Section 1-2002 is hereby amended to read as follows:

“There is hereby created and established a Diversity, Equity & Inclusion Committee for the City which shall consist of two members of the Governing Body, one primary and one alternate, and up to nine additional individuals, one of which may be a non-resident and all additional members shall be residents of the City. The Council representatives shall have a total of one (1) vote on the committee. In the event of the presence of both the primary and alternate members, the primary member shall have voting privileges at that meeting. Youth representatives between the ages of 14 and 17 may join a committee with parental consent. All of the individuals shall be nominated by the Mayor and approved by the City Council. The terms of all members shall be for one year beginning January 1 of each year. In the event a vacancy should occur during the term of any member, their successor shall be appointed in the same manner for the unexpired portion of the term. There shall be no limitation on the number of times an individual may be re-appointed. Any member of the Committee may be removed at any time by a majority vote of the City Council. Neither the Committee nor any individual member shall have any authority to financially obligate, commit, or contract on behalf of the City.”

SECTION 48. Section 1-2004 is hereby amended to read as follows:

“It shall be the responsibility of the Diversity, Equity & Inclusion Committee to identify ways the City can better achieve racial and social equity within Roeland Park, and to make recommendations to the City Council concerning the Committee's findings.”

SECTION 49. Section 1-2006 is hereby amended to read as follows:

“The Diversity, Equity & Inclusion Committee shall meet at such times and places as it shall agree upon or upon a call by the City Council. The Committee shall elect a chair and vice chair, or co-chairs as determined by members of the committee, at its first meeting of each calendar year. Any bylaws or other rules and regulations relating to its meetings and proceedings must be

approved by the City Council. The Committee shall keep minutes of its meetings and provide a copy thereof to the City Clerk. A majority of the members appointed to the Diversity, Equity & Inclusion Committee shall constitute a quorum for the transaction of the business of the Committee.”

SECTION 50. This Ordinance shall take effect upon its publication, or the publication of a summary thereof, in the official City newspaper.

PASSED by the City Council the 15th day of April 2024. **APPROVED** by the Mayor.

Michael Poppa, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney

ARTICLE 1. GENERAL PROVISIONS

Sec. 1-101. Code Designated.

The chapters, articles and sections herein shall constitute and be designated as "The Code of the City of Roeland Park, Kansas," and may be so cited. The Code may also be cited as the "Roeland Park City Code."

(Code 1986)

Sec. 1-102. Definitions.

In the construction of this Code and of all ordinances of the City, the following definitions and rules shall be observed, unless such construction would be inconsistent with the manifest intent of the City Council or the context clearly requires otherwise:

- (a) *Bond*. When a bond is required, an undertaking in writing shall be sufficient.
- (b) *City* shall mean the City of Roeland Park, Kansas.
- (c) *Code* shall mean "The Code of the City of Roeland Park, Kansas."
- (d) *Computation of time*. The time within which an act is to be done shall be computed by excluding the first and including the last day; and if the last day be a Saturday, Sunday, or legal holiday, that day shall be excluded.
- (e) *County* means the County of Johnson in the State of Kansas.
- (f) *Delegation of authority*. Whenever a provision appears requiring or authorizing the head of a department or officer of the City to do some act or perform some duty, it shall be construed to authorize such department head or officer to designate, delegate and authorize subordinates to do the required act or perform the required duty unless the terms of the provision designate otherwise.
- (g) ~~Gender. Words importing the masculine gender include the feminine and neuter.~~
- (h) *Governing body* shall be construed to mean the Mayor and City Council of the City.
- (i) *In the City* shall mean and include all territory over which the City now has, or shall hereafter acquire jurisdiction for the exercise of its police powers or other regulatory powers.
- (j) *Joint authority*. All words giving a joint authority to three or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.
- (k) *Month* shall mean a calendar month.
- (l) *Number*. Words used in the singular include the plural and words used in the plural include the singular.
- (m) *Oath* includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the word "swear" is equivalent to the word "affirm."
- (n) *Officers, departments, etc.* Officers, departments, boards, commissions and employees referred to in this Code shall mean officers, departments, boards, commissions and employees of the City of Roeland Park, unless the context clearly indicates otherwise.

Commented [JL1]: This is something we can change throughout the code: use gender neutral pronouns-DEI item. Then this definition can go away or change.

- (o) *Owner* applied to a building or land, shall include not only the owner of the whole but any part owner, joint owner, tenant in common or joint tenant of the whole or a part of such building or land.
- (p) *Person* includes a firm, partnership, association of persons, corporation, organization or any other group acting as a unit, as well as an individual.
- (q) *Property* includes real, personal and mixed property.
- (r) *Real property* includes lands, tenements and hereditaments, and all rights thereto and interest therein, equitable as well as legal.
- (s) *Shall, may.* "Shall" is mandatory and "may" is permissive.
- (t) *Sidewalk* means any portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.
- (u) *Signature, subscription* includes a mark when the person cannot write, when ~~his or her~~their name is written near such mark and is witnessed by a person who writes ~~his or her~~their own name as a witness.
- (v) *State* shall be construed to mean the State of Kansas.
- (w) *Street* means and includes public streets, avenues, boulevards, highways, roads, alleys, lanes, viaducts, bridges and the approaches thereto and all other public thoroughfares in the City.
- (x) *Tenant or occupant* applied to a building or land, shall include any person holding a written or oral lease of, or who occupies the whole or a part of such building or land, whether alone or with others.
- (y) *Tenses.* Words used in the past or present tense include the future as well as the past and present.
- (z) *Writing or written* may include printing, engraving, lithography and any other mode of representing words and letters, except those cases where the written signature or the mark of any person is required by law.
- (aa) *Year* means a calendar year, except where otherwise provided.

(Code 1986)

Sec. 1-103. Existing Ordinances.

The provisions appearing in this Code, so far as they are in substance the same as those of ordinances existing at the time of the effective date of this Code, shall be considered as continuations thereof and not as new enactments.~~;~~~~HO;~~ (Code 1986)

Sec. 1-104. Effect of Repeal.

The repeal of an ordinance shall not revive an ordinance previously repealed, nor shall such repeal affect any right which has accrued, any duty imposed, any penalty incurred or any proceeding commenced under or by virtue of the ordinance repealed, except as shall be expressly stated therein.~~;~~~~HO;~~ (Code 1986)

Sec. 1-105. Catchlines of Sections.

The catchlines of the sections of this Code printed in boldface type are intended as mere catchwords to indicate the contents of the section and shall not be deemed or taken to be titles of such sections, nor as any part of any section, nor unless expressly so provided, shall they be so deemed when any section, including its catchline, is amended or reenacted.

(Code 1986)

Created: 2023-10-02 15:06:51 [EST]

(Supp. No. 15, Update 5)

Sec. 1-106. Parenthetical and Reference Matter.

The matter in parenthesis at the ends of sections is for information only and is not a part of the Code. Citations indicate only the source and the text may or may not be changed by this Code. This Code is a new enactment under the provisions of K.S.A. 12-3014 and 12-3015. Reference matter not in parenthesis is for information only and is not a part of this Code.

(Code 1986)

Sec. 1-107. Amendments: Repeal.

Any portion of this Code may be amended by specific reference to the section number as follows: "Section _____ of the Code of the City of Roeland Park is hereby amended to read as follows: (the new provisions shall then be set out in full)..." A new section not heretofore existing in the Code may be added as follows: "The Code of the City of Roeland Park is hereby amended by adding a section (or article or chapter) which reads as follows:...(the new provisions shall be set out in full)..." All sections, or articles, or chapters to be repealed shall be repealed by specific reference as follows: "Section (or article or chapter) _____ of the Code of the City of Roeland Park is hereby repealed."

(Code 1986)

Sec. 1-108. Powers Generally.

All powers exercised by cities of the second class, or which shall hereafter be conferred upon them, shall be exercised by the Governing Body, subject to such limitations as prescribed by law.

(Code 1986)

Sec. 1-109. Ordinances.

The Governing Body shall have the care, management and control of the City and its finances, and shall pass all ordinances needed for the welfare of the City. All ordinances shall be valid when a majority of all the members-elect of the City Council shall vote in favor. Where the number of favorable votes is one less than required, the Mayor shall have power to cast the deciding vote in favor of the ordinance.

(Code 1986)

State law reference(s)—K.S.A. 12-3002.

Sec. 1-110. Same; Subject and Title; Amendment.

No ordinance shall contain more than one subject, which shall be clearly expressed in its title; and no section or sections of an ordinance shall be amended unless the amending ordinance contains the entire section or sections as amended and the section or sections amended shall be repealed.

(Code 1986)

State law reference(s)—K.S.A. 12-3004.

Sec. 1-111. Same; Publication.

No ordinance, except those appropriating money, shall be in force until the ordinance, or a certified summary thereof, is published in the official City newspaper by the City Clerk. One publication of any such ordinance shall be sufficient unless additional publications are required by statute or ordinance. The publisher of the newspaper shall prefix such published ordinance by a line in brackets stating the month, day and year of such publication.

(Code 1986)

State law reference(s)—K.S.A. 12-3007.

Sec. 1-112. Same; Code of Ordinances~~Book~~.

Following final passage and approval of each ordinance, the City Clerk shall enter the same in the ~~ordinance book~~code of ordinances of the City as provided by law. Each ordinance shall have appended thereto the manner in which the ordinance was passed, the date of passage, the page of the journal containing the record of the final vote on its passage, the name of the newspaper in which published and the date of publication.

(Code 1986)

State law reference(s)—K.S.A. 12-3008.

Sec. 1-113. Resolutions, Motions.

Except where a state statute or City ordinance specifically requires otherwise, all resolutions and motions shall be passed if voted upon favorably by a majority of a quorum of the City Council.

(Code 1986)

Sec. 1-114. City Records.

The City Clerk or any other officer or employee having custody of City records and documents shall maintain such records and documents in accordance with K.S.A. 12-120 to 12-121 inclusive, which is incorporated by reference herein as if set out in full.

(Code 1986)

State law reference(s)—K.S.A. 12-120, 12-121.

Sec. 1-115. Altering Code.

It shall be unlawful for any person, firm or corporation to change or amend by additions or deletions, any part or portion of this Code, or to insert or delete pages, or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Roeland Park to be misrepresented thereby. This restriction shall not apply to amendments or revisions of this Code authorized by ordinance duly adopted by the Governing Body.

(Code 1986)

Sec. 1-116. Scope of Application.

Any person convicted of doing any of the acts or things prohibited, made unlawful, or the failing to do any of the things commanded to be done, as specified and set forth in this Code, shall be deemed in violation of this Code and punished in accordance with Section 1-117. Each day any violation of this Code continues shall constitute a separate offense.

(Code 1986)

Sec. 1-117. General Penalty.

Whenever any offense is declared by any provision of this Code, absent a specific or unique punishment prescribed, the offender shall be punished in accordance with this section.

- (a) A fine of not more than \$2,500.00; or
- (b) Imprisonment in jail for not more than 179 days; or
- (c) Both such fine and imprisonment not to exceed subsections (a) and (b) above. Each such person is guilty of a separate offense for each and every day during any portion of which any violation of any provision of the City ordinances or this Code is committed, continued or permitted by any such person, and such person shall be punished accordingly.

(Code 1998)

Sec. 1-118. Severability.

If for any reason any chapter, article, section, subsection, sentence, clause or phrase of this Code or the application thereof to any person or circumstance, is declared to be unconstitutional or invalid or unenforceable, such decision shall not affect the validity of the remaining portions of this Code.

(Code 1986)

ARTICLE 2. GOVERNING BODY

Sec. 1-201. Governing Body.

The Governing Body shall consist of a Mayor and eight Councilmembers, all of whom shall be elected in the manner provided by Charter Ordinance No. 5, as set out in Chapter 6 and Appendix A of this Code.

(Code 1986)

Sec. 1-202. Mayor; Powers and Duties.

The Mayor shall:

- (a) Preside at all meetings of the Governing Body, except as set forth in subsection 1-203(b)(2);
- (b) Have the tie-breaking vote on all questions when the members present are equally divided, except as set forth in subsection 1-203(a);

-
- (c) Promote good conduct and cause to be remedied any neglect, carelessness, or other violation of duty of all elected officers;
 - (d) Sign the commissions and appointments of all officers elected or appointed;
 - (e) Endorse the approval of the Governing Body on all official bonds;
 - (f) From time to time communicate to the City Council such information and recommend such measures as ~~he or she~~they may deem advisable;
 - (g) Have the power to approve or veto any ordinance as the laws of the state shall prescribe; and
 - (h) Sign all orders and drafts drawn upon the City Treasurer for money.

(Code 1977, § 1-102; Code 1986; Chart. Ord. No. 34, § 1, 9-19-2016)

Note(s)—For authority to remove any appointed officer see Sections 1-302—1-306.

Sec. 1-203. President of the Council.

- (a) There shall be a President of the Council who shall serve a one-year term and who shall be selected in accordance with the following procedure. At the first Council meeting in January of each year or the Council meeting following the resignation of the acting Council President, nominations shall be made. At the second meeting in January, or the second meeting following the resignation of the Council President, and an election shall be held on the Council President. Once the nominations are made, a brief five-minute speech will be allowed from each candidate. Upon election by a majority of the Councilmembers present, the President of the Council shall be elected for the next term. The Mayor does not have a tie-breaking vote in the selection of the President of the Council. If a majority vote of Councilmembers present cannot be met, the following procedure shall be followed. If there are more than two nominations, the number of nominations shall be narrowed down to two and the process repeated. The top two vote getters shall move on. If there is a tie between the second or more vote getters, a coin flip shall decide who is in the top two. If there is a tie in the vote of the final two, a coin shall be flipped to determine the President of the Council. This process will be repeated annually each January.
- (b) The President of the Council shall have the following duties:
 - (1) Preside at meetings of the City Council in the absence of the Mayor while retaining all the privileges of a Councilmember;
 - (2) Preside at all Governing Body Workshops, ~~given that Co-Chairs may present items specific to their assigned service area (i.e. Administration, Public Works, Public Safety or Finance);~~
 - (3) Participate in meetings or events on behalf of the Mayor when the Mayor cannot attend due to a schedule conflict; and
 - (4) Advise and consult with City staff when an urgent issue arises and the Mayor cannot be reached in a reasonable period of time after attempts to reach the Mayor have been made.

(Chart. Ord. No. 26, §§ 2, 3, 5, 1-21-2014; Chart. Ord. No. 33, § 1, 9-19-2016; Ord. No. 989, § 1, 1-6-2020)

Note(s)—At the discretion of the editor, the provisions of Chart. Ord. No. 26 §§ 2 and 3, pertaining to the President of the Council have been codified as § 1-203, above. Provisions of § 4 pertaining to the Acting President of the Council have been codified as § 1-203.1, below.

Sec. 1-203.1 Acting President of the Council.

In the absence of both the Mayor and the President of the Council at a meeting of the Governing Body, the Council shall elect one of its members to serve as Acting President of the Council who shall preside at the meeting. While presiding at a meeting of the Governing Body, the Acting President of the Council shall retain all the privileges of a Councilmember. If the election for the Acting President of the Council results in a tie, a coin shall be flipped.

(Chart. Ord. No. 26, § 4, 1-21-2014; Chart. Ord. No. 33, § 2, 9-19-2016)

Sec. 1-204. Administrative Powers.

The Governing Body may designate whether the administration of a policy or the carrying out of any order shall be performed by a committee, an appointive officer, or the Mayor. If no administrative authority is designated it shall be vested in the City Administrator or his/her designee.

(Code 1986; Ord. No. 931, § 1, 9-19-2016)

Sec. 1-204.1. Council Purpose, Powers and Duties.

- (a) *Purpose.* Public officials are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and to carry out impartially the laws of the City and thus to foster respect for all government. They are bound to observe in their official acts the highest standards of ethics and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the long-term public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach. The Council is responsible for setting policy and community direction.
- (b) *Powers and Duties.* The Council has the duty to meet and consider policy and community direction issues and the authority to adopt said policy. All powers exercised by cities of the second class or which shall hereafter be conferred upon them shall be exercised by the Governing Body, subject to such limitations as prescribed by law. All legislative authority granted or limited by law shall be vested in the Mayor and City Council as the Governing Body to the City. No member of the Council shall directly interfere with the conduct of any department, except at the express direction of the Council.

(Ord. No. 931, § 7, 9-19-2016)

Sec. 1-205. Meetings.

The regular meetings of the Governing Body shall be held on the first and third Monday of each month at 6:00 p.m. in the Council Chambers of the Roeland Park City Hall, 4600 West 51st Street, Roeland Park, Kansas, or at such other location as may be designated in a notice of meeting. In case the first or third Monday of any month falls on a holiday, the regular meeting shall be held on the next secular day thereafter that is not a legal holiday. In the event of an emergency which jeopardizes the safety of meeting participants or the general public, and/or ability to conduct the meetings as previously set forth, alternative arrangements may be made. To do so, the Mayor, Council President, and City Administrator must all agree as to a date, time and procedure to conduct the meeting. In that event, the limitations of Section 1-1604 shall not apply.

(Ord. 771, § 1; Code 2007; Ord. No. 900, § 1, 11-17-2014; Ord. No. 982, § 1, 7-22-2019; Ord. No. 992, § 1, 3-16-2020)

Sec. 1-206. Special Meetings.

Special meetings of the Governing Body shall be called by the Mayor at any time upon written request of not fewer than three members of the City Council.

(Ord. 786, § 1; Code 2007)

State law reference(s)—K.S.A. 14-111.

Sec. 1-207. Workshops.

The regular meetings of the Governing Body Workshop shall be held on the first and third Mondays of each month immediately following the regular meeting of the Governing Body in or adjacent to the Council Chambers of the Roeland Park City Hall, 4600 West 51st Street, Roeland Park, Kansas, or at such other location as may be designated in a notice of meeting. In case the first or third Monday of any month falls on a holiday, the regular meeting may be held on the next secular day thereafter that is not a legal holiday or the fourth Monday of the same month. The procedure for a Councilmember to add a topic as an agenda item for a Workshop meeting shall be as follows:

- (1) A Councilmember generates an idea for an agenda topic;
- (2) The Councilmember gains the support of two (2) other Councilmembers;
- (3) The Councilmember submits a completed Action Form to the City Administrator;
- (4) The City Administrator takes the completed Action Form to the agenda-setting meeting with the Mayor and Council President;
- (5) Space is identified for discussion of the topic on an upcoming Workshop agenda (not necessarily the next Workshop meeting); and
- (6) The topic is placed on an upcoming agenda and workshopped.

(Ord. No. 931, § 2, 9-19-2016; Ord. No. 982, § 2, 7-22-2019)

Editor's note(s)—Ord. No. 931, § 2, adopted Sept. 19, 2016, repealed the former § 1-207, and enacted a new § 1-207 as set out herein. The former § 1-207 pertained to adjourned meetings and derived from Code 1986.

Sec. 1-208. Quorum.

At all meetings of the Governing Body, a majority of the Councilmembers elect, ~~excluding the Mayor~~, shall constitute a quorum to do business, but a minority may adjourn from day to day and may compel the attendance of absentees by a fine not exceeding \$10.00 for each offense unless a reasonable excuse be offered.

(Code 1977, § 1-103; Ord. No. 931, § 3, 9-19-2016)

State law reference(s)—K.S.A. 14-111.

Sec. 1-209. Compensation.

- (a) The Mayor shall receive a salary of \$510.00 per month for ~~his or her~~their services. Each Councilmember shall receive a salary of \$425.00 per month for ~~his or her~~their services.

-
- (b) The Mayor or any Councilmember may elect to receive monthly compensation in amounts less than the amounts set forth in this section. Such election may be made by the Mayor or any Councilmember irrespective of any election made by any other member of the Governing Body.
- (c) Any election made pursuant to subsection (b) shall be effective beginning the pay period following the submission of a written request therefore, and shall remain in effect for a period of one year or the end of that Governing Body member's term of office, whichever occurs first. If, at the expiration of any such period, the Governing Body member does not renew such election in writing, the Governing Body member shall automatically be compensated in the monthly amount specified in this section.

(Ord. No. 852, §§ 1—4)

Sec. 1-210. Expenses.

Members of the Governing Body shall be reimbursed for all expenses incurred in the performance of their official duties. However, no expense shall be reimbursed until an itemized accounting ~~shall have been presented is~~ provided to the City Clerk and the payment is approved by the Governing Body in a regular meeting of the Council.

(Code 1986)

Sec. 1-211. Incorporating Code of Procedure for Kansas Cities.

There is hereby incorporated by reference for the purpose of regulating Governing Body procedures, that certain standard code known as the "Code of Procedure for Kansas Cities, Fourth Edition," prepared and published in pamphlet form by the League of Kansas Municipalities, Topeka, Kansas, save and except such sections as are hereafter modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, and K.S.A. 12-3301 and 12-3302, as amended. At least one copy of said Code of Procedure for Kansas Cities shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1046," with all sections or portions thereof intended to be changed clearly marked to show any such change, and to which shall be attached a copy of the ordinance from which this section is derived, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The City Attorney, Police Department, Municipal Judge and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Code of Procedure for Kansas Cities similarly marked, as may be deemed expedient. This section shall take effect upon the publication of the ordinance from which this section is derived, or the publication of a summary thereof, in the official City's designated newspaper.

(Ord. No. 899, § 1, 9-22-2014; Ord. No. 1046, 6-10-2023)

Editor's note(s)—Ord. No. 899, § 1, adopted September 22, 2014, repealed the former § 1-211, and enacted a new § 1-211 as set out herein. The former § 1-211 pertained to rules and order of business and derived from Ord. No. 872, § 1.

Sec. 1-212. Same; Amendment to Section 7.

Section 7 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Public Comment. The Governing Body may by resolution adopt guidelines for the consideration of public comment at meetings of the Governing Body.

(Ord. No. 899, § 2, 9-22-2014; Ord. No. 931, § 4, 9-19-2016)

Sec. 1-213. Same; Amendment to Section 21.

Section 21 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Motion to Refer; Motion to Table; Motion to Take From Table. If the Governing Body deems it appropriate, it may refer an ordinance, resolution, contract, or any other matter back to staff, committee, board, or other appropriate location for further review and consideration. A Motion to Refer may or may not contain a time certain for the item to be returned to the Governing Body. A pending question may also be tabled. A Motion to Table is non-debatable. A Motion to Table may or may not contain a time certain for the item to be returned to the Governing Body; however, once tabled, the question shall not be discussed until a Motion to Take From Table is passed. A Motion to Take From Table is non-debatable.

(Ord. No. 899, § 3, 9-22-2014)

Sec. 1-214. Same; Amendment to Section 33.

Section 33 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Same; Ordinary Ordinance. The adoption of an ordinary ordinance requires five (5) affirmative votes of the Council.

(Ord. No. 899, § 4, 9-22-2014)

Sec. 1-215. Same; Amendment to Section 35.

Section 35 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Same; Ordinary Ordinance; Mayor's Veto. The Mayor may veto any ordinance passed by the Council on or before the next regularly scheduled meeting with the exception of ordinances on which the Mayor casts the deciding vote and appropriation ordinances. Ordinances not signed or vetoed by the Mayor take effect without the Mayor's signature. Any ordinance vetoed by the Mayor may be passed over the veto by a vote of six (6) councilmembers. The President of the Council, acting in the absence of the Mayor, shall have no power to sign or veto ordinances.

(Ord. No. 899, § 5, 9-22-2014)

Sec. 1-216. Same; Amendment to Section 37.

Section 37 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Same; Charter Ordinance. The adoption of a charter ordinance requires six (6) affirmative votes of the Governing Body. The Mayor is a member of the Governing Body and shall vote on a charter ordinance, but has no power to veto a charter ordinance.

(Ord. No. 899, § 6, 9-22-2014)

Sec. 1-217. Same; Addition to Code of Procedure for Kansas Cities (Chairs and Co-Chairs of Service Areas).

The following shall be an addition to the Code of Procedure for Kansas Cities:

Chairs and Co-Chairs of Service Areas. All members of the City Council shall serve as Service Area representatives. Two members shall be appointed annually to serve one-year terms as Co-Chairs of each standing Service Area for the following year. Beginning on January 1, 2017, service area membership shall rotate annually each March in accordance with the schedule set forth below. The following shall be the standing Service Areas:

Administrative (1)

Finance (2)

Safety (3)

Public Works (4)

Each Council position has been assigned a position number for purposes of Service Area assignments:

Ward	Term Expiring	Position
1	2027 (2031) 2019 (2023)	1
1	2025 4 (2029 5)	2
2	2025 4 (2029 5)	3
2	2027 49 (2031 23)	4
3	2025 4 (2029 5)	5
3	2027 49 (2031 23)	6
4	2025 24 (2029 5)	7
4	2027 49 (2031 23)	8

Appointments will change on an eight-year rotation schedule according to the following schedule:

Service Area	2024	2025	2026	2027	2028	2029	2030	2023 2031	2024	2025	2026	2027	2028
(1)	8-1	1-7	7-2	2-6	6-3	3-5	5-4	4-8	8-1	1-7	7-2	2-6	6-3
(2)	7-4	4-6	6-1	1-5	5-2	2-8	8-3	3-7	7-4	4-6	6-1	1-5	5-2
(3)	6-3	3-5	5-4	4-8	8-1	1-7	7-2	2-6	6-3	3-5	5-4	4-8	8-1
(4)	5-2	2-8	8-3	3-7	7-4	4-6	6-1	1-5	5-2	2-8	8-3	3-7	7-4

Whoever is elected to fill that member's seat will take the position that the outgoing member had in the rotation. At the end of the rotation after year 8, the rotation schedule will start over (with the assignments being the same as for year 1).

(Ord. No. 899, § 7, 9-22-2014; Ord. No. 931, § 5, 9-19-2016; Ord. No. 1048, § 1, 8-7-2023)

Editor's note(s)—Ord. No. 931, § 5, adopted Sept. 19, 2016, changed the title of § 1-217 from "Same; Addition to Code Procedure for Kansas Cities (Standing Committees of the City Council)" to "Same; Addition to Code of Procedure for Kansas Cities (Chairs and Co-Chairs of Service Areas)."

Sec. 1-218. Same; Deletions from Code of Procedure for Kansas Cities.

Sections 36, 38 and 41 of the Code of Procedure for Kansas Cities are hereby deleted in their entirety.

(Ord. No. 899, § 8, 9-22-2014)

Sec. 1-219. Same; Amendment to Section 23.

Section 23 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Motion to Call the Previous Question. A Motion to Call the Previous Question is not debatable and, if passed by a majority of the City Council present and voting at a meeting, calls for an immediate vote on the substantive motion. This motion requires a vote.

(Ord. No. 900, § 2, 11-17-2014)

Sec. 1-220. Same; Amendment to Section 27.

Section 27 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Form of Vote. All votes shall be by voice vote, a "show of hands," or a roll call vote. No vote shall be by secret ballot.

(Ord. No. 900, § 3, 11-17-2014)

Sec. 1-221. Same; Amendment to Section 42.

Section 42 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Rules. For those matters not covered by these rules, the procedure shall be as decided by a majority vote of the City Council. These rules may be amended after their adoption by a subsequent ordinance amending the specific rules as identified in the amending ordinance. Such ordinance amends the adopting ordinance.

(Ord. No. 900, § 4, 11-17-2014)

Sec. 1-222. Same; Addition to Code of Procedure for Kansas Cities (Point of Order; Appeal).

The following shall be an addition to the Code of Procedure for Kansas Cities:

Point of Order; Appeal. When a member of the Governing Body believes that any person is violating one of these rules of procedure or any procedural guidelines adopted pursuant to section 7 of these rules of procedure, or any amendments thereto, ~~he or she~~^{they} may raise a Point of Order, thereby calling upon the Chair of the meeting for a ruling and an enforcement of the rules. Any two members of the Governing Body may appeal from the decision of the Chair on a Point of Order. By one member taking the appeal and the second member seconding it, the question is taken from the Chair and vested in the Governing Body for final decision. The question on an Appeal is whether the ruling of the Chair shall be upheld. The Chair does not vote on an Appeal. An Appeal is not debatable, and a majority or tie vote sustains the ruling of the Chair.

(Ord. No. 900, § 5, 11-17-2014)

ARTICLE 3. OFFICERS AND EMPLOYEES

Sec. 1-301. Appointment.

The Mayor shall appoint, by and with the consent of the Council, a Judge of the Municipal Court, a City Attorney, a City Prosecutor, ~~an Ethics Attorney~~ and a City Engineer. Prior to any initial appointment, a committee of ~~the Governing Body appointed by the City Council~~^{staff and the Governing Body} shall interview candidates for

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the position and recommend one for appointment by the Mayor. Any officers appointed and confirmed shall hold an initial term of office of not to exceed one year and until their successors are appointed and qualified. Any officers who are reappointed shall hold their offices for a term of one year and until their successors are appointed and qualified. The Council shall by ordinary ordinance specify the duties and compensation of the office holders, and by ordinary ordinance may abolish any office created by the Council whenever deemed expedient.

(Chart. Ord. No. 24, § 1; Code 2012; Chart. Ord. No. 32, § 10, 7-18-2016)

Sec. 1-302. Removal.

In addition to all other powers conferred by ordinance, statute or law upon the Mayor and City Council for the removal of appointed officials of the City, officers appointed by the Mayor with the consent of the City Council may be removed from office for good cause. For the purposes of Sections 1-302—1-306, the following terms, phrases and words, and their derivations shall have the following meaning:

- (a) *Good cause* shall mean any act or acts by an officer which constitutes misconduct, misfeasance, malfeasance, gross neglect of official duty or incompetency.
- (b) *Gross neglect of official duty* shall mean willful failure to perform or utter disregard of the duties incumbent on an officer.
- (c) *Incompetency* shall mean lack of ability to discharge the required duties of an officer.
- (d) *Malfeasance* shall mean any wrongful conduct that affects, interrupts or interferes with the performance of official duties.
- (e) *Misconduct* shall mean a violation of the rules of propriety by which all persons should govern their behavior.
- (f) *Misfeasance* shall mean the improper performance of an act lawfully permitted to be performed by an officer.

(Ord. No. 425, § 1, A)

Sec. 1-303. Same; Request for Removal.

- (a) Any request for the removal of an officer for good cause shall be in writing by the Mayor or a member of the City Council and shall be addressed to the members of the City Council, and shall state clearly and concisely the facts constituting the cause upon which the request is based.
- (b) On receipt of such request for removal, the City Council shall cause to be sent to the officer whose removal is sought a copy of the request for removal and a statement that the officer has ten days within which to request a public or private hearing before the City Council regarding the allegations contained therein.

(Ord. No. 425, § 1, B, C)

Sec. 1-304. Same; Hearing.

If the officer whose removal is sought requests a hearing on the allegations contained in the request for removal, the City Council shall hold such hearing, either public or private as requested, at a time and place determined by the City Council, with at least five days notice of such time and place being given to the individual requesting such hearing. If no request for such hearing is received within ten days of the forwarding of the request for removal by the City Council, the City Council may proceed to act upon the request for removal without further notice.

(Ord. No. 425, § 1, D)

Sec. 1-305. Same; Vote of Council.

Removal of an appointive officer shall be by majority vote of all elected Councilmembers, irrespective of the number of elected Councilmembers present and voting at the time of the hearing.

(Ord. No. 425, § 1, E)

Sec. 1-306. Same; Suspension.

Pending the determination of the City Council as provided in Sections 1-303—1-305, the Mayor, with the consent of the City Council, may suspend such officer with or without pay.

(Ord. No. 425, § 1, F)

Sec. 1-307. City Clerk.

The City Clerk shall:

- (a) Be custodian of all City records, books, files, papers, documents and other personal effects belonging to the City and not properly pertaining to any other office;
- (b) Carry on all official correspondence of the City;
- (c) Attend and keep a record of the proceedings of all regular and special meetings of the Governing Body;
- (d) Keep official record of ~~Enter~~ every appointment of office and the date thereof ~~in the journal~~;
- (e) Enter ~~or place~~ each ordinance of the City in the code of ordinances ~~books~~ after its passage;
- (f) Publish all ordinances, except those appropriating money, and such resolutions, notices and proclamations as may be required by law or ordinance.

(Code 1977, § 1-303; Code 1986)

Sec. 1-308. Same; Fiscal Records.

The City Clerk shall:

- (a) Prepare and keep suitable fiscal records according to generally accepted accounting principles;
- ~~(b) Assist in preparing the annual budget;~~
- ~~(c) Audit all claims against the City for goods or services rendered for the consideration of the Governing Body. His or her Their accounts shall properly show the amounts paid from any fund of the City and the cash balance existing in each fund;~~
- ~~(d) Keep an accurate account of all bonds issued by the City;~~
- (e) Keep a record of all special assessments.

(Code 1977 § 1-303; Code 1986)

Commented [JL3]: These are not exclusive duties of the Clerk

Sec. 1-309. Same; Seal; Oaths.

The City Clerk shall:

- (a) Have custody of the corporate seal of the City and shall affix the same to the official copy of all ordinances, contracts, and other documents required to be authenticated;
- (b) Have power to administer oaths for all purposes pertaining to the business and affairs of the City;
- (c) Keep suitable files of all such oaths required ~~to be deposited in his or her~~ their office.

(Code 1977, § 1-303; Code 1986)

Sec. 1-310. Same; Withholding Agent.

The City Clerk is designated as the withholding agent of the City for the purposes of the Federal Revenue (Income) Act, and shall perform the duties required of withholding agents by said act or any other act requiring withholding from the compensation of any City officer or employee. The City Clerk shall perform such other duties as may be prescribed by the Governing Body and the Kansas statutes.

(Code 1986)

Sec. 1-311. City Treasurer.

The duties of the City Treasurer, also referred to as the Finance Director, shall be as follows:

- (a) Publish or cause to be published quarterly statements of the financial records of the City in the manner and style provided by law;
- (b) Make a quarterly statement report to the Governing Body ~~on the second meeting date in February, May, August and November of~~ each year;
- (c) Perform such other and further duties as may be provided by the Governing Body such as assisting in internal control analysis and recommending changes in procedures to minimize risk of fraud and collusion in handling cash;
- (d) Reviews entries made to the general ledger for correctness; and
- (e) Advise on application of accounting principles.
- (f) The City Administrator may designate City staff to perform the duties assigned to the City Treasurer by the Code or by state statutes.

~~(g)~~ Assist in preparing the annual budget;

~~(eh)~~ Audit all claims against the City for goods or services rendered for the consideration of the Governing Body. His or her ~~Their~~ accounts shall properly show the amounts paid from any fund of the City and the cash balance existing in each fund;

~~(id)~~ Keep an accurate account of all bonds issued by the City;

(Code 2014)

Sec. 1-312. City Attorney.

The City Attorney shall:

- (a) Attend meetings of the City Council when so directed to attend by the City Council;
- (b) Advise the City Council and all officers of the City upon such legal questions affecting the City and its offices as may be submitted to him or her;
- (c) When requested by the City Council, give opinions in writing upon any such questions;
- (d) Draft such ordinances, contracts, leases, easements, conveyances and other instruments in writing as may be submitted to him or her in the regular transaction of affairs of the City;
- (e) Approve all ordinances of the City as to form;
- (f) Attend Planning Commission and Board of Zoning Appeals meetings when so directed by the boards;
- (g) Prosecute municipal violations and all other matters before the municipal court, except when such violations or matters are prosecuted by the City Prosecutor.
- (h) Perform such other duties as may be prescribed by the Governing Body and the Kansas statutes.

(Code 1977, § 1-307; Code 1986)

Sec. 1-313. City Prosecutor.

The duties of the City Prosecutor shall be consistent with the duties set forth in K.S.A. 12-4110 and section 1-312 of this Code and shall consist of prosecuting cases in the municipal court and performing such other duties as assigned to him or her by the City Attorney. With the exception of the duties of assisting, conjunctively in the prosecution of matters in the municipal court, the City Prosecutor's duties shall not in any way diminish the general duties of the City Attorney as set forth in Section 1-312.

(Ord. No. 820, § 1)

Sec. 1-313A. Special Prosecutor.

Special Prosecutor shall be defined as that individual who is licensed to practice law in the State of Kansas who does not currently serve the City that is selected by the Governing Body.

(Chart. Ord. No. 12)

Sec. 1-314. City Engineer.

The City Engineer shall be responsible for:

- (a) The design and specifications for all City streets, public buildings and other public facilities, unless otherwise assigned to a third party firm;
- (b) The inspection of all public works projects including streets, and other public facilities;
- (c) ~~The general supervision of the maintenance and repair of all public facilities.~~

(Code 2014)

Sec. 1-315. City Administrator.

- (a) *Office of City Administrator established.* There is hereby created and established the office of City Administrator for the City.
- (b) *Appointment and tenure.* A qualified person shall be appointed City Administrator by the Mayor. Such appointment shall be approved by a majority of the City Council. The person so appointed shall serve at the pleasure of the Council, for an indefinite term.
- (c) *Qualifications.* The person appointed to the office of City Administrator shall be at least 25 years of age and shall ~~be a resident of Johnson County, Kansas~~ live within 25 miles of Roeland Park, unless otherwise waived, at the time of the effective date of such appointment; and shall be a graduate of an accredited university or college, majoring in public or municipal administration or shall have the equivalent qualifications and experience in financial, administration ~~or related and/or public relations~~ fields.
- (d) *Bond.* The City Administrator, before entering upon the duties of ~~his or her~~ the office, shall file with the City a bond in the amount of \$50,000.00, such bond shall be approved by the City Council and such bond shall ensure the City for the faithful and honest performance of the duties of the City and for rendering a full and proper account to the City for funds and property which shall come into the possession or control of the City Administrator. The cost of such bond shall be paid by the City; however, should the City Administrator be covered by a blanket bond to the same extent, such individual bond shall not be required.
- (e) *Compensation.* The City Administrator shall receive such compensation as may be determined from time to time by the City Council and such compensation shall be payable bi-weekly.
- (f) *Removal of City Administrator.* The City Administrator shall serve at the pleasure of the City Council. The Mayor, with the consent of a majority of the City Council, may remove the City Administrator from office at will, and such City Administrator may also be removed by a 2/3 vote of the City Council independently of the Mayor's approval or disapproval.
- (g) *Duties.*
 - (1) *Administrative office:* The City Administrator shall be the Chief Administrative Assistant to the Governing Body. Except as otherwise specified by ordinance or by the law of the State of Kansas, the City Administrator shall coordinate and supervise the operation of all departments of the City.
 - (2) *Budget:* The City Administrator shall be the budget officer of the City in accordance with Kansas Statutes and shall assemble estimates of the financial needs and resources of the City for each ensuing year and shall prepare a program of activities within the financial power of the City, embodying in it a budget document with proper supporting schedules and an analysis to be proposed to the Mayor and the City Council for their final approval.
 - (3) *Financial reports:* The City Administrator, ~~or their designee~~, shall make ~~monthly~~ quarterly reports to the Mayor and City Council relative to the financial condition of the City. Such reports shall show the financial conditions of the City in relation to the budget.
 - (4) ~~*Annual report:* The City Administrator shall prepare and present to the Mayor and the City Council an annual report of the City's affairs, including in such report a summary of reports of department heads and such other reports as the Mayor and City Council may require.~~
 - (5) *Personnel system:* The City Administrator shall act as the personnel officer of the City and shall recommend an appropriate position classification system and pay plan to the Mayor and City Council and administer an appropriate position classification system and pay plan, as approved by the Mayor and City Council. The City Administrator, after consultation with department heads, shall approve advancements and appropriate pay increases within the approved pay plans and position classification

system. The City Administrator shall have the power to appoint and remove (in accordance with personnel system regulations approved by the City Council) all subordinate employees of the City. The City Administrator shall make recommendations to the Mayor regarding the appointment and removal of all appointive officials of the City.

- (6) *Policy formulation:* The City Administrator shall recommend to the Mayor and City Council adoption of such measures as ~~he or she~~they may deem necessary or expedient for the health, safety, or welfare of the City or for the improvement of administrative services for the City.
- (7) *City Council agenda:* The City Administrator shall assist the Mayor in preparing an agenda for each City Council meeting at least 48 hours before the time of the regular Council meeting.
- (8) *Boards and committees:* The City Administrator shall work with all City boards and committees to help coordinate the work of each.
- (9) *Attend Council meetings:* The City Administrator shall attend all meetings of the City Council.
- (10) *Bid specifications:* The City Administrator shall supervise the preparation of all bid specifications for services and equipment, and receive sealed bids for presentation to the City Council.
- (11) *State and federal aid program:* The City Administrator shall coordinate federal and state programs which may have application to the City.
- (12) *Conference attendance:* The City Administrator shall attend state, ~~and~~ regional, and national conferences and programs applicable to ~~his or her~~their office, and the business of the City, whenever such attendance is directed and approved by the City Council and the Mayor.
- (13) *Press release:* The City Administrator, in conjunction with the Mayor, shall be responsible for keeping the public informed in the purposes and methods of City government through all available news media.
- (14) *Record keeping:* The City Administrator shall keep full and accurate records of all actions taken ~~by him or her~~ in the course of ~~his or her~~their duties, and ~~he or she~~they shall safely and properly keep all records and papers belonging to the City and entrusted to ~~his or her~~their care; except as otherwise provided by law, all such records shall be and remain the property of the City and be open to inspection by the Mayor and the City Council at all times.
- (15) *Sign contracts:* The City Administrator shall sign contracts on behalf of the City after the contract has been approved or authorized by the City Council.
- (16) *Enforce ordinances:* The City Administrator shall execute and enforce all ordinances of the City.
- (17) The City Administrator shall perform such other duties as may be described or amended in any City Administrator job description or employment contract.

(h) *Powers.*

- (1) *City property:* The City Administrator shall have responsibility for all real and personal property of the City subject to ~~his or her~~their authority. ~~He or she~~They shall have responsibility for all inventories of such property and for the upkeep of all such property. Personal property may be sold by the City Administrator only with approval of the City Council. Real property may be sold only with the approval of the City Council by resolution or ordinance.
- (2) *Implement administrative policies:* The City Administrator shall have the power to prescribe such rules and regulations as ~~he or she~~they shall deem necessary or expedient for the implementation of administrative policies as set forth by the Governing Body.
- (3) *Coordinate officials:* The City Administrator shall have the power to overrule any action taken by a department head subject to ~~his or her~~their authority, and may supersede him or her in the functions of such office.

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- (4) *Investigate and report:* The City Administrator shall have the power to investigate and to examine or inquire into the affairs or operation of any department of the City under ~~his or her~~their jurisdiction, and shall report on any condition or fact concerning the City government requested by the Mayor or City Council.
- (5) *Appear before the City Council:* The City Administrator shall have the power to appear before and address the City Council at any meeting.
- (6) At no time shall the duties or powers of the City Administrator supersede the lawful action of the Mayor and/or City Council.

(Ord. No. 650, §§ 1—8; Code 1998; Ord. No. 931, § 6, 9-19-2016)

Sec. 1-316. Appointment or Employment in More Than One Position.

The same person may be appointed to more than one appointive office, or employed in more than one department, except that the same person shall not be appointed to incompatible offices. Salaries or wages of such persons shall be prorated between the proper funds of the several offices or departments.

(Code 1986)

Sec. 1-317. Conflict of Interest.

- (a) No City officer or employee shall be signatory upon, discuss in an official capacity, vote on any issue concerning or otherwise participate in ~~his or her~~their capacity as a public official or employee in the making of any contract with any person or business:
 - (1) In which the officer or employee owns a legal or equitable interest exceeding \$5,000.00 or five percent, whichever is less, individually or collectively with ~~his or her~~their spouse; or
 - (2) From which the officer or employee receives, in the current or immediately preceding or succeeding calendar year, any salary, gratuity, other compensation or a contract for or promise or expectation of any such salary, gratuity or other compensation or remuneration having a dollar value of \$1,000.00 or more; or
 - (3) In which ~~he or she~~they shall hold the position of officer or director, irrespective of the amount of compensation received from or ownership held in the business.
- (b) The prohibitions contained in subsection (a) of this section shall not apply to the following:
 - (1) Contracts let after competitive bidding has been solicited by published notice; and
 - (2) Contracts for property or services for which the price or rate is fixed by law.

(Code 1986)

State law reference(s)—K.S.A. 75-4301.

Sec. 1-318. Code of Ethics.

- (a) *Code of ethics for elective and appointive offices; declaration of policy.* The proper operation of democratic government requires that public officials be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics for certain City officials is hereby established. The purpose of this

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code is to establish guidelines for ethical standards of conduct for such officials by setting forth those acts or actions that are incompatible with the best interests of the City and directing disclosure by such officials of private financial or other interests in matters affecting the City.

(b) *Definitions.*

- (1) Interest means direct or indirect pecuniary or material benefit accruing to a public officer as a result of a contract or transaction which is or may be the subject of any official act or action by or with the City, except for such contracts or transactions which by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all other persons and/or property similarly situated.

For the purposes of this code, a public officer shall be deemed to have an interest in the affairs of:

- A. Any person related to him/her by blood or marriage in a degree closer than the fourth degree of consanguinity or affinity (determined by the civil law method), and a divorce or separation between spouses shall not be deemed to terminate any such relationship;
 - B. Any person or business entity with whom a contractual relationship exists with the public officer that would be positively or negatively impacted by that individual's relationship with the City;
 - C. Any business entity in which the public officer is an officer, director, or member having a financial interest in, or by which the public officer is employed;
 - D. Any business entity in which the stock of; or legal or beneficial ownership of, in excess of five percent of the total stock or total legal and beneficial ownership, is controlled or owned by the public officer.
- (2) *Official act or action* means any legislative, administrative, appointive or discretionary act of any officer of the City or any agency, board, committee or commission thereof.
- (3) *Business entity* means any business, proprietorship, firm, partnership, person in a representative or fiduciary capacity, association, venture, trust, corporation, limited liability company, or similar business organization.
- (4) *Public officer* means any person, officer holding a position by public election or Governing Body appointment in the service of the City of Roeland Park, whether paid or unpaid, including members of any board, committee or commission thereof.
- (5) *Transaction* shall be defined as any activity that engages the authorization, approval, involvement in an official capacity of a public officer that did or could result in the expenditure of City funds.
- (6) *Ethics attorney* shall be defined as that individual who is licensed to practice law in the State of Kansas who does not currently serve the City that is selected by the Governing Body.

(c) *Standards of conduct.*

- (1) The requirements herein set forth shall constitute reasonable standards and guidelines for the ethical conduct of public officers of the City.
- (2) Interest in contract or transaction. No public officer having the power or duty to perform an official act or action related to a contract or transaction which is or may be the subject of an official act or action of the City, shall:
- A. Have or hereafter acquire an interest in such contract or transaction;
 - B. Have an interest in any business entity representing, advising or appearing on behalf of any person involved in such contract or transaction, whether paid or unpaid;

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- C. Have solicited or accepted present or future employment with a person or business entity involved in such contract or transaction;
- D. Have solicited, accepted or granted a present or future gift, service or thing of value from or to a person involved in such contract or transaction.
- (3) *Exceptions.* The prohibition against gifts, services or things of value in subsection 1-318(c)(2)(D) shall not apply to:
- A. An occasional non-pecuniary gift, service or thing of value, insignificant in value (\$50.00 or less);
- B. An award publicly presented in recognition of public services.
- (4) *Pre-acquisition of interest.* No public officer, with respect to any contract or transaction which is under consideration as an official act or action of the City, shall acquire an interest in or be affected by such contract or transaction at a time when the public officer believes or has reason to believe that it will directly or indirectly be affected by an official act or action of the City.
- (5) *Disclosure of information prohibited.* No public officer, with respect to any contract or transaction which is or is under consideration of an authorization, shall disclose information specifically intended to be confidential concerning the property, government or affairs of the City, or use such information to advance the financial interest of ~~himself, herself~~themselves or others.
- (6) *Incompatible service.* No public officer shall engage in or accept private employment or render service, for private interest, when such employment or service is incompatible with the proper discharge of ~~his or her~~their official duties or would tend to impair ~~his or her~~their independence of judgment or action in the performance of his official duties, unless otherwise permitted by law and unless disclosure is made as provided in this Code.
- (7) *Appearances.* No public officer shall appear on behalf of any private person, other than ~~him~~themselves, ~~herself, his or her~~their spouse or minor children, before any City agency or the Municipal Court. However, a member of the Governing Body may appear before City agencies on behalf of ~~his or her~~their constituents in the course of ~~his or her~~their duties as a representative of the electorate or in the performance of public or civic obligations.
- (8) *Public contracts.* No public officer who in ~~his or her~~their capacity as such officer participates in the making of a contract in which ~~he or she~~they ~~has~~have a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on ~~his or her~~their part, shall enter into any contract with the City unless:
- A. The contract is awarded through a process of public notice and competitive bidding, or
- B. The contract for property or services is one for which the price is fixed by law.
- (9) *Public property.* No public officer shall engage in, request or permit the unauthorized use of City-owned vehicles, equipment, materials or property for the operation of a private business or for personal use.
- (10) *Later case interest.* No public officer shall, after the termination of service with the City, appear for pay before any board, commission, committee or agency of the City in relation to any case, proceeding or application in which ~~he or she~~they personally participated during the period of ~~his or her~~their service, or which was under ~~his or her~~their active consideration. No elected official shall apply for or be considered for any employment with the City following ~~his or her~~their departure from elected office for the length of ~~his or her~~their tenure or four years, whichever is the longest.
- (11) *Use of computers by elected officials.* Any computer ("computer" being defined to include desktop as well as portable computers, computer functions such as internet access, electronic mail and broadband broadcast; computer databases; servers; hardware; and software) provided by the City for use by elected officials shall be restricted to use for official City business. No elected official shall use any such

computer for personal use or cause, permit or allow any other person to use or access any such computer for other than official City business. Use of any such computer for political purposes, including campaigns for City offices, shall be considered to be personal use. Unless approved by the Governing Body, use of any such computer for fund raising activities shall be considered to be personal use.

(d) *Exceptions to code of ethics.*

- (1) It shall not be deemed a violation of the standards of the code if the interest of a public officer in a person or business entity is a contractual obligation of less than \$500.00 which has not been preceded by any other obligation, discharged or existing, between the parties, and which is not the first in a series of two or more loans or debts which either of the parties is under an obligation to make or incur.
- (2) A commercially reasonable loan made in the ordinary course of business by an institution authorized by the laws of this state to engage in the making of such loans shall not be deemed to create an interest in violation of this code. A contract for a commercial retail sale, even though over the value of \$500.00, shall not be deemed to create an interest in violation of this code.
- (3) A public officer does not make or participate in the making of a contract or perform an official act or action related to a contract or transaction if the public officer abstains or recuses ~~himself or herself~~themselves from any official act or action in regard to the contract or transaction, and does not vote on such item.

(e) *Disclosure of interest in legislative action.*

- (1) Any member of the Governing Body who has a financial interest or personal interest in any proposed legislation before the Governing Body shall disclose on the record the nature and extent of such interest.
- (2) Any other public officer who has a financial or personal interest in any proposed legislative action of the Governing Body and who participates in discussion with or gives an official opinion or recommendation to the Governing Body, shall disclose on the record of the nature and extent of such interest.

(f) *Enforcement.* Any alleged violation by a public officer shall be brought to the attention of the Governing Body by a written complaint duly signed by a complaining party. The Governing Body shall consider the complaint, and/or direct that the City ~~Ethics~~ Attorney consider or investigate the complaint, and consideration shall be given to open meetings requirements and standards, including but not limited to those related to consultation with the City's attorneys and personnel matters of non-elected personnel. The Governing Body may take such action, or direct that such action be taken, as the Governing Body deems appropriate, including but not limited to those set forth in subsection 1-318(h) (violations; penalties) below.

(g) *Advisory opinions.*

- (1) When any public officer has a question as to the applicability of any provision of this code to a particular situation, or as to the definition of terms used herein, such public officer should bring the question to the attention of the City Administrator or the Mayor, as may be appropriate. If any such questions are not resolved through such channels, ~~he or she~~they may apply in writing to the Governing Body for a formal advisory opinion from the ~~Ethics~~ City Attorney. The officer shall have the opportunity to present ~~his or her~~their interpretation of the facts at issue and of the applicability of provisions of the code before such advisory opinion is made. As appropriate, an opinion from the Kansas Governmental Ethics Commission may also be requested.
- (2) Such opinion until amended or revoked shall be binding on the City, the City Council, and the ~~Ethics~~ City Attorney in any subsequent actions concerning the public officer who sought the opinion and acted on it in good faith, unless material facts were omitted or misstated in the request for the

advisory opinion. Such opinion shall not be binding in any action initiated by any private citizen. Any ethics opinion shall not be considered attorney-client privilege as between the ~~Ethics-City~~ Attorney and the public officer.

- (3) Whenever, at any meeting of the City Council, any person states or alleges that the participation of any member of the Governing Body with respect to any matter on the agenda for action by the Governing Body at that meeting would or may result in a violation of this code, the Governing Body member affected may request to have the matter tabled until the next regular meeting of the City Council in order to afford said Governing Body member an opportunity to obtain an advisory opinion from the ~~Ethics-City~~ Attorney.

(h) *Violations; penalties.*

- (1) Action, if any, for violation of this Code may include, but not be limited to, an informal reprimand, formal resolution of public censure, or forfeiture or ouster in accordance with the applicable statutes of the State of Kansas. In addition, in the case of employees, action may be based upon established employment policies of the City, including suspension or dismissal where appropriate.
- (2) In addition, any public officer who willfully and knowingly violates any of the provisions of subsections 1-318(c) (Standards of conduct) or 1-318(e) (Disclosure of interest in legislative action) of this Code may be deemed guilty of a public offense and the ~~Ethics-City~~ Attorney and/or the City Prosecutor, with the approval of the Governing Body, shall have the power to initiate any suit, and to prosecute any criminal or civil action on behalf of the City where such action is appropriate. Any public officer so found guilty of violating any provision contained in such sections shall be punished in accordance with the penalties set forth in section 1-117 of the City Code. Public officers in violation of the provisions of this Code shall also be subject to submission to the Kansas Governmental Ethics Commission, the Attorney General of Kansas, or the Johnson County, Kansas, District Attorney for review, investigation, and appropriate action pursuant to state law.
- (3) In addition, where the violation by the public officer has resulted in financial harm to the City or financial profit or gain to the public officer, the City is authorized to seek damages in an amount not to exceed twice the financial harm suffered by the City or twice the profit or gain realized by the public officer, whichever is greater.
- (4) Violations of any provision of this Code may further constitute cause to cancel any contract, cease negotiations on any contract, and/or rescind or modify any previous action based upon any such violation.

- (i) *Distribution of code of ethics.* The City Clerk shall cause a copy of the Code of Ethics to be distributed to every public officer of the City within 30 days after enactment and amendment of the same. Each public officer elected or appointed thereafter shall be furnished a copy and file a signed version with the City before entering upon the duties of ~~his or her~~their office.

(Chart. Ord. No. 29, §§ 1, 2, 3-30-2015)

Editor's note(s)—Chart. Ord. No. 29, §§ 1, 2, adopted Mar. 30, 2015, repealed the former § 1-318, and enacted a § 1-318 as set out herein. The former § 1-318 pertained to similar subject matter and derived from Chart. Ord. No. 12, §§ 3—11.

Sec. 1-319. Personnel Rules and Regulations.

There is hereby incorporated by reference for the purpose of establishing employee personnel rules and regulations the document entitled "City of Roeland Park ~~Personnel Policy~~Employee Handbook" A copy of said

document shall be marked "Official Copy as adopted by the Code of the City of Roeland Park." and shall be filed with the City Clerk and shall be open to inspection and available to the public at all reasonable business hours.

(Code 2014)

ARTICLE 4. OATHS AND BONDS

Sec. 1-401. Oath; Affirmation.

All officers and employees of the City, whether elected or appointed, either under the laws of the State of Kansas or ordinances of the City, shall before entering upon the duties of their respective offices, take and subscribe an oath or affirmation as follows:

Oath: "I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the State of Kansas and all ordinances, both ordinance and charter of the City of Roeland Park, and faithfully discharge the duties of _____ (here enter name of office or position). (So help me God. This can be included or omitted by the person being sworn in)"

Affirmation: "I do solemnly, sincerely and truly declare and affirm that I will support the Constitution of the United States and of the State of Kansas and faithfully discharge the duties of _____ (enter name of office or position). This I do under the pains and penalties of perjury."

(Code 2007)

State law reference(s)—K.S.A. 75-4308, 54-104, 54-106.

Sec. 1-402. Oaths Filed.

All officers and employees required to take and subscribe or sign an oath or affirmation shall be supplied the forms for the purpose at the expense of the City and upon taking and subscribing or signing any such oath or affirmation, the same shall be filed by the City Clerk.

(Code 1986)

Sec. 1-403. ~~Bonds Insurance~~ Required.

(a) ~~The following City officers shall each, before entering upon the duties of his or her their office, give a good and sufficient surety company bond to the City. The bond shall be in the following amount:~~

~~(1) City Treasurer — \$10,000.00;~~

~~(2) City Clerk — \$10,000.00;~~

~~(3) City Administrator — \$10,000.00;~~

~~(4) Clerk of Municipal Court — \$1,000.00;~~

~~(5) Judge of Municipal Court — \$1,000.00;~~

~~(6) Chief of Police — \$1,000.00.~~

(b) The Governing Body ~~may shall~~ provide for the coverage by blanket ~~bond liability insurance of such officers all~~ and employees and public officials and in such amounts as the Governing Body may, by resolution, designate. In an amount of at least Five Hundred Thousand Dollars (\$500,000.00) per occurrence.

Commented [JL5]: Alex, this is what I added based on the convo with Council. Can you check to see if this language is acceptable and if not or you have better wording, please amend.

Commented [JL6]: We provide coverage for our employees and electeds up to \$500k but we do not "buy bonds", it's just liability insurance.

(Code 1977, § 1-313; Code 1986)

Sec. 1-404. Same; Premiums.

All premiums on ~~surety bonds~~ liability insurance shall be paid by the City.

(Code 1986)

State law reference(s)—K.S.A. 78-111.

Sec. 1-405. Condition of Bonds.

~~Each of the bonds~~ The liability insurance required in section 1-403 of this article shall be conditioned for the faithful performance of duty and all acts required by the laws of Kansas and the ordinances of the City, and for the application and payment over to the proper persons of all moneys or property coming into the hands of each such officer by virtue of ~~his or her~~ their office.

(Code 1986)

~~Sec. 1-406. Approval of Bonds.~~

~~All bonds given to the City shall be approved as to their form by the City Attorney and as to surety and sufficiency by the Governing Body, unless otherwise provided by the laws of the State of Kansas.~~

(Code 1986)

ARTICLE 6. OPEN RECORDS

Sec. 1-601. Policy.

- (a) It is hereby declared to be the policy of the City of Roeland Park that all public records which are made, maintained or kept by or are in the possession of the City, its officers and employees, shall be open for public inspection as provided by, and subject to the restrictions imposed by, the Kansas Open Records Act.
- (b) Any person, upon request, shall have access to such open public records for the purpose of inspecting, abstracting or copying such records while they are in the possession, custody and control of the appointed or designated record custodian thereof, or ~~his or her~~ their designated representative.

(Code 1986)

Sec. 1-602. Record Custodians.

- (a) All City officers and employees appointed or designated as record custodians under this article shall: protect public records from damage and disorganization; prevent excessive disruption of the essential functions of the City; provide assistance and information upon request; insure efficient and timely action and response to all applications for inspection of public records; and shall carry out the procedures adopted by this City for inspecting and copying open public records.
- (b) The official custodian shall prominently display or distribute or otherwise make available to the public a brochure in the form prescribed by the Local Freedom of Information Officer that contains basic information

about the rights of a requester, the responsibilities of a public agency, and the procedures for inspecting or obtaining a copy of public records under the Kansas Open Records Act. The official custodian shall display or distribute or otherwise make available to the public the brochure at one or more places in the administrative offices of the City where it is available to members of the public who request public information in person.

(Code 2003)

Sec. 1-603. Local Freedom of Information Officers.

The Local Freedom of Information Officer shall:

- (a) Prepare and provide educational materials and information concerning the Kansas Open Records Act;
- (b) Be available to assist the City and members of the general public to resolve disputes relating to the Kansas Open Records Act;
- (c) Respond to inquiries relating to the Kansas Open Records Act;
- (d) Establish the requirements for the content, size, shape and other physical characteristics of a brochure required to be displayed or distributed or otherwise made available to the public under the Kansas Open Records Act. In establishing such requirements for the content of the brochure, the Local Freedom of Information Officer shall include plainly written basic information about the rights of a requester, the responsibilities of the City, and the procedures for inspecting and obtaining a copy of public records under the Act.

(Code 2003)

Sec. 1-604. Public Request for Access.

All City offices keeping and maintaining open public records shall establish office hours during which any person may make a request for access to an open public record. Such hours shall be no fewer than the hours each business day the office is regularly open to the public. For any City office not open Monday through Friday, hours shall be established by the record custodian for each such day at which time any person may request access to an open public record.

(Code 2003)

Sec. 1-605. Facilities for Public Inspection.

All City offices keeping and maintaining open public records shall provide suitable facilities to be used by any person desiring to inspect and/or copy an open public record. The office of the City Clerk, being the principal record keeper of the City, shall be used as the principal office for providing access to and providing copies of open records to the maximum extent practicable. Requesters of records shall be referred to the office of the City Clerk except when the requested records are not in that office and are available in another City office.

(Code 2003)

Sec. 1-606. Procedures for Inspection.

Any person requesting access to an open public record for purposes of inspecting or copying such record, or obtaining a copy thereof, shall abide by the procedures adopted by the Governing Body for record inspection and

copying, including those procedures established by record custodians as authorized by the Governing Body. Such procedures shall be posted in each City office keeping and maintaining open public records.

(Code 2003)

Sec. 1-607. Appointment of Official Custodians.

The following City officers are hereby appointed as official custodians for purposes of the Kansas Open Records Act and are hereby charged with responsibility for compliance with that Act with respect to the hereinafter listed public records:

- (a) *City Clerk.* All public records kept and maintained ~~in~~by the City Clerk's office and all other public records not provided for elsewhere in this section.
- (b) *City Treasurer/Finance Director.* All public records not on file ~~in~~with the office of the City Clerk and kept and maintained ~~in~~by the City ~~Treasurer~~Finance Director's office.
- (c) *Chief of Police.* All public records not on file ~~in~~with the office of the City Clerk and kept and maintained ~~in~~by the City police department.
- (d) *City Attorney.* All public records not on file ~~in~~with the office of the City Clerk and kept and maintained ~~by~~in the City Attorney's office.
- (e) *Clerk of the Municipal Court.* All public records not on file ~~in~~with the office of the City Clerk and kept and maintained ~~in~~by the municipal court.

(Code 2003)

Sec. 1-608. Appointment of Local Freedom of Information Officer.

The City Clerk is hereby appointed as the local freedom of information officer and charged with all of the duties as set forth in section 1-603.

(Code 2003)

Sec. 1-609. Designation of Additional Record Custodians.

- (a) Each of the official custodians appointed in section 1-606 is hereby authorized to designate any subordinate officers or employees to serve as record custodian. Such record custodians shall have such duties and powers as are set out in the Kansas Open Records Act.
- (b) Whenever an official custodian shall appoint another person as a record custodian ~~he or she~~they shall notify the City Clerk of such designation and the City Clerk shall maintain a register of all such designations.

(Code 2003)

Sec. 1-610. Requests to Be Directed to ~~Custodians~~the City Clerk.

- (a) All members of the public, in seeking access to, or copies of, a public record in accordance with the provisions of the Kansas Open Records Act, shall address their requests to the ~~custodian charged with responsibility for the maintenance of the record sought to be inspected or copied~~City Clerk who will forward the request to the appropriate record custodian.

Commented [JJL7]: These changes denote the move to digital files

~~(b) Whenever any City officer or employee appointed or designated as a custodian under this article is presented with a request for access to, or copy of, a public record which record the custodian does not have in his or her possession and for which he or she has not been given responsibility to keep and maintain, the custodian shall so advise the person requesting the record. Further, the person making the request shall be informed as to which custodian the request should be addressed to, if such is known by the custodian receiving the request.~~

(Code 2003)

ARTICLE 7. INVESTMENT OF PUBLIC FUNDS

Sec. 1-701. Purpose and Goals.

It is the purpose of this statement to set forth the public policies of the City relating to the investment of public moneys, and establish procedural requirements as to investment management practice. The objective of the investment policy and program of the City shall be as follows:

- (a) The safeguarding of all public moneys shall be of the highest priority. Public money shall not be invested or managed in any matter which would jeopardize the safety of the principal.
- (b) Consistent with the requirement of safety, the objective of the investment program shall be to aggressively manage and invest all public moneys to maximize net earnings, consistent with the public responsibility to secure maximum, safe investment return possible from moneys assigned to its stewardship, to relieve demands on the property tax and to otherwise reduce the cost of public services.

(Code 2007)

Sec. 1-702. Active Funds; Designation of Depositories; Eligible Depositories.

- (a) The Governing Body shall designate the banks, savings and loan associations and savings banks which shall serve as depositories of its funds. The Clerk, ~~Treasurer~~ **Finance Director** or other City officer or employee having the custody of City funds shall deposit such funds only at the designated banks, savings and loan associations and savings banks. Only banks, savings and loan associations and savings banks that have main or branch offices in Johnson County shall be designated as official depositories. No such bank, savings bank or savings and loan association shall be designated as a depository until the City is assured that it can obtain satisfactory security for its deposits.
- (b) The Clerk, ~~Treasurer~~ **Finance Director** or other City officer or employee depositing public funds shall deposit all such public funds coming into such person's possession in their name and official title as such officer. If the Governing Body fails to designate an official depository or depositories, the officer thereof having custody of City funds shall deposit such funds with one or more banks, savings and loan associations or savings banks which have main or branch offices in Johnson County if satisfactory security can be obtained therefore and if not then elsewhere. In such event, the officer or employee shall serve notice in writing on the Governing Body showing the names and locations of such banks, savings and loan associations and savings banks where such funds are deposited, and upon so doing the officer or employee having custody of such funds shall not be liable for the loss of any portion thereof except for official misconduct or for the misappropriation of such funds by the officer or employee.
- (c) If eligible banks, savings and loan associations or savings banks under subsections (a) or (b) cannot or will not provide an acceptable bid, which shall include services, for the depositing of public funds under this section,

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(Supp. No. 15, Update 5)

then banks, savings and loan associations or savings banks which have main or branch offices in any immediately adjoining county may receive deposits of the City's active funds, if such banks, savings and loan associations or savings banks have been designated as official depositories under subsection (a) and the City can obtain satisfactory security therefore.

(Code 2007)

Sec. 1-703. Definitions.

As used in this article the following words and phrases shall mean:

- (a) *Bank* means any bank incorporated under the laws of the state of Kansas or any other state, or organized under the laws of the United States and which has a main or branch office in Kansas;
- (b) *Savings and loan association* means any savings and loan association incorporated under the laws of the state of Kansas or any other state, or organized under the laws of the United States and which has a main or branch office in Kansas;
- (c) *Savings bank* means any savings bank organized under the laws of the United States and which has a main or branch office in Kansas;
- (d) *Main office* means the place of business specified in the articles of association, certificate of authority or similar document, where the business of the institution is carried on and which is not a branch;
- (e) *Branch* means any office within this state, other than the main office, that is approved as a branch by a federal or state supervisory agency, at which deposits are received, checks paid or money lent. Branch does not include an automated teller machine, remote service unit or similar device or a loan production office;
- (f) *Investment rate* means a rate which is the equivalent yield for United States government securities having a maturity date as published in the Wall Street Journal, nearest the maturity date for equivalent maturities. The 0—90 day rate shall be computed on the average effective federal funds rate as published by the federal reserve system for the previous week.

(Code 2007)

Sec. 1-704. Investment of Idle Funds.

- (a) Temporarily idle moneys of the City not currently needed, may in accordance with the procedure hereinafter described be invested:
 - (1) In temporary notes or no-fund warrants issued by the City;
 - (2) In savings deposits, time deposit, open accounts, certificates of deposit or time certificates of deposit with maturities of not more than two years:
 - A. In banks, savings and loan associations and savings banks, which have main or branch offices located in the City; or
 - B. If no main or branch office of a bank, savings and loan association or savings bank is located in the City, then in banks, savings and loan associations and savings banks, which have main or branch offices in Johnson County;
 - (3) In repurchase agreements with:

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- A. Banks, savings and loan associations and savings banks, which have main or branch offices located in the City, for direct obligations of, or obligations that are insured as to principal and interest by, the United States government or any agency thereof; or
- B. (i) If no main or branch office of a bank, savings and loan association or savings bank is located in the City; or
- (ii) If no such bank, savings and loan association or savings bank having a main or branch office located in the City is willing to enter into such an agreement with the City at an interest rate equal to or greater than the investment rate, as defined in subsection (g) of K.S.A. 12-1675a, and amendments thereto, then such repurchase agreements may be entered into with banks, savings and loan associations or savings banks which have main or branch offices in Johnson County; or
- C. If no bank, savings and loan association or savings bank, having a main or branch office in Johnson County is willing to enter into such an agreement with the City at an interest rate equal to or greater than the investment rate, as defined in subsection (g) of K.S.A. 12-1675a, and amendments thereto, then such repurchase agreements may be entered into with banks, savings and loan associations or savings banks located within the State of Kansas;
- (4) ~~In United States treasury bills or notes with maturities as the Governing Body shall determine, but not exceeding two years. Such investment transactions shall only be conducted with banks, savings and loan associations and savings banks; the federal reserve bank of Kansas City, Missouri; or with primary government securities dealers which report to the market report division of the federal reserve bank of New York, or any broker-dealer engaged in the business of selling government securities which is registered in compliance with the requirements of section 15 or 15C of the securities exchange act of 1934 and registered pursuant to K.S.A. 2005 Supp. 17-12a401, and amendments thereto; In direct obligations of or obligations that are insured as to principal and interest by the United States or any agency thereof, not including mortgage-backed securities with maturities as the governing body shall determine, but not exceeding two years. Such investment transactions shall only be conducted with banks, savings and loan associations and savings banks; the federal reserve bank of Kansas City, Missouri; or with primary government securities dealers which report to the market report division of the federal reserve bank of New York, or any broker-dealer engaged in the business of selling government securities which is registered in compliance with the requirements of section 15 or 15C of the securities exchange act of 1934 and registered pursuant to K.S.A. 17-12a401, and amendments thereto;~~
- (5) In the municipal investment pool fund established in K.S.A. 12-1677a, and amendments thereto;
- (6) In the investments authorized and in accordance with the conditions prescribed in K.S.A. 12-1677b, and amendments thereto; or
- (7) In multiple municipal client investment pools managed by the trust departments of banks which have main or branch offices located in Johnson County or with trust companies incorporated under the laws of Kansas which have contracted to provide trust services under the provisions of K.S.A. 9-2107, and amendments thereto, with banks which have main or branch offices located in Johnson County. Public moneys invested under this paragraph shall be secured in the same manner as provided for under K.S.A. 9-1402, and amendments thereto. Pooled investments of public moneys made by trust departments under this paragraph shall be subject to the same terms, conditions and limitations as are applicable to the municipal investment pool established by K.S.A. 12-1677a, and amendments thereto.
- (8) Municipal bonds or other obligations issued by any municipality of the State of Kansas as defined in K.S.A. 10-1101, and amendments thereto, which are general obligations of the municipality issuing the same.

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- (b) The investments authorized in subsections (4), (5), (6), (7) or (8) of this section shall be utilized only if the banks, savings and loan associations and savings banks eligible for investments authorized in subsection (b), cannot or will not make the investments authorized in subsection (b) available to the City at interest rates equal to or greater than the investment rate, as defined in subsection (g) of K.S.A. 12-1675a, and amendments thereto.
- (c) In selecting a depository pursuant to subsection (b), if a bank, savings and loan association or savings bank eligible for an investment deposit thereunder has an office located in the City and such financial institution will make such deposits available to the City at interest rates equal to or greater than the investment rate, as defined in subsection (g) of K.S.A. 12-1675a, and amendments thereto, and such financial institution otherwise qualifies for such deposit, the Governing Body shall select one or more of such eligible financial institutions for deposit of funds pursuant to this section. If no such financial institution qualifies for such deposits, the City shall select for such deposits one or more eligible banks, savings and loan associations or savings banks which have offices in Johnson County which will make such deposits available to the City at interest rates equal to or greater than the investment rate, as defined in subsection (g) of K.S.A. 12-1675a, and amendments thereto, and which otherwise qualify for such deposits.
- (d) (1) All security purchases and repurchase agreements shall occur on a delivery versus payment basis.
- (2) All securities, including those acquired by repurchase agreements, shall be perfected in name of the City and shall be delivered to the purchaser or a third-party custodian which may be the State Treasurer.
- (e) Public moneys deposited pursuant to subsection (b)(2) of K.S.A. 12-1675, and amendments thereto, by the Governing Body, through a selected bank, savings and loan association or savings bank which is a part of a reciprocal deposit program in which the bank, savings and loan association or savings bank:
- (1) Receives reciprocal deposits from other participating institutions located in the United States in an amount equal to the amount of funds deposited by the City; and
- (2) For which the total cumulative amount of each deposit does not exceed the maximum deposit insurance amount for one depositor at one financial institution as determined by the federal deposit insurance corporation.

Such deposits shall not be treated as securities and need not be secured as provided in K.S.A. 12-1675, and amendments thereto, or any other act.

(Code 2014)

Sec. 1-705. Procedures and Restrictions.

The City ~~Clerk~~Finance Director shall periodically report to the Governing Body as to the amount of money available for investment and the period of time such amounts will be available for investment, and shall submit such recommendations as deemed necessary for the efficient and safe management of City finances. The recommendations of the City Finance Director~~Clerk~~ shall provide for an investment program which shall so limit the amounts invested and shall schedule the maturities of investments so that the City will, at all times, have sufficient moneys available on demand deposit to assure prompt payment of all City obligations. ~~7-11-07~~ (Code 2007)

Sec. 1-706. Custody and Safekeeping.

All securities will be perfected in the name of the City and held by the City or a third party custodian. A third party custodian will generally hold securities pledged as collateral by the City's financial institutions. The City is authorized to use the Federal Reserve Bank of Kansas City as a custodian, but may use other custodians as

permitted by state law. Safekeeping records of pledged securities may be mailed, faxed or emailed to the City in order to accommodate timely and legal investment transactions.

~~Securities purchased pursuant to this article shall be under the care of the City Clerk and shall be held in the custody of a state or national bank or trust company, or shall be kept by such officers in a safety deposit box of the City in a bank or trust company. Securities in the original or receipt form held in the custody of a bank or trust company shall be held in the name of the City, and their redemption, transfer, or withdrawal shall be permitted only upon the written instruction of the City officers. Securities not held in the custody of a bank or trust company shall be personally deposited by such officer in a safety deposit box in the name of the City in a bank or trust company, access to which shall be permitted only in the personal presence and under the signature of two of the abovementioned officers.~~

(Code 2007)

Sec. 1-707. Sale or Transfer.

If, in order to maintain sufficient moneys on demand deposit in any fund as provided in Section 5 [section 1-705], it becomes necessary to transfer or sell any securities of such funds, the officers specified in Section 6 [section 1-706] may transfer said securities to any other fund or funds in which there are temporarily idle moneys, or shall sell such securities, and for such purpose they shall have authority to make any necessary written direction, endorsement or assignment for and on behalf of the City.

(Code 2007)

~~Sec. 1-708. Interest on Time Deposits.~~

~~The City Clerk shall deposit the interest earned on invested idle funds to the general fund, unless otherwise required or authorized by law.~~

(Code 2007)

ARTICLE 8. PURCHASING PROCEDURE

Sec. 1-801. Purchasing Policy.

The Governing Body shall by resolution adopt a policy to provide internal guidelines and procedures to be followed in purchasing goods and services for the City. The procedures provided therein supercede all prior purchasing directions, memoranda and practices.

(Code 2014)

ARTICLE 9. PUBLIC BUILDING COMMISSION

Sec. 1-901. Creation of Public Building Commission.

Pursuant to the Act, there is hereby created a Public Building Commission to be known as the Public Building Commission of the City (the Public Building Commission), which shall be a municipal corporation and shall function as authorized by the Act, with the members set forth herein and under the bylaws of the Public Building Commission of the City.

(Ord. No. 593, § 1)

Sec. 1-902. Functions of the Public Building Commission.

The Public Building Commission shall have the power to do all things necessary or incidental to facilitate the purposes of constructing, acquiring or enlarging, furnishing, equipping, operating and maintaining buildings to be made available for use by governmental agencies. The Public Building Commission shall have all of the power and authority authorized by statute, and may negotiate a lease or leases for the use of public facilities proposed to be acquired or constructed with the City or with one or more additional public bodies. The Public Building Commission may issue its revenue bonds to provide funds for the purpose of acquiring, creating, repairing, maintaining and operating buildings and other facilities and to acquire sites necessary and convenient therefore and to pay all costs and expenses incident thereto, or to refund its outstanding revenue bonds as authorized by law. Such revenue bonds shall be payable from the rents and revenues to be derived from the operation, management or use of the buildings or other facilities acquired by the Public Building Commission and from any other lawfully available source. The Public Building Commission is authorized to establish and fix rates, rental, fees and charges for the use of any and all buildings or space therein or other facilities owned and operated by the Public Building Commission in amounts sufficient to pay the maintenance and operation costs of such buildings or facilities, the principal of and interest on the revenue bonds issued by such Public Building Commission as the same shall become due and payable, and to make all payments to any accounts created by any bond resolution. The Public Building Commission shall have the authority to rent all or any part of its buildings or other facilities to any federal, state or county governmental agency, or any municipal corporation, quasi-municipal corporation, political subdivision or body politic, or agency thereof, doing business, maintaining an office or rendering a public service in the City and to rent any space that may not be needed by such governmental agencies for such service facilities as the Public Building Commission may determine will primarily serve the comfort and convenience of the occupants of its buildings or other facilities. The Public Building Commission shall have the power to acquire the fee simple title to real property, including easements and reversionary interests in the streets, alleys and other public places, and any personal property required for its purposes by purchase, gift, devise or by the exercise of the power of eminent domain of the state and title thereto shall be taken in corporate name of the Public Building Commission.

(Ord. No. 593, § 2)

Sec. 1-903. Public Building Commission Members and Terms.

The members of the Public Building Commission shall be the nine members of the Governing Body of the City holding office at any given time.

Upon the departure from office of each Governing Body member, such Governing Body member's office as a member of the Public Building Commission shall terminate and such Governing Body member's successor shall be appointed as a member of the Public Building Commission for a term of office coinciding with such member's term as Governing Body member.

(Ord. No. 593, § 3)

ARTICLE 10. COMMUNITY ENGAGEMENT COMMITTEE¹

Sec. 1-1001. Purpose.

The purpose of the Community Engagement Committee is the help foster broad and inclusive participation of our residents and highlight City amenities. The Committee will serve as a liaison between the business community, residents and City government. The Committee will make recommendations to the City Council concerning opportunities to enhance engagement and report on outcomes from engagement efforts.

(Ord. No. 977, § 1, 4-15-2019)

Sec. 1-1002. Creation and Establishment.

There is hereby created and established a Community Engagement Committee for the City which shall consist of ~~up to~~ two members of the City Council, one primary and one alternate, and up to ~~eight~~ nine additional individuals, one of which may be a non-resident and all additional members of which at least six shall be residents of the City. The Council representatives shall have a total of one (1) vote on the committee. In the event of the presence of both the primary and alternate members, the primary member shall have voting privileges at that meeting. Youth representatives between the ages of 14 and 17 may join a committee with parental consent. All of the individuals shall be nominated by the Mayor and approved by the City Council. The terms of all members shall be for one year beginning January 1 of each year. In the event a vacancy should occur during the term of any member, ~~his or her~~ their successor shall be appointed in the same manner for the unexpired portion of the term. There shall be no limitation on the number of times an individual may be re-appointed. Any member of the Committee may be removed at any time by a majority vote of the City Council. Neither the Committee nor any individual member shall have any authority to financially obligate, commit or contract on behalf of the City.

(Ord. No. 977, § 2, 4-15-2019)

Sec. 1-1003. Compensation.

Members of the Community Engagement Committee shall serve without compensation.

(Ord. No. 977, § 3, 4-15-2019)

Sec. 1-1004. Duties and Responsibilities.

It shall be the responsibility of the Community Engagement Committee to plan, organize and carry out community engagement events as may from time to time be sponsored by the City and to support, as requested and able, events planned by other committees. Examples of activities the Committee would engage in are:

- Welcoming new residents and businesses to the City.

Commented [JL8]: Changes made in response to council convo 3/4

¹Editor's note(s)—Ord. No. 977, §§ 1—7, adopted Apr. 15, 2019, amended art. 10 in its entirety to read as herein set out. Former art. 10, §§ 1-1001—1-1007, pertained to the Community Events Committee, and derived from Ord. No. 711, §§ 1—7; Code 2013; and Ord. No. 711, §§ 1—7, Code 2013.

- Coordinating pop-up events to share information on a new initiative or upcoming project.
- Attending (setting up a table) at local businesses' events to show support, engage the public and share information about the City.
- Planning small scale events designed to raise awareness of City parks, art, and other amenities.
- Supporting events in partnership with local agencies, organizations, City departments, the business community, and other citizen committees.
- Assisting the City in distributing relevant information through informal communication channels as well as social media channels.

(Ord. No. 977, § 4, 4-15-2019)

Sec. 1-1005. Advisors.

The City Council may designate or employ, with or without compensation, such advisors to the Community Engagement Committee as the City Council shall hereafter determine to be necessary and advisable to accomplish the purposes of this article.

(Ord. No. 977, § 5, 4-15-2019)

Sec. 1-1006. Meetings, Rules and Regulations.

The Community Engagement Committee shall meet at such times and places as it shall agree upon or upon call by the City Council. ~~The Committee shall elect a chair and vice chair at its first meeting of each calendar year or co-chairs as determined by members of the committee~~~~The Committee shall elect a chair and vice chair at its first meeting of each calendar year.~~ Any bylaws or other rules and regulations relating to its meetings and proceedings must be approved by the City Council. The Committee shall keep minutes of its meetings and provide a copy thereof to the City Clerk. A majority of the members appointed to the Community Engagement Committee shall constitute a quorum for the transaction of the business of the Committee.

(Ord. No. 977, § 6, 4-15-2019)

Commented [JL9]: Alex you were going to see if it's possible if you can reduce the number required for a quorum.

Sec. 1-1007. Code of Ethics.

The Code of Ethics for Elective and Appointive Offices, as adopted pursuant to Charter Ordinance No. 12, and any amendments thereto, shall apply to the appointed members of the Community Engagement Committee.

(Ord. No. 977, § 7, 4-15-2019)

ARTICLE 11. ARTS ADVISORY COMMITTEE

Sec. 1-1101. Purpose.

The purpose of the Arts Advisory Committee is to make recommendations to the City Council concerning the public display of art on City owned property.

(Ord. No. 710, § 1; Code 2003)

Sec. 1-1102. Creation and Establishment.

There is hereby created and established an Arts Advisory Committee for the City which shall consist ~~of not less than three persons, including one two~~ members of the City Council, ~~one primary and one alternate, and up to nine additional individuals, one of which may be a non-resident and all~~ additional members shall be residents of the City. The Council representatives shall have a total of one (1) vote on the committee. In the event of the presence of both the primary and alternate members, the primary member shall have voting privileges at that meeting. Youth representatives between the ages of 14 and 17 may join a committee with parental consent. and two additional individuals, of which at least one shall be a resident of the City. All of the individuals shall be nominated by the Mayor and approved by the City Council. The terms of all members shall be for one year beginning January 1 of each year. In the event a vacancy should occur during the terms of any member, ~~his or her~~ their successor shall be appointed in the same manner for the unexpired portion of the term. The Art Advisory Committee may elect a vice chair or elect to have co-chairs. There shall be no limitation on the number of times an individual may be re-appointed. Any member of the Committee may be removed at any time by a majority vote of the City Council. Neither the Committee nor any individual member shall have any authority to financially obligate, commit or contract on behalf of the City.

(Ord. No. 710, § 2; Code 2003; Ord. No. 1042, § 1, 2-6-2023)

Sec. 1-1103. Compensation.

Members of the Arts Advisory Committee shall serve without compensation; provided, however, that the Art Gallery Director shall receive a monthly ~~expense allowance stipend~~ to be set annually as part of budget adoption process.

(Ord No. 801, § 1; Ord. No. 1042, § 2, 2-6-2023)

Sec. 1-1104. Duties and Responsibilities.

- (a) It shall be the responsibility of the Arts Advisory Committee to make recommendations for and coordinate the public display of art on City-owned property.
- (b) It shall be the responsibility of the Art Gallery Director to perform the following duties:
 - (1) Find artists from a variety of backgrounds and cultures to exhibit their works in the Gallery.
 - (2) Plan or coordinate art receptions at the Gallery.
 - (3) Contact social media, publications, or other outlets regarding Gallery events.
 - (4) Produce, record, create, coordinate, or obtain video of current exhibitions for publicity and records purposes.
 - (5) Provide information about the Gallery and exhibitions to the City's newsletter and other City media platforms, including information about the artists, receptions, and other related events.

(Ord. No. 710, § 4; Code 2003; Ord. No. 1042, § 3, 2-6-2023)

Sec. 1-1105. Advisors.

The City Council may designate or employ, with or without compensation, such advisors to the Arts Advisory Committee as the City Council shall hereafter determine to be necessary and advisable to accomplish the purposes of this article.

Commented [JJL10]: Changes made in response to council convo 3/4

(Ord. No. 710, § 5; Code 2003)

Sec. 1-1106. Meetings, Rules and Regulations.

The Arts Advisory Committee shall meet at such times and places as it shall agree upon or upon call by the City Council. ~~The Committee shall elect a chair and vice chair at its first meeting of each calendar year or co-chairs as determined by members of the committee.~~ The Committee shall elect a chair and vice chair at its first meeting of each calendar year. Any bylaws or other rules and regulations relating to its meetings and proceedings must be approved by the City Council. The Committee shall keep minutes of its meetings and provide a copy thereof to the City Clerk. A majority of the members appointed to the Arts Advisory Committee shall constitute a quorum for the transaction of the business of the Committee.

(Ord. No. 710, § 6; Code 2003)

Sec. 1-1107. Code of Ethics.

The Code of Ethics for Elective and Appointive Offices, as adopted pursuant to Charter Ordinance No. 12, and any amendments thereto, shall apply to the appointed members of the Arts Advisory Committee.

(Ord. No. 710, § 7; Code 2003)

~~ARTICLE 12. YOUTH ADVISORY COMMITTEE~~

~~Sec. 1-1201. Purpose.~~

~~The purpose of the Youth Advisory Committee is to make recommendations to the Governing Body concerning issues relating to or affecting youth in Roeland Park.~~

~~(Ord. No. 754, § 1; Code 2007)~~

~~Sec. 1-1202. Creation and Establishment.~~

~~There is hereby created and established a Youth Advisory Committee for the City which shall consist of the following members: one member of the City Council; and up to eighteen additional individuals, all of whom must be between the age of 13 and 19 and be a resident of Roeland Park. All of the individuals shall be nominated by the Mayor and approved by the City Council. The terms of all members shall be for one year beginning January 1st of each year. In the event a vacancy should occur during the term of any member, his or her their successor shall be appointed in the same manner for the unexpired portion of the term. There is no limitation on the number of times an individual may be re-appointed. Any member of the Committee may be removed at any time by a majority vote of the Governing Body. Neither the Committee nor any individual member shall have any authority to financially obligate, commit or contract on behalf of the City. ;hno; (Ord. No. 754, § 2; Code 2007)~~

~~Sec. 1-1203. Compensation.~~

~~Members of the Committee shall serve without compensation.~~

~~(Ord. No. 754, § 3; Code 2007)~~

~~Sec. 1-1204. Duties and Responsibilities.~~

~~It shall be the responsibility of the Committee to review current uses and practices as they relate to City youth, and to make recommendations regarding same. When requested by the City Council, the Committee shall consider, investigate, make findings and report upon any matter related to the youth of the City.~~

~~(Ord. No. 754, § 4; Code 2007)~~

~~Sec. 1-1205. Advisors.~~

~~The City Council may designate or employ, with or without compensation, such advisors to the Youth Advisory Committee as the City Council shall hereafter determine to be necessary and advisable to accomplish the purposes of this article.~~

~~(Ord. No. 754, § 5; Code 2007)~~

~~Sec. 1-1206. Meetings, Rules and Regulations.~~

~~The Youth Advisory Committee shall meet at such times and places as it shall agree upon or upon call by the City Council. The Committee shall elect a chair and vice chair at its first meeting of each calendar year. Any bylaws or other rules and regulations relating to its meetings and proceedings must be approved by the Governing Body. The Committee shall keep minutes of its meetings and provide a copy thereof to the City Clerk. A majority of the members appointed to the Youth Advisory Committee shall constitute a quorum for the transaction of the business of the Committee.~~

~~(Ord. No. 754, Sec. 6; Code 2007)~~

~~Sec. 1-1207. Code of Ethics.~~

~~The Code of Ethics for Elective and Appointive Offices, as adopted pursuant to Charter Ordinance No. 12, and any amendments thereto, shall apply to the appointed members of the Youth Advisory Committee.~~

~~(Ord. No. 754, § 7; Code 2007)~~

ARTICLE 13. SUSTAINABILITY COMMITTEE

Sec. 1-1301. Purpose.

The purpose of the Sustainability Committee is to make recommendations to the Governing Body concerning issues relating to or affecting environmental sustainability.

(Ord. No. 814, § 2)

Sec. 1-1302. Creation and Establishment.

There is hereby created and established a Sustainability Committee for the City which shall consist of ~~no less than five members, of which at least four shall be residents of the City~~ two members of the City Council, one primary and one alternate, and up to nine additional individuals, one of which may be a non-resident and all

~~additional members shall be residents of the City. The Council representatives shall have a total of one (1) vote on the committee. In the event of the presence of both the primary and alternate members, the primary member shall have voting privileges at that meeting. Youth representatives between the ages of 14 and 17 may join a committee with parental consent, and at least one shall be a member of the City Council.~~ All of the individuals shall be nominated by the Mayor and approved by the City Council. The terms of all members shall be for one year beginning January 1st of each year. In the event a vacancy should occur during the term of any member, ~~his or her~~ their successor shall be appointed in the same manner for the unexpired portion of the term. There shall be no limitation on the number of times an individual may be re-appointed. Any member of the Committee may be removed at any time by a majority vote of the Governing Body. Neither the Committee nor any individual member shall have any authority to financially obligate, commit or contract on behalf of the City.

(Ord. No. 861, § 1)

Sec. 1-1303. Compensation.

Members of the Committee shall serve without compensation.

(Ord. No. 814, § 4)

Sec. 1-1304. Duties and Responsibilities.

It shall be the responsibility of the Committee to review current uses and practices as they relate to environmental sustainability, including a review of the City's own practices and procedures, and to make recommendations to the Governing Body relating to policies, guidelines or programs, including but not limited to, maintaining and enhancing air quality, reducing waste disposal and need for landfills, increasing awareness of the need to conserve natural resources and ~~generally~~ educating the public on the disproportionate impacts of climate change and on methods to protect the environment generally.

(Ord. No. 814, § 5)

Sec. 1-1305. Advisors.

The City Council may designate or employ, with or without compensation, such advisors to the Sustainability Committee as the City Council shall hereafter determine to be necessary and advisable to accomplish the purposes of this article.

(Ord. No. 814, § 6)

Sec. 1-1306. Meetings, Rules and Regulations.

The Sustainability Committee ~~shall elect a chair and vice chair at its first meeting of each calendar year or co-chairs as determined by members of the committee shall elect a chairperson and a vice chairperson at its first meeting of each calendar year.~~ The Committee shall meet at such times and places deemed appropriate upon the call of the chairperson, the vice chairperson or by any three members of the Committee. Any bylaws or other rules and regulations relating to the Committee's meetings and proceedings must be approved by the City Council. The Committee shall keep minutes of its meetings and shall provide a copy thereof to the City Clerk. A majority of the members appointed to the Committee shall constitute a quorum for the transaction of the business of the Committee.

(Ord. No. 814, § 7)

Commented [JL11]: Changes made in response to council convo 3/4

Sec. 1-1307. Code of Ethics.

The Code of Ethics for Elective and Appointive Offices, as adopted pursuant to Charter Ordinance No. 12, and any amendments thereto, shall apply to the appointed members of the Sustainability Committee.

(Ord. No. 814, § 8)

ARTICLE 14. AD HOC COMMITTEES**Sec. 1-1401. Purpose.**

Ad hoc committees shall be project- or subject-based. The duration of the committee shall be 12 months or until completion of the project or study of the subject.

(Ord. No. 930, § 2, 6-20-2016)

Sec. 1-1402. Creation and Establishment.

Ad hoc committees shall be established by the Governing Body, with the approval of a majority vote at a City Council meeting. Ad hoc committees shall consist of up to four members of the Governing Body. If five or more of the Governing Body want to be on an ad hoc Committee, then the subject will be returned to a Governing Body workshop. In addition, City residents, Roeland Park business owners and members of the City Staff may be included on the committee; provided that non-Governing Body members shall not exceed two-thirds of the total committee membership. City residents and Roeland Park business owners desiring to become a member of an ad hoc committee must submit a volunteer application and shall be appointed by the Mayor and approved by a majority vote at a City Council meeting.

(Ord. No. 930, § 3, 6-20-2016)

Sec. 1-1403. Compensation.

Members of ad hoc committees shall serve without compensation.

(Ord. No. 930, § 4, 6-20-2016)

Sec. 1-1404. Duties and Responsibilities.

It shall be the duty of an ad hoc committee to review current uses and practices as they relate to the project or subject for which the committee was established. The committee shall report to the Governing Body from time to time. The committee may make recommendations to the Governing Body concerning policies in connection with the project or subject for which the committee was established, which may include actionable items for approval by the Governing Body at a City Council meeting. As deemed appropriate by the Governing Body, City Staff will support committee activities, either directly (as members of the committee) or indirectly.

(Ord. No. 930, § 5, 6-20-2016)

Sec. 1-1405. Advisors.

The City Council may designate or employ, with or without compensation, such advisors to an ad hoc committee as the City Council shall hereafter determine to be necessary and advisable to accomplish the purposes for which the committee was established.

(Ord. No. 930, § 6, 6-20-2016)

Sec. 1-1406. Meetings, Rules and Regulations.

The committee shall elect a Chair at its first meeting who shall preside over meetings and report to the City Council. The committee may elect a Vice Chair who shall assume the duties of Chair when the Chair is not available. The committee shall elect a Secretary to take minutes. The committee may adopt such rules and regulations as deemed necessary. Meetings of the committee shall be subject to the requirements of the Kansas Open Meetings Act.

(Ord. No. 930, § 7, 6-20-2016)

Sec. 1-1407. Code of Ethics.

The Code of Ethics for Elective and Appointed Offices, as adopted pursuant to Charter Ordinance No. 29, and any amendments thereto, shall apply to the members of any ad hoc committee.

(Ord. No. 930, § 8, 6-20-2016)

ARTICLE 15. TASK GROUPS

Sec. 1-1501. Purpose.

Task Groups shall be task- or topic-based. The duration of the task group shall be as long as needed to complete the work.

(Ord. No. 930, § 9, 6-20-2016)

Sec. 1-1502. Creation and Establishment.

Task groups shall be established by the Governing Body, with the approval of the consensus of a majority of the Governing Body members present at a workshop meeting. Task groups shall consist of up to four members of the Governing Body.

(Ord. No. 930, § 10, 6-20-2016)

Sec. 1-1503. Compensation.

Members of task groups shall serve without compensation.

(Ord. No. 930, § 11, 6-20-2016)

Sec. 1-1504. Duties and Responsibilities.

It shall be the duty of a task group to review current uses and practices as they relate to the task or topic for which the task group was established. The task group shall report its findings to the Governing Body at a City Council or Workshop meeting upon the conclusion of its research. As deemed appropriate by the Governing Body, a task group may rely upon City Staff for information or resources.

(Ord. No. 930, § 12, 6-20-2016)

Sec. 1-1505. Advisors.

The City Council may designate or employ, with or without compensation, such advisors to a task group as the City Council shall hereafter determine to be necessary and advisable to accomplish the purposes for which the task group was established.

(Ord. No. 930, § 13, 6-20-2016)

Sec. 1-1506. Meetings.

Meetings of task groups shall be informal and no officers shall be established for task groups. No minutes of task group meetings shall be required. Meetings of the task group shall be subject to the requirements of the Kansas Open Meetings Act.

(Ord. No. 930, § 14, 6-20-2016)

Sec. 1-1507. Code of Ethics.

The Code of Ethics for Elective and Appointed Offices, as adopted pursuant to Charter Ordinance No. 29, and any amendments thereto, shall apply to the members of any task group.

(Ord. No. 930, § 15, 6-20-2016)

ARTICLE 16. REMOTE PARTICIPATION FOR CITY COUNCIL MEETINGS AND WORKSHOPS

Sec. 1-1601. Purpose.

The purpose of this article is to establish reasonable guidelines for governing body members to remotely attend and participate in official business of the governing body when the member is unable to be physically present at a meeting. There is a strong preference for in-person participation at governing body meetings.

(Ord. No. 962, § 1, 12-18-2017; Ord. No. 1047, § 1, 8-7-2023)

Sec. 1-1602. Definition.

Remote participation is defined as participation of a governing body member who is not physically present.

(Ord. No. 962, § 1, 12-18-2017; Ord. No. 1047, § 1, 8-7-2023)

Sec. 1-1603. Scope and Application.

This policy shall apply to all city council meetings and workshops, of the City of Roeland Park, Kansas.

(Ord. No. 962, § 1, 12-18-2017; Ord. No. 1047, § 1, 8-7-2023)

Sec. 1-1604. Policy.

- (a) To be eligible for remote participation, a member of the governing body shall notify the mayor or council president no later than noon Central Standard Time the day the meeting is to be held.
- (b) Remote participation is intended for use when members of the governing body are ill, injured, suffering from disability, performing military service, undergoing personal emergencies, or are unable to attend due to geographic (outside Kansas City Metro area) distance.
- (c) It is incumbent upon the member utilizing remote participation that ~~he or she~~they can participate fully and does not unduly burden the physically present members of the governing body due to technological issues or telecommunication problems.
- (d) Any member of the governing body participating remotely shall ensure ~~his or her~~their camera is turned "on" for the duration of the meeting.
- (e) A member of the governing body cannot utilize remote participation for chairing a council meeting or governing body workshop.
- (f) Once a member of the governing body has used remote participation six times in a calendar year, any further requests to participate will be considered by the mayor on a case-by-case basis.
- (g) City staff shall make reasonable efforts to provide any remote participating member of the governing body with any documents that are needed for full-participation in the meeting.

(Ord. No. 962, § 1, 12-18-2017; Ord. No. 1047, § 1, 8-7-2023)

Sec. 1-1605. Procedures.

- (a) City staff shall, upon notification by a member of the governing body for the use of remote participation that abides by the above prescribed rules, make all reasonable and needed technological and other accommodations necessitated by the request.
- (b) This policy prescribes no specific required technology such as a speaker phone or video that must be used. However, the strong preference is for video technology that allows the public to observe the public body member's participation. The technology must function properly so that all members may hear the remote participants and the remote participants may hear all the other members.
- (c) The clerk will record the presence of any member using remote participation with a note stating the same. The clerk shall also record the entrance, exit, or re-entrance of any governing body member utilizing remote participation.
- (d) Initial technical difficulties shall be dealt with by a suspension of discussion in an attempt to remedy the problem. The body's chair shall have the authority to discontinue the use of remote participation due to technical issues.
- (e) In general, delays collectively lasting longer than ten minutes will result in the discontinuation of remote participation and the termination of any remote connection, at the discretion of the Mayor or the Council President in the Mayor's absence.

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(Supp. No. 15, Update 5)

- (f) The remote participant will verify ~~his or her~~their identity at the beginning of the meeting and state that ~~he or she~~they are fully participating without any undue influence by others.

(Ord. No. 962, § 1, 12-18-2017; Ord. No. 1047, § 1, 8-7-2023)

ARTICLE 17. RESERVED²

Secs. 1-1701—1-1707. Reserved

ARTICLE 18. AQUATIC CENTER ADVISORY COMMITTEE³

Sec. 1-1801. Purpose.

The purpose of the Aquatic Center Advisory Committee is to review and provide feedback on pool operations, programs, facility conditions and events at the City pool.

(Ord. No. 980, § 1, 5-20-2019)

Sec. 1-1802. Creation and Establishment.

There is hereby created and established an Aquatic Center Advisory Committee for the City which shall consist of two members of the City Council, a primary and an alternate, and up to nine additional individuals, one of which may be a non-resident and all additional members shall be residents of the City. The Council representatives shall have a total of one (1) vote on the committee. In the event of the presence of both the primary and alternate members, the primary member shall have voting privileges at that meeting. Youth representatives between the ages of 14 and 17 may join a committee with parental consent, and up to eight additional individuals, of which at least six shall be residents of the City. If the aquatic center is managed through contract, an ex-officio non-voting seat on the Committee shall be extended to a representative of the management company/organization. All of the individuals shall be nominated by the Mayor and approved by the City Council. The terms of all members shall be for one year beginning January 1st of each year. In the event a vacancy should occur during the term of any member, ~~his or her~~their successor shall be appointed in the same manner for the unexpired portion of the term. There shall be no limitation on the number of times an individual may be re-appointed. Any member of the Committee may be removed at any time by a majority vote of the City Council. Neither the Committee nor any individual member shall have any authority to financially obligate, commit or contract on behalf of the City.

(Ord. No. 980, § 1, 5-20-2019)

Commented [JJL12]: Changes made in response to council convo 3/4

²Editor's note(s)—Ord. No. 977, §§ 1—7, adopted Apr. 15, 2019, amended Art. 10 in its entirety, redesignating Art. 17, §§ 1-1701—1-1707 as §§ 1-1001—1-1007. Previously Art. 17 pertained to the Community Engagement Committee.

³Editor's note(s)—Ord. No. 980, § 1, adopted May 20, 2019, set out provisions intended for use as Art. 17, § 1-1701—1-1707. Inasmuch as there are already provisions designated as such, the provisions have been included as Art. 18, §§ 1-1801—1-1807.

Sec. 1-1803. Compensation.

Members of the Aquatic Center Advisory Committee shall serve without compensation.

(Ord. No. 980, § 1, 5-20-2019)

Sec. 1-1804. Duties and Responsibilities.

It shall be the responsibility of the Aquatic Center Advisory Committee to provide recommendations to the governing body concerning rules, programs, operations, marketing, and maintenance of City pools and to serve as the sounding board for City staff concerning issues of pool policy and service quality.

(Ord. No. 980, § 1, 5-20-2019)

Sec. 1-1805. Advisors.

The City Council may designate or employ, with or without compensation, such advisors to the Aquatic Center Advisory Committee as the City Council shall hereafter determine to be necessary and advisable to accomplish the purposes of this article.

(Ord. No. 980, § 1, 5-20-2019)

Sec. 1-1806. Meetings, Rules and Regulations.

The Aquatics Center Advisory Committee shall meet at such times and places as it shall agree upon or upon call by the City Council. ~~The Committee shall elect a chair and vice chair at its first meeting of each calendar year or co-chairs as determined by members of the committee. The Committee shall elect a chair and vice chair at its first meeting of each calendar year.~~ Any bylaws or other rules and regulations relating to its meetings and proceedings must be approved by the City Council. The Committee shall keep minutes of its meetings and provide a copy thereof to the City Clerk. A majority of the members appointed to the Aquatic Center Advisory Committee shall constitute a quorum for the transaction of the business of the Committee.

(Ord. No. 980, § 1, 5-20-2019)

Sec. 1-1807. Code of Ethics.

The Code of Ethics for Elective and Appointive Offices, as adopted pursuant to Charter Ordinance No. 12, and any amendments thereto, shall apply to the appointed members of the Aquatic Center Advisory Committee.

(Ord. No. 980, § 1, 5-20-2019)

ARTICLE 19. EMERGENCY PREPAREDNESS

Sec. 1-1901. Definitions.

For the purpose of this article, certain terms or words used herein shall be interpreted or defined as follows in this article:

Disaster. The occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including, but not limited to, fire, flood, earthquake, wind, storm, epidemics, air contamination, blight, drought, infestation, explosion or riot.

(Ord. No. 993, § 1, 3-20-2020)

Sec. 1-1902. Emergency Proclamation; Action.

Whenever, in the judgment of the mayor or in the event of ~~his or her~~*their* inability to act, the president of the council determines that an emergency exists as a result of a public or natural disaster, or other civil disobedience causing danger of injury or damages to persons or property, ~~he or she~~*they* shall have power to impose by proclamation any or all of the following regulations necessary to preserve the health, safety, peace and order of the City:

- (a) To impose a curfew upon all or any portion of the City requiring all persons in such designated curfew areas to remove themselves from the public streets, alleys, parks or other public places or buildings; provided, however, that physicians, nurses and ambulance operators performing medical services, utility personnel maintaining essential public services, firefighters and City authorized or requested law enforcement officers and personnel may be exempted from such curfew;
- (b) To order the closing of any public buildings and business establishments anywhere within the City for the period of the emergency, such businesses to include, but not be limited to, those selling intoxicating liquors, cereal malt beverages, gasoline or firearms;
- (c) To designate any public street, thoroughfare or vehicle parking areas closed to motor vehicles and pedestrian traffic;
- (d) To call upon regular and auxiliary law enforcement agencies and organizations within or without the City to assist in preserving and keeping the peace within the City.

(Ord. No. 993, § 2, 3-20-2020)

Sec. 1-1903. Emergency Proclamation; Effective When.

The proclamation of emergency provided in this article shall become effective upon its issuance and dissemination to the public by appropriate news media.

(Ord. No. 993, § 3, 3-20-2020)

Sec. 1-1904. Emergency Proclamation; Termination.

Any emergency proclaimed in accordance with the provisions of this article shall terminate after seven days from the issuance thereof, or upon the issuance of a proclamation determining an emergency no longer exists, whichever occurs first; provided, however, that such emergency may be extended for such additional periods of time as determined necessary by resolution of the governing body.

(Ord. No. 993, § 4, 3-20-2020)

Sec. 1-1905. Emergency Proclamation; Violation, Penalty.

Any person who willfully fails or refuses to comply with the orders of duly authorized law enforcement officers or personnel charged with the responsibility of enforcing the proclamation of emergency authorized in this

article is guilty of a misdemeanor, and upon conviction therefore, shall be punished by a fine of not more than \$500.00 or by imprisonment in jail for a period of not to exceed six months, or by both such fine and imprisonment.

(Ord. No. 993, § 5, 3-20-2020)

Sec. 1-1906. Adopting Johnson County Emergency Operations Plan.

The City of Roeland Park, Kansas hereby adopts the Johnson County Emergency Operations Plan as the Emergency Operation Plan of the City of Roeland Park Kansas.

(Ord. No. 993, § 6, 3-20-2020)

Sec. 1-1907. Adopting National Incident Management System.

The City of Roeland Park, Kansas hereby additionally adopts the National Incident Management System to the extent it is not inconsistent with the Johnson County Emergency Operations Plan.

(Ord. No. 993, § 7, 3-20-2020)

ARTICLE 20. RACIAL DIVERSITY, EQUITY & INCLUSION COMMITTEE

Sec. 1-2001. Purpose.

The purpose of the Diversity, Equity & Inclusion Committee is to identify ways the City can better achieve racial and social equality equity within Roeland Park and to make recommendations to the City Council concerning the Diversity, Equity & Inclusion Committee's findings.

(Ord. No. 1010, § 1, 3-15-2021; Ord. No. 1045, § 1, 6-5-2023)

Sec. 1-2002. Creation and Establishment.

There is hereby created and established a Diversity, Equity & Inclusion Committee for the City which shall consist of ~~not less than three persons, including one two~~ members of the Governing Body, one primary and one and alternate, and two up to nine additional individuals, one of which may be a non-resident and all additional members shall be residents of the City. The Council representatives shall have a total of one (1) vote on the committee. In the event of the presence of both the primary and alternate members, the primary member shall have voting privileges at that meeting. Youth representatives between the ages of 14 and 17 may join a committee with parental consent, of which at least two shall be residents of the City. All of the individuals shall be nominated by the Mayor and approved by the City Council. The terms of all members shall be for one year beginning January 1 of each year. In the event a vacancy should occur during the term of any member, ~~his or her~~ their successor shall be appointed in the same manner for the unexpired portion of the term. There shall be no limitation on the number of times an individual may be re-appointed. Any member of the Committee may be removed at any time by a majority vote of the City Council. Neither the Committee nor any individual member shall have any authority to financially obligate, commit, or contract on behalf of the City.

(Ord. No. 1010, § 1, 3-15-2021; Ord. No. 1045, § 2, 6-5-2023)

Commented [JL13]: Changes made in response to council convo 3/4

Sec. 1-2003. Compensation.

Members of the Diversity, Equity & Inclusion Committee shall serve without compensation.

(Ord. No. 1010, § 1, 3-15-2021; Ord. No. 1045, § 3, 6-5-2023)

Sec. 1-2004. Duties and Responsibilities.

It shall be the responsibility of the Diversity, Equity & Inclusion Committee to identify ways the City can better achieve racial and social ~~equity~~ity within Roeland Park, and to make recommendations to the City Council concerning the Committee's findings.

(Ord. No. 1010, § 1, 3-15-2021; Ord. No. 1045, § 4, 6-5-2023)

Sec. 1-2005. Advisors.

The City Council may designate or employ, with or without compensation, such advisors to the Diversity, Equity & Inclusion Committee as the City Council shall hereafter determine to be necessary and advisable to accomplish the purpose of this article.

(Ord. No. 1010, § 1, 3-15-2021; Ord. No. 1045, § 5, 6-5-2023)

Sec. 1-2006. Meetings, Rules and Regulations.

The Diversity, Equity & Inclusion Committee shall meet at such times and places as it shall agree upon or upon a call by the City Council. The Committee shall elect a chair and vice chair, or co-chairs as determined by members of the committee, at its first meeting of each calendar year. Any bylaws or other rules and regulations relating to its meetings and proceedings must be approved by the City Council. The Committee shall keep minutes of its meetings and provide a copy thereof to the City Clerk. A majority of the members appointed to the Diversity, Equity & Inclusion Committee shall constitute a quorum for the transaction of the business of the Committee.

(Ord. No. 1010, § 1, 3-15-2021; Ord. No. 1045, § 6, 6-5-2023)

Sec. 1-2007. Code of Ethics.

The Code of Ethics for Elective and Appointive Offices, as adopted pursuant to Chapter Ordinance No. 12, and any amendments thereto, shall apply to the appointed members of the Diversity, Equity & Inclusion Committee.

(Ord. No. 1010, § 1, 3-15-2021; Ord. No. 1045, § 7, 6-5-2023)

Item Number: **Ordinances and Resolutions:- IX.-**
 B.
Committee **4/15/2024**
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/15/2024
Submitted By: Jennifer Jones-Lacy, Assistant City Administrator/Finance Director
Committee/Department: Admin
Title: **Ordinance 1052 - Chapter 2 Code Edits**
Item Type: Ordinance

Recommendation:

Approve Ordinance No. 1052 amending chapter 2 of the City's municipal code regarding animal control and regulations.

Details:

Ordinance no. 1052 incorporates all of the changes recommended by Staff and Council regarding animal control and regulations. The redlined version of this code is also attached. Most of the ordinance is cleanup. Staff did add a new Sec. 2-302 "Goats and Sheep" that reads as follows:

Goats and/or sheep may be used by residents solely for targeted grazing pursuant to this Section and the permitting policy as outlined by the City . A resident may apply for up to two (2) permits per year, with the duration of each permit limited to ten (10) days of goat or sheep grazing on the resident's property. All other rules and regulations regarding the use of goats and/or sheep shall be contained in the permitting policy provided by City Staff.

This language was determined after discussing with the executive director of Goats on the Go regarding reasonable regulations for our community. Most of the regulations regarding the permit process will be outlined in the application and on our website and will include:

- onsite signage with contact information for the herder and warnings about electrified fences in use
- modern, pulse-type fence energizers that are low voltage pulse style instead of an ongoing stream of electricity
- access to water for animals
- Vendor must be insured.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Jones-Lacy, Jennifer	Approved	4/11/2024 - 10:13 AM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Chapter 2 redlines	Exhibit
▣ Ordinance no. 1052	Ordinance

CHAPTER II.
ANIMAL CONTROL AND REGULATIONS

ARTICLE 1. GENERAL PROVISIONS

Sec. 2-101. Definitions.

For the purposes of this chapter, the following words and phrases shall mean:

- (a) *Abandon* includes the leaving of an animal by its owner or other person responsible for its care or custody without making effective provisions for its proper care.
- (b) *Animals* means all vertebrate and invertebrate animals such as but not limited to bovine cattle, horses and other equines, swine, goats, dogs, cats, rabbits, sheep, fowl or wild animals, reptiles, fish, bees or birds that have been tamed, domesticated or captivated.
- (c) *Animal shelter* means the facility or facilities operated by the City or its authorized agents for the purpose of impounding or caring for animals under the authority of this chapter or state law.
- (d) *At-large* means to be outside of a fence or other enclosure which restrains the animals to a particular premise or not under the control, by leash or lead, of the owner or other authorized person capable of restraining the animal. Animals tethered to a stationary object within range of public thoroughfares are deemed to be "at-large."
- (e) *Bite* means any contact between an animal's mouth and teeth and the skin of a bite victim which causes visible trauma, such as a puncture wound, laceration, abrasion, bruise or other piercing of the skin.
- (f) *Cat* means any member of the species *felis catus*, regardless of sex.
- (g) *Chicken* means the common domestic fowl (*Gallus domesticus*) or its young.
- (h) *Chicken tractor* means a moveable chicken run.
- (i) *Coop* means a structure for housing poultry during non-daylight hours.
- (j) *Dog* means any member of the species *canis familiaris*, regardless of sex.
- (k) *Ear-tipped feral cat* means a cat that is unsocialized to humans and has a temperament of extreme fear or resistance to contact with humans that exhibits a straight-line cutting of the tip of its ear to indicate that it has been sterilized and vaccinated against rabies.
- (l) *Fowl* means all animals that are included in the zoological class *aves*, which shall include, but not limited to, chickens, ducks, geese, turkeys, guineas and pigeons.
- (m) *Harbor* means any person who shall allow any animals to habitually remain or lodge or to be fed within ~~his~~^{his} ~~their~~ ^{or her} home, store, yard, enclosure or place of business or any other premises where he or she resides or controls. This shall not apply to unowned ear-tipped feral cats whose colony is on or around the property of a resident.
- (n) *Humane live animal trap* means any cage trap that upon activation encloses an animal without placing any physical restraint upon any part of the body of such animal.

- (o) *Humanely euthanize* means the proper injection of a substance that quickly and painlessly terminates the life of an animal, or any other method approved by the American Veterinary Medical Association or the American Humane Society.
- (p) *Kennel* means any establishment, commercial or otherwise, maintained for breeding, rearing, grooming, boarding, or otherwise harboring in an enclosure in one location only, three or more dogs.
- (q) *Livestock* includes, but is not limited to cattle, horses, goats, sheep or other animals commonly regarded or used as farm or ranch animals.
- (r) *Neighbor property owners* that own an abutting property with a common boundary including those properties that if the right-of-way land or city street was disregarded would then have an abutting property line.
- (s) *Neutered* means any male or female cat or dog that has been permanently rendered sterile.
- (t) *Own* means and includes own, keep, harbor, shelter, manage, possess, or have a part interest in any animal. If a minor owns any such animal subject to the provisions of this chapter, the head of the household of which such minor is a member shall be deemed to own such animal for the purposes of this chapter. This shall not apply to unowned ear-tipped feral cats whose colony is on or around the property of a resident.
- (u) *Owner* means the one who owns, or ~~his or her~~[their](#) employee, agent, or other competent person into whose charge an animal has been placed by the actual owner as described in subsection (r) above.
- (v) ~~Pit bull for purposes of this chapter, pit bull is defined as:~~
- ~~(1) The Staffordshire bull terrier breed of dog;~~
- ~~(2) The American pit bull terrier breed of dog;~~
- ~~(3) The American Staffordshire terrier breed of dog;~~
- ~~(4) Any dog which, in the opinion of a licensed veterinarian, has the appearance and characteristics of being predominantly of the breeds of Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier, or a combination of any of these breeds.~~
- ~~This definition shall expire January 1, 2018.~~
- (w) *Run* means an enclosed area in which chickens are allowed to walk and run about.
- (x) *Vaccination* means an injection of a vaccine, approved by the State Department of Health and Environment and administered by a licensed veterinarian for the purpose of immunizing an animal against rabies.
- (x) *Veterinarian* means a doctor of veterinary medicine licensed by the State of Kansas.

(Ord. No. 857, § 1; Code 2012; Ord. No. 903, § 1, 1-26-2015)

Sec. 2-102. Animal Control Officer; Duty to Impound: Citation Alternative.

- (a) There is hereby created the position of Animal Control Officer for the City and such Officer shall be charged with the enforcement of this chapter. Any person employed by the City as an Animal Control Officer ~~and commissioned by the Chief of Police~~ shall have such powers and authority as allowed by law in the enforcement of this chapter. ~~All Animal Control Officers shall be subject to the supervision and direction of the Chief of Police.~~
- (b) Except as provided in subsection (c), it shall be the duty of the Animal Control Officer to take up and impound all animals found in the City in violation of the provisions of this chapter.

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- (c) As an alternative to the provisions of subsection (b) of this section, any law enforcement officer or the Animal Control Officer may issue a citation to the owner, harbinger or keeper of an animal in violation of this chapter charging a violation of this chapter.

(Ord. No. 486, § 2)

Sec. 2-103. Same; Capture/Destruction.

When deemed necessary by law enforcement officers or the Animal Control Officer for the health, safety and welfare of the residents of the City, such officers and/or their agents may:

- (a) Place a humane trap on public or a requesting resident's property for the purpose of capturing any animal defined in this chapter as creating a nuisance in the City;
- (b) Use any tranquilizer guns, humane traps, or other suitable devices to subdue and capture any animal that is deemed by the Animal Control Officer, in ~~his or her~~ their discretion, to be of a danger to itself or to the public health and safety.
- (c) Use firearms or other suitable weapons to destroy any rabid animal, any dangerous or vicious animal as defined in section 2-122 and 2-123 or any animal creating a nuisance as defined in sections 2-121, where such animal is impossible or impractical to catch, capture or tranquilize.

(Code 1986; Ord. No. 903, § 2, 1-26-2015)

Sec. 2-104. Same; Right of Entry; Unlawful Interference.

- (a) The Animal Control Officer or any law enforcement officer shall have the right of entry upon any private lots or lands for the purpose of collecting any animal whose presence thereupon is a violation of this chapter.
- (b) It shall be unlawful for any person to interfere with the Animal Control Officer in the exercise of ~~his or her~~ their duties.
- (c) Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the Animal Control Officer or any law enforcement officer has reasonable cause to believe that there exists in any building or upon any premises any condition or violation which creates an unsafe, dangerous or hazardous condition, the Animal Control Officer or law enforcement officer may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Animal Control Officer or law enforcement officer by this chapter; provided that if such building or premises be occupied, such officer shall first present proper credentials and request entry; and if such building or premises be unoccupied, such officer shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Animal Control Officer or law enforcement officer shall have recourse to every remedy provided by law to secure entry. When the Animal Control Officer or law enforcement officer shall have first obtained a proper search warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Animal Control Officer or law enforcement officer for the purpose of inspection and examination pursuant to this chapter.
- (d) In the interests of animal control ordinance enforcement, animal rescue, and open violation enforcement, any person keeping or harboring any animal in this City by so doing does thereby authorize the Animal Control Officer or a law enforcement officer to enter without warrant, when there are exigent circumstances, upon private property, except inside any residential structure, of such person who owns or

controls where such animal is found, in plain view, for the purpose of enforcement of this chapter and to seize such animal from the private property to abate an ordinance violation.

(Ord. No. 738, § 1; Code 2007; Ord. No. 903, § 3, 1-26-2015)

Sec. 2-105. Municipal Pound Established.

A municipal pound shall be established to carry out the provisions of this chapter. Such a pound may be operated by a contractor and all services required herein may be provided by a contractor. When so contracted, the pound shall have the following services and facilities as a minimum:

- (a) Adequate pickup and impounding of all stray and ownerless dogs and cats and animals otherwise in violation of the provisions of this chapter.
- (b) Group holding facilities for stray, ownerless and unvaccinated animals impounded for violation of the provisions of this chapter.
- (c) Facilities for the humane ~~destruction~~ euthanasia of animals.

(Code 1986)

Sec. 2-106. ~~Breaking Pound.~~

- ~~(a) It shall be unlawful for any unauthorized person to open, unlock, break open or attempt to break open the pound, or to take or let out any animal placed therein, or take or attempt to take from an authorized officer of this City any animal taken up by him or her under the provisions of this chapter, or in any manner interfere with or hinder any authorized officer or employee of this City in catching, taking up, or impounding any animal.~~
- ~~(b) It shall be unlawful for any person or persons, other than those duly authorized, to care for, feed, attempt to feed, or interfere in any way with the care of impounded animals.~~

~~(Code 1986)~~

Commented [JJ1]: We do not operate a city pound so this is not relevant.

Sec. 2-107. Cruelty to Animals.

It shall be unlawful for any person to:

- (a) Willfully or maliciously kill, maim, disfigure, torture; beat with a stick, chain, club or other object; mutilate, poison, burn or scald with any substance; or otherwise cruelly set upon any animals, except that reasonable force may be employed to drive off dangerous or vicious animals;
- (b) Drive or work any animal cruelly or cruelly work any maimed, mutilated, infirm, sick or disabled animal, or cause, allow or permit the same to be done;
- (c) Have, keep or harbor any animal which is infected with any dangerous or incurable and/or painfully crippling condition except as provided in section 2-108;
- (d) Sell or offer for sale, barter, give away, or use as an advertising device or promotional display, living baby chickens, rabbits, ducklings or other fowl under two months of age in any quantity less than 12; or to sell, offer for sale, barter, give away, or display animals or fowls as specified in this section which have been dyed, colored or otherwise treated so as to impart to them an artificial or unnatural color. This section shall not be construed to prohibit the sale of animals or fowls as specified in this

subsection, in proper facilities, by hatcheries or persons engaged in raising and selling such animals and fowls for recognized animal husbandry purposes;

- (e) Promote, stage, hold, manage, or in any way conduct any game, exhibition, contest or fight in which one or more animals are engaged for the purpose of injuring, killing, maiming, or destroying themselves or any other animal;
- (f) Neglect or refuse to supply such animal with necessary and adequate care, food, drink, air, light, space, shelter and protection from the elements as necessary for health and well-being of such kind of animal;
- (g) Abandon or leave any animal in any place without making provisions for its proper care;
- (h) Attach chains or other tethers, restraints or implements directly to a dog without the proper use of a collar, harness or other device designed for that purpose and made from a material that prevents injury to the dog;
- (i) Continuously tether a dog for more than one hour, except that tethering of the same animal may resume after a hiatus of three continuous hours, for up to three hours total time on tether per day; provided that, for the purpose of tethering a dog, a chain, leash, rope or tether shall be at least ten feet in length;
- (j) Use a chain, leash, rope, collaring device, tether, or any assembly or attachments thereto to tether a dog that shall weigh more than one-eighth of the animal's body weight, or due to weight, inhibit the free movement of the animal within the area tethered; or
- (k) Tether a dog in such a manner as to cause injury, strangulation, or entanglement of the dog on fences, trees, posts or other manmade or natural obstacles. These provisions shall not apply to the exceptions sanctioned under section 2-108.

In addition to the penalties provided in section 1-117 of this Code, the Judge of the Municipal Court may order a person convicted of violation under this section to turn the animal involved over to a designated humane society. All such animals taken by the designated agency may be placed with another or more suitable person or ~~destroyed~~ humanely euthanized as soon thereafter as is conveniently possible.

(Ord. No. 857, § 2; Ord. No. 903, § 4, 1-26-2015)

Sec. 2-108. Same; Exceptions.

The provisions of section 2-107 shall not apply to:

- (a) Normal or accepted veterinary or veterinary hospital practices or treatment of animals under active veterinary care;
- (b) Bona fide experiments carried on by commonly recognized research facilities;
- (c) Killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of K.S.A. Ch. 32 or K.S.A. Ch. 47;
- (d) The humane ~~killing~~ euthanasia of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or by an authorized agent such as a licensed veterinarian, at the request of the owner;
- (e) The humane ~~killing~~ euthanasia of an animal by the Animal Control Officer, a public health officer or a law enforcement officer in the performance of ~~his or her~~ their official duty;
- (f) The humane ~~killing~~ euthanization of an unclaimed animal after three full business days following the receipt of such animal at a municipal pound or an incorporated humane society shelter by the owner, operator or authorized agents of such establishments.

(Code 1986; Ord. No. 903, § 5, 1-26-2015)

Sec. 2-109. Keeping Animals.

It shall be unlawful for the owner, lessee, occupant or person in charge of any premises in the City to possess and maintain any animal or fowl within the City or permit to be maintained thereon any stable, shed, pen or other place where horses, mules, cattle, sheep, goats or swine, or undomesticated animals are kept. This provision shall not apply to:

- (a) The maintaining of dogs which are regulated by Article 2 of this chapter;
- (b) The maintaining of non-poisonous and non-vicious animals and fowl which are commonly kept as household pets, such as cats, hamsters, rabbits, parakeets, and comparable animals, when kept as household pets and in a safe and sanitary manner in accordance with section 2-111 of this chapter;
- (c) The transporting of animals through the City by ordinary and customary means;
- (d) The maintaining of chickens which are regulated by Article 4 of this chapter.

(Ord. No. 857, § 3; Ord. No. 903, § 6, 1-26-2015)

Sec. 2-110. Animal Traps.

It shall be unlawful for any person to use, place, set out, or deploy any animal trap aboveground, which makes use of a spring gun, spring jaws, clamping devices, cutting or stabbing mechanism or any other devices that will damage or severely injure any animal when caught or trapped by the device or trap. This section shall not prohibit the use of mouse/rat traps or any animal traps that are designed to trap and hold animals without injuring the animals.

(Ord. No. 857, § 4; Ord. No. 903, § 7, 1-26-2015)

Sec. 2-111. Animal Confines; Shelters.

- (a) It shall be unlawful for any person to keep or maintain any animal in any yard, structure or area that is not clean, dry and sanitary, free from debris and offensive odors that annoy any neighbor, and devoid of rodents and vermin.
- (b) Excrement shall be removed at least once each week from any animal shelter, pen or yard area where animals are kept, or more often if necessary to prevent or control odors, fly breeding, or rodent infestation. If excrement is stored on the premises by any animal owner, it shall be stored in adequate containers with fly-tight lids, and all such stored or accumulated wastes shall be disposed of at least once each week.
- (c) All animal shelters, pens and yards shall be so located that adequate drainage is obtained, normal drying occurs, and standing water is not present.
- (d) All animals' shelters and board fences confining animals shall be maintained in good repair, and all animal shelters and board fences confining animals subject to residential and commercial classification shall be protected from deterioration by painting or comparable treatment.
- (e) All premises on which animals are kept shall be subject to inspection by the Animal Control Officer, duly authorized law enforcement officer, or public health official. If the officer or official determines from such inspection that the premises are not being maintained in a clean and sanitary manner, he or she shall notify the owner of the animals in writing to correct the sanitation deficiencies within 24 hours after notice is served on the owner. Any animal kept under any condition which could endanger the public or animal

health, including but not limited to keeping of animals outside during extreme weather warnings issued by the National Weather Service for the City, or create a health nuisance may be impounded. Animals shall be released after fees are paid and cause for impoundment has been corrected.

(Ord. No. 903, § 8, 1-26-2015)

Editor's note(s)—Ord. No. 903, §§ 8—20, adopted January 26, 2015, repealed and reenacted §§ 2-111—2-123 to read as herein set out. Formerly, §§ 2-111—2-123 pertained to nuisance, animal activities prohibited; noisy animals; animal confines, shelters; death of animals; vicious animals; running-at-large; impoundment, fee, notice, record; redemption of impounded animals; impoundment of rabies suspects; animals bitten by rabid animals; vehicular accidents involving animals; emergency, proclamation; and keeping large numbers of animals, special permit, respectively, and derived from the Code of 1986; the Code of 2012; Ord. No. 408, §§ 11—13; Ord. No. 857, §§ 5, 6; and Ord. No. 862, § 1.

Sec. 2-112. Death of Animals.

All dead animals shall be disposed of by the owner or keepers within 24 hours of the animal's death, by burial, incineration in a facility approved by the Animal Control Officer, by rendering or by other lawful means approved by the Animal Control Officer. It shall be unlawful for any person to dump a dead animal on any public or private property.

(Ord. No. 903, § 9, 1-26-2015)

Note(s)—See editor's note at § 2-111.

Sec. 2-113. Impoundment; Fee; Notice; Record.

- (a) The Animal Control Officer or law enforcement officer shall impound any animal found at-large in the City or constituting a nuisance or otherwise in violation of this chapter in a suitable pound or enclosure provided or contracted for by the City. The impounding officer shall make diligent inquiry as to the owner of the animal and shall notify the owner thereof of such impoundment as soon as reasonably possible.
- (b) In case the identity of the owner of the impounded animal cannot be ascertained, the Animal Control Officer or law enforcement officer shall, upon taking any such animal into custody and impounding the same, make a record thereof, with a description of the animal and the date and place taken into custody and the place of impounding.

(Ord. No. 903, § 10, 1-26-2015)

Note(s)—See editor's note at § 2-111.

Sec. 2-114. Redemption of Impounded Animals.

At any time before the sale or ~~destruction~~ euthanasia of any animal impounded under the provisions of this article, except for animals impounded under sections 2-123 (vicious) and 2-115 (rabid), the owner thereof may redeem the animal by paying the City Clerk the impounding fee and all costs incurred as a result of such impoundment.

(Ord. No. 903, § 11, 1-26-2015)

Note(s)—See editor's note at § 2-111.

Sec. 2-115. Impoundment of Rabies Suspects.

- (a) Any Animal Control Officer or law enforcement officer or local health officer may take up, upon private or public property, any animal which has bitten or scratched a person or other animal and impound the animal in the City pound, securely penned and separated from other animals, or in a veterinary hospital or animal care facility for a period of not more than 30 days during which time the local health officer shall determine whether or not such animal is suffering from a disease and, if not, the local health officer shall authorize the release of the animal upon payment by the owner of the boarding fee therefore. The health officer may authorize the keeping of any such animal on the owner's premises if the owner produces a rabies vaccination certificate showing that the animal has valid rabies vaccination protection. Impoundment costs shall be borne by the owner. If in the opinion of the local health officer symptoms develop justifying a microscopic examination, then the animal shall be ~~ethanized~~~~killed~~ and examination made by the State Department of Health and Environment.
- (b) In lieu of the provisions of subsection (a), the owner of any such animal may, at ~~his or her~~~~their~~~~their~~ own expense, take such animal to any duly qualified and licensed veterinarian ~~in the City~~ for observation. Such veterinarian shall report ~~his or her~~~~their~~ findings in writing to the local health officer. If in the opinion of such veterinarian a microscopic examination is justified, then the animal shall be turned over to the Animal Control Officer or any law enforcement officer to be ~~ethanized~~~~killed~~ and examination made by the State Department of Health and Environment.
- (c) Any animal desired for observation by the local health officer under this section shall be delivered to the Animal Control Officer or any law enforcement officer upon demand and shall not be withheld, hidden or harbored. Any person violating this provision shall be guilty of a violation of this Code. Upon refusal of any person to so deliver such animal, the Judge of the Municipal Court shall cause a warrant to be issued for the arrest of such person, which warrant shall also provide for the surrender of the animal and shall be lawful authority for the apprehending and forcible taking of the animal.

(Ord. No. 903, § 12, 1-26-2015)

Note(s)—See editor's note at § 2-111.

Sec. 2-116. Animals Bitten by Rabid Animals.

Whenever a dog, cat or other animal is bitten by a rabid animal or an animal later proved to have been rabid, it shall be the duty of the owner of the animal that is bitten, to report that fact to the local health officer and/or the police department. It shall also be the duty of the owner of the bitten animal to ~~either destroy or have his or her bitten animal destroyed~~~~humanely euthanize the animal~~ unless:

- (a) The animal which was bitten had been vaccinated against rabies at least three weeks before being bitten and has a current vaccination; and
- (b) If the bitten animal has a current vaccination, it shall be confined for 90 days; and
- (c) The bitten animal shall be released from confinement only upon written order from the local health officer, who declares the animal to be free of rabies; and
- (d) If the animal is found to have contracted rabies during confinement, it shall be ~~properly disposed of~~~~humanely euthanized~~.

(Ord. No. 903, § 13, 1-26-2015)

Note(s)—See editor's note at § 2-111.

Commented [JJL2]: I wouldn't require it to be a city vet as we only have one and they may not be there forever. I would just say a "licensed vet" and leave it at that.

Commented [JJ3]: A few references from Ord 903 about "properly disposed of" when it comes to pets. I changed to humanely euthanized which is in our definitions (disposed of is not defined) and is what I believe it is referring to.

Sec. 2-117. Vehicular Accidents Involving Animals.

Any person who as the operator of a motor vehicle strikes any animal shall stop at once and shall immediately report such injury or death to the owner of such animal, or in the event that the owner cannot be ascertained, and located, the operator shall at once report the accident to the Animal Control Officer or any law enforcement officer.

(Ord. No. 903, § 14, 1-26-2015)

Note(s)—See editor's note at § 2-111.

Sec. 2-118. Emergency; Proclamation.

The Mayor is hereby authorized whenever in ~~his or her~~their opinion the danger to the public safety from rabid animals is made imminent to issue a proclamation ordering all persons owning any animal in the City to confine the animal in a good and sufficient enclosure from which the animal cannot escape, or fasten such animal by means of a chain on the premises where the owner may reside, for such time as may be specified in such proclamation. Any animal not confined during such time may be ~~disposed of humanely euthanized~~ wherever found by any law enforcement officer, or the Animal Control Officer of the City. The owner of such animal may be prosecuted for such violation thereof.

(Ord. No. 903, § 15, 1-26-2015)

Note(s)—See editor's note at § 2-111.

Sec. 2-119. Keeping Large Numbers of Animals; Special Permit.

- (a) No person or household shall own or harbor more than two dogs of six months of age or older or more than one litter of puppies, or more than two cats of more than six months of age or more than one litter of kittens, or engage in the commercial business of breeding, buying, selling, trading, training or boarding cats or dogs, or both cats and dogs, without first having obtained a special permit from the City. A special permit for a third dog or a third cat may be approved administratively by the City Clerk. The fee for such special permit, shall be \$100.00. No special permit shall be issued until an inspection certificate has been issued by the Animal Control Officer certifying approval of the premises and compliance with the applicable laws of the City. Thirty days after notifying neighbors, if the City Clerk has received not more than one protest concerning the keeping of the animals for which the special permit is being applied for, the City Clerk shall issue a special permit. If two or more complaints are received, the special permit request shall go before the City Council. If three or more complaints are received, the special permit shall be denied. The City shall not allow more than three dogs or three cats per residence. ~~Those persons who have received City Council approval to keep more than two dogs or more than two cats prior to December 31, 2003 shall be exempt from the requirement to pay such special permit fee; provided, however, that this exemption shall no longer apply if a special permit is not renewed, suspended or revoked as hereinafter provided.~~ Those persons who have received City Council approval to keep more than three dogs or more than three cats prior to December 22, 2015 shall be exempt from the limitation to have a maximum of three dogs or three cats. This shall only apply to the specific animals for which the special permit was issued. ~~Those persons who received City Council approval prior to December 31, 2003 are exempt from application of specific animals for which the special permit was issued. The exemption shall no longer apply if the special permit is not renewed, is suspended or is revoked.~~
- (b) Special permits must be renewed annually. No special permit shall be issued until an inspection certificate has been issued by ~~Neighborhood Services~~ the Animal Control Officer certifying approval of the premises and

Commented [JJ4]: Delete because this is no longer relevant.

compliance with the applicable laws of the City. After notifying neighbors, if the City Clerk has not received any protest concerning the keeping of the animals for which the special permit was issued, the City Clerk may issue a renewal of an existing special permit at the same location. If the Animal Control Officer finds that the holder of any special permit is maintaining the facility in a manner detrimental to the health, safety or peace of mind of any person residing in the immediate vicinity, he or she shall report such fact to the City Clerk, and the special permit shall not be renewed except after a public hearing before the City Council.

- (c) The ~~Animal Control Officer~~[Neighborhood Services](#) or any law enforcement officer shall have the right to inspect any premises licensed under this section at any reasonable time. The application for a special permit shall be deemed to constitute consent to such entry and inspection. Should the applicant or any person having control of the property refuse access to the property for an inspection, the Animal Control Officer or law enforcement officer may seek an administrative search warrant.
- (d) The City Council may refuse to renew, may suspend or may revoke a special permit if, following a public hearing, it finds any of the following:
 - (1) The premises are being maintained in violation of any applicable law of the State of Kansas, or of the City.
 - (2) The premises are being maintained so as to be a public nuisance.
 - (3) The premises are being maintained so as to be detrimental to the health, safety or peace of mind of persons residing in the immediate vicinity.
- (e) This section shall not apply to and will not be construed to require a special permit for a licensed veterinarian to operate an animal hospital.
- (f) Bona fide service animals shall not be counted in the animals limit per household.

(Ord. No. 903, § 16, 1-26-2015; Ord. No. 924, § 1, 12-21-2015; Ord. No. 978, § 1, 4-15-2019)

Note(s)—See editor's note at § 2-111.

Sec. 2-120. Animal Foster Homes.

- (a) Persons may operate animal foster homes by obtaining an animal foster home permit from the City Clerk. The permit shall be issued for a one-year period from the date of issue. A permit fee shall be paid in an amount established by a resolution adopted by the Governing Body. All fees shall be nonrefundable and nontransferable.
- (b) Upon payment of such fee, the City Clerk may issue an animal foster home permit to any person licensed by the State of Kansas as a foster home shelter licensee in accordance with K.A.R. 9-22-4, and amendments thereto.
- (c) For the purposes of this section, an "animal foster home" shall mean the premises of the foster home shelter licensee who provides temporary care to dogs or cats for not more than 365 days, except as otherwise authorized pursuant to K.A.R. 9-22-4(j), and amendments thereto.
- (d) Except as provided in subsection (f) below, fostered animals shall be exempt from the special permit requirements of section 2-119 and City animal licensing requirements. However, any permittee who keeps any specific fostered animal in the permittee's home in excess of 365 days must obtain all applicable licenses and permits from the City in addition to complying with the requirements of K.A.R. 9-22-4(j), and amendments thereto.
- (e) The animal foster home permit applicant must:
 - (1) Be in conformity with the City zoning ordinance, any other applicable ordinance and state laws;

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- (2) Not have been convicted of violating the cruelty or animal welfare laws of this or any other jurisdiction; and
 - (3) Make a satisfactory showing that the area for housing the animals will provide a humane standard of care and will not constitute a nuisance to the surrounding neighborhood.
- (f) Animal foster home permits shall allow permittees to have up two total animals (which includes animals which are personally owned) without obtaining a special permit pursuant to section 2-119.
- (g) If the total number of foster animals at the premises is three or more, a special permit shall also be required. For the purposes of this section, female animals that have given birth to offspring and their offspring shall be counted as one animal until the offspring are six months of age. Foster home permits shall not allow fostering of dangerous or vicious animals as defined in section 2-122 or 2-123.
- (h) No more than one animal foster care home permit shall be issued per household or premises.

(Ord. No. 903, § 17, 1-26-2015)

Note(s)—See editor's note at § 2-111.

Sec. 2-121. Nuisance Animals.

- (a) *Excessive animal noise.*
- (1) No person shall own or keep any animal that, by making excessive noise, disturbs an individual residing in, working in or owning a structure that is within 600 feet of the property on which the animal is kept.
 - (2) For purposes of this section, excessive noise means and includes any noise produced by an animal that is so loud and continuous or untimely as to disturb the sleep or peace of a neighbor of reasonable sensibilities.
- (b) *Property damage.* It shall be unlawful for any person owning or possessing an animal to permit such animal to go upon any sidewalk, parkway, or private lands or premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner whatsoever. It shall be unlawful for any person owning or possessing an animal to permit such animal to defecate upon any sidewalk, parkway, or private lands or premises without the permission of the owner of such premises, unless the person owning or possessing the animal immediately removes such waste.
- (c) *Running at large.* It is unlawful for the owner or harbinger of any dog or cat to permit such dog or cat to run-at-large within the City at any time. Any dog or cat running-at-large within the City shall be impounded as set out in section 2-207 and shall be redeemed as provided for in section 2-117. This shall not apply to unowned ear-tipped feral cats.
- (d) *Exceptions.*
- (1) A person with a disability using an assistance dog as defined in K.S.A. 39-1113 shall be deemed to be in compliance with subsection (c) of this section.
 - (2) Official use of dogs by any governmental unit shall be deemed in compliance with subsection (c) of this section.
 - (3) An owner, while participating in supervised obedience classes or trials, shall be deemed to be in compliance with subsection (c) of this section. Evidence of this shall be shown by the fact that the dog and owner are going through standard obedience exercises, the owner has a leash on the owner's person, and the dog is under immediate control. The dog's tags must be readily available on the owner's person.

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- (e) *Animals putting person in fear.* No person shall own, keep or harbor any animal that jumps upon or threatens persons upon public streets; or without provocation, molests, chases or interferes with persons or vehicles in the public right-of-way by jumping upon, chasing, barking or biting at persons or vehicles. This section shall also apply to animals while being walked on leashes, or otherwise physically restrained.
- (f) *Animal injury.* No person shall own, keep, or harbor any animal that, without provocation, causes injury to another domestic animal. This section shall not apply to animals injured while trespassing on the premises of the owner, keeper, or harbinger of the offending animal.
- (g) *Same—Violations.*
- (1) Upon a person's conviction for a third time involving the same animal in any 24-month period of subsections (a), (b), or (c), in any combination thereof, or upon a first conviction of section (e), the animal at issue shall constitute a "nuisance animal."
 - (2) No animal may be declared a nuisance if, at the time of violations the person or animal was teasing, tormenting, abusing or assaulting the alleged nuisance animal. No animal may be declared a nuisance if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.
 - (3) No person owning, harboring or having the care or custody of a nuisance animal shall suffer or permit such animal to go unconfined beyond the premises of such person unless such dog is securely leashed and muzzled or otherwise securely restrained.
 - (4) A nuisance animal is "unconfined" if while on the premises of its owner or harbinger such dog is not securely confined indoors or confined in a securely enclosed and locked pen or dog run area upon the premises of the person. Such pen or dog run area must be adequate to ensure the confinement of such dog upon the premises.
 - (5) Failure to keep a nuisance animal according to the above requirements shall be a separate violation of this chapter. Upon conviction of failure to comply with such requirements, the Judge of the Municipal Court may revoke said person's license for that individual nuisance animal.
 - (6) It is unlawful for a person to keep, harbor or maintain the animal involved in the violations within the corporate limits of the City when that person's license to keep the animal has been revoked pursuant to this section.

(Ord. No. 903, § 18, 1-26-2015)

Note(s)—See editor's note at § 2-111.

Sec. 2-122. Dangerous Animals.

- (a) It shall be unlawful for the owner of any animal to keep or maintain such animal in the City so as to constitute a dangerous animal except that dangerous animals are subject to return under conditions set forth in this section. A dangerous animal is any animal which has done any of the following:
- (1) Caused a bite injury, other than a bite that resulted in great bodily harm, disfigurement, or death, to any person; or
 - (2) Killed another domestic animal.
- (b) Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous if any injury or damage is sustained by a person or animal who, at the time such injury or damage was sustained, was:
- (1) A member of the household; or

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- (2) Tormenting, abusing or assaulting the domestic animal or was committing or attempting to commit a crime; or
 - (3) If the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

The provisions of this article shall not apply to a police dog being used to assist one or more law enforcement officers acting in an official capacity.

- (c) Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous based solely on size or breed, or mix of breed; or if death to a domestic animal occurred solely due to a size disparity between the animals and there was no attack on a domestic animal.
- (d) Any dangerous animal which is in the custody of an Animal Control Officer and which in the judgment of the Judge of the Municipal Court, would constitute a menace to the health, safety or welfare of the public if released from custody, may be held pending a hearing on any charges or complaints filed in the Municipal Court to determine the disposition thereof. If not so determined, the animal may, after having been held pursuant to Section 2-115, be returned to its owner, keeper, or harbinger until final determination is made by the Municipal Court as to whether a violation of this section has occurred. If returned pending the final disposition of the case, the animal must be kept securely confined and must be muzzled while in public until final determination is made as to whether a violation of this section occurred.
- (e) Upon conviction of keeping a dangerous animal, the court may order that the animal be humanely euthanized.
- (f) Upon conviction of keeping a dangerous animal, the Judge of the Municipal Court may order restitution be paid to the victim of the violation of subsection (a).
- (g) Upon conviction of keeping a dangerous animal, and the animal returning to its owner, the animal shall be kept subject to the following standards:
 - (1) *Leash and muzzle.* No person shall permit a dangerous animal to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four feet in length. No person shall permit a dangerous animal to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all dangerous animals on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such animal from biting persons or other animals.
 - (2) *Confinement.* All dangerous animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel when not indoors, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine dangerous animals must be locked with a key or structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet. All structures erected to house dangerous animals must comply with all zoning and building regulations of the City. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition, and must not be the primary enclosure for keeping of the animal. Animal control officers shall have the authority to monitor and inspect the keeping of all dangerous animals.
 - (3) *Confinement indoors.* No dangerous animal may be kept on a porch, patio or in a part of a house or structure that would allow the animal to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when screen doors are the only obstacle preventing the animal from exiting the structure.

- (4) *Signs.* All owners, keepers or harborers of dangerous animals within the City shall, within ten days of conviction, display in a prominent place on their premises a signs easily readable by the public using the words "Beware of Dog" or "Beware of Dangerous Animal," whichever is applicable.
- (5) ~~*Insurance.* All owners, keepers or harborers of dangerous animals must within ten days of conviction provide proof to the City Clerk of public liability insurance. The policy shall be in a single incident amount of between \$50,000.00 and \$500,000.00 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. The amount of insurance required shall be determined by the municipal court judge based upon the severity of the incident(s) where harm was caused as defined in 2-122(a) of this section. This determination shall be based upon evidence provided to the court which may include, but not be limited to, photos of any injuries/damage, letters from treating physicians or veterinarians of injured animals, testimony, written or otherwise, from injured parties or caregivers of injured parties, and testimony from any caregivers or character witness for the animal causing injury. The insurance policy shall name the City of Roeland Park as an additional insured.~~
- (6) *Identification photographs.* All owners, keepers or harborers of dangerous animals must within ten days of conviction provide to the City Clerk two color photographs of the registered animal clearly showing the color and approximate size of the animal.
- (7) *Microchip.* All owners, keepers or harborers of dangerous animals must within ten days of conviction microchip the animal and provide microchip information to the City Clerk to register the animal as dangerous.
- (8) *Spaying/neutering.* All owners, keepers or harborers of dangerous animals must within ten days of conviction spray or neuter the animal and provide proof of sterilization to the City Clerk.
- (9) *Sale or transfer of ownership prohibited.* Sale—No person shall sell, barter or in any other way dispose of a dangerous animal registered with the City to any person within the City unless the recipient person resides permanently in the same household and on the same premises as the registered owner of such animal; provided that the registered owner of a dangerous animal may sell or otherwise dispose of a registered dog or the offspring or such dog to persons who do not reside within the City.
- (10) *Failure to comply.* It shall be unlawful for the owner, keeper or harborer of an animal deemed by the Municipal Court to be a dangerous animal to fail to comply with the keeping requirements and conditions set forth in this article. Any animal found to be the subject of a violation of this article shall be subject to immediate seizure and impoundment. In addition, each day that the owner, keeper or harborer fails to comply with the provisions of this article shall be deemed a separate offense. Upon conviction, the court shall order the revocation of the license of such animal resulting in the immediate removal of the animal from the City. In addition to the foregoing penalties, any person who violates this article shall pay all expenses, including shelter, food, handling, and veterinary care necessitated by the enforcement of this article.

Commented [JJ5]: This is very difficult, if not impossible, to obtain. Suggest either removing this or just not allowing dangerous dogs to be kept in the City.

Commented [JJ6R5]: Remove Insurance Clause

(Ord. No. 903, § 19, 1-26-2015; Ord. No. 959, § 1, 11-20-2017)

Note(s)—See editor's note at § 2-111.

Sec. 2-123. Vicious Animals.

- (a) It shall be unlawful to keep, possess, or harbor a vicious animal within the city limits. A vicious animal means any animal which has caused great bodily harm, disfigurement, or death to any person.

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- (b) A vicious animal does not include an animal that has caused serious injury to any person while a person was committing a criminal offense. The provisions of this article shall not apply to a police dog being used to assist one or more law enforcement officers acting in an official capacity.
 - (c) Upon conviction of keeping a vicious animal, the court shall order that the animal be removed from the City or humanely euthanized.
 - (d) Upon conviction of keeping a vicious animal, the Judge of the Municipal Court may order restitution be paid to the victim up to the maximum amount allowed by law.
 - (e) The owner of a vicious animal shall pay all costs associated with impoundment, removal, or euthanasia of said animal. The owner shall pay any other associated costs incurred.

(Ord. No. 903, § 20, 1-26-2015)

Note(s)—See editor's note at § 2-111.

Secs. 2-124—2-126. Reserved.

Editor's note(s)—Ord. No. 903, § 25, adopted January 26, 2015, repealed the former §§ 2-124—2-126 in their entirety, which pertained to animal foster homes, animals defecating on property of others and penalty, respectively, and derived from the Code of 2014; Ord. No. 545, § 2; and Ord. No. 857, § 7.

ARTICLE 2. DOGS AND CATS

Sec. 2-201. Registration and Vaccination Required; Fee.

- (a) Every owner of any dog or cat over six months of age shall annually register with the City Clerk ~~his or her~~[their](#) name and address with the name, sex and description of each dog or cat owned and kept within the City. It shall be unlawful for the owner of any newly acquired dog or cat or any dog or cat brought into the City to fail to register such animal within 30 days from acquisition or bringing the dog or cat into the City. It shall be unlawful for the owner of any previously registered dog or cat to fail to maintain current registration of such dog or cat.
- (b) Upon registration, the owner shall present a current, completed certificate of immunization against rabies. No registration shall follow without evidence of this document, and it shall be unlawful for the owner of any dog or cat over six months of age to fail to maintain effective rabies immunization of such dog or cat.
- (c) The owner or harborer of any dog or cat shall, at the time of registering such dog or cat, present to the City Clerk a certificate from an accredited veterinarian showing that a male dog or cat has been neutered or a female dog or cat has been spayed, if the dog or cat has been neutered or spayed.
- (d) The City Clerk shall collect an annual registration fee for each neutered male dog or cat and for each spayed female dog or cat, and for each unneutered male dog or cat and for each unspayed female dog or cat.
- (e) The registration year shall be on an annual basis. ~~Owners must register their animals within 30 days of obtaining the animal or within 30 days of expiration of the current license, which period shall be determined as follows: For those dogs and cats having a current registration as of March 27, 1996, the registration period shall begin on the date of the most recent registration and shall end one year later; for dogs and cats which do not have a current registration as of March 27, 1996, or which are first registered as of March 27, 1996, the registration period shall begin 30 days from March 27, 1996, or on the date the dog or cat is first owned and kept within the City, whichever occurs later, and shall end one year later.~~ Every owner or harborer of a

dog or cat who shall fail to register the same within 30 days of the expiration of the registration period shall pay in addition to the registration fee herein provided, a penalty fee for late registration.

(Ord. No. 742, § 2; Code 2012)

Sec. 2-202. Dog or Cat Tags.

It shall be the duty of the City Clerk or designated agent, upon a showing of current rabies immunization and receipt of the registration fee hereinbefore required, to keep a record suitable for the registration of dogs or cats, the time of the registration, the name of the owner or keeper, the number of the registration and the amount paid therefore. The City Clerk shall deliver to the owner or keeper of the dog or cat a certificate in writing, stating that the person has registered the dog or cat and the number by which the dog or cat is registered, and shall also deliver to the owner or keeper of the dog or cat a tag with the registration number and the registration year thereon, which shall be, by the owner or keeper, attached to the collar to be used on the dog or cat so registered. When any tag has become lost during a registration period, the owner of the dog or cat may request a duplicate tag for the remainder of the registration period. When so requested, the City Clerk shall, upon presentation of the registration certificate, issue a duplicate of such tag upon the payment of \$1.00 fee. It shall be unlawful for any person to take off or remove the City registration tag from any dog or cat belonging to another, or remove the strap or collar on which the same is fastened.

(Ord. No. 408, § 5; Code 2012)

Sec. 2-203. Same; Counterfeit Tag.

It shall be unlawful for any person to place on any dog or cat a tag issued for any other dog or cat or to make or use any false, forged or counterfeited tag or imitation thereof.

(Code 1986)

Sec. 2-204. Evidence of Vaccination.

It shall be unlawful for the owner of any dog or cat kept within the City to fail to display a current certificate of immunization against rabies issued by an accredited veterinarian evidencing the vaccination of such dog or cat within two years, when requested by the Animal Control Officer or any law enforcement officer.

(Code 1986)

Sec. 2-205. Reserved.

Sec. 2-206. Reserved.

Editor's note(s)—Ord. No. 903, § 25, adopted January 26, 2015, repealed the former § 2-206 in its entirety, which pertained to running-at-large and fine and derived from the Code of 1986.

Sec. 2-207. Impoundment; Record; Notice; Redemption; Minimum Fee.

- (a) Any dog or cat found in violation of the provisions of this article shall be subject to impoundment by the City.
- (b) A record of all dogs and cats impounded shall be kept by the City containing the following information: color, sex, weight, height, identifying marks, registration number (if any) and the date of impoundment.

(Supp. No. 15, Update 5)

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- (c) No dog or cat impounded under this section shall be ~~disposed of~~[removed from shelter](#) until after expiration of a minimum of three full business days of custody during which the public has clear access to inspect and recover the dog or cat through time periods ordinarily accepted as usual business hours. During such time of custody, the City shall attempt to notify the owner or custodian of any dog or cat impounded by such facility if the owner or custodian is known or reasonably ascertainable. Such dog or cat may at any time be released to the legal owner, moved to a veterinary hospital for treatment or observation, released in any manner, if such dog or cat was a gift to the animal shelter, or euthanized by a licensed veterinarian if it appears to the veterinarian that the dog or cat is diseased or disabled beyond recovery. If within three full business days the owner does not appear to claim the dog or cat, then the dog or cat may be sold, euthanized or otherwise disposed of.
- (d) If at any time before the sale or ~~destruction~~[euthanasia](#) of any dog or cat impounded under the provisions of this article, the owner of an impounded dog or cat does appear and redeem the dog or cat, it shall be turned over to the person claiming it upon payment of any impoundment fees or penalties plus the actual costs of impoundment, and shall not apply to any dog or cat alleged as being vicious under section 2-123 or suspected of rabies under section 2-115 of this Code.
- (e) The minimum impoundment fee shall be established by the Johnson County Animal Control Commission (NEACC).
- (f) Any dog or cat impounded may not be released without a current rabies vaccination.
- (g) Impoundment hereunder shall not preclude any court from imposing and executing any fine which might otherwise be levied under this article for violation of any of the provisions thereof; nor shall impoundment be a defense in any prosecution commenced hereunder.
- (h) The redemption of any dog or cat impounded for a violation of any provision of this chapter shall be prima facie evidence of the violation of such provision by the person redeeming the dog or cat.

(Code 2014; Ord. No. 903, § 21, 1-26-2015)

Sec. 2-208. Disposition of Unclaimed Dogs.

- (a) If any dog or cat is not redeemed by its owner or harbinger within the time allowed for redemption as specified in section 2-207 thereof, the Animal Control Officer, any authorized law enforcement officer, any authorized veterinarian or any duly authorized pound personnel may ~~destroy~~[humanely euthanize](#) such dog or cat or sell the same for the costs of impoundment and keeping, plus any registration fee due for the current year.
- (b) No dog or cat may be transferred to the permanent custody of a prospective owner unless:
- (1) Such dog or cat has been surgically spayed or neutered before the physical transfer of the dog occurs; or
 - (2) The prospective owner signs an agreement to have the dog or cat spayed or neutered and deposits with the City not less than the lowest nor more than the highest cost of spaying or neutering in the community as determined by the City. Any funds deposited pursuant to such an agreement shall be refunded to such person upon presentation of a written statement signed by a licensed veterinarian that the dog or cat has been spayed or neutered. If such person does not reclaim the deposit within six months after receiving custody of the dog or cat, the City shall keep the deposit and may reclaim the unsplayed or unneutered dog or cat.
- (c) Nothing in this section shall be construed to require sterilization of a dog or cat which is being held by the City and which may be claimed by its rightful owner within the holding period established in section 2-207.

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(Code 2014)

Sec. 2-209. Confinement of Dogs or Cats in Heat.

Any unspayed female dog or cat in the stage of estrus (heat) shall be confined during such period of time in a house, building or secure enclosure, and the area of enclosure shall be so constructed that no other dog or cat may gain voluntary access to the confined animal except for purposes of planned breeding. Any animal that is in the state of estrus (heat) and that is not properly confined, or any such animal that is creating a neighborhood nuisances, shall be removed to a boarding kennel, to a veterinary hospital or to the animal shelter. All expenses incurred as a result of the confinement shall be paid by the owner. The owner of animals removed to the animal shelter shall be charged at the rate established from time to time by the animal shelter for routine confinement.

(Ord. No. 408, § 10; Code 1986)

~~Sec. 2-210. Muzzling.~~

~~Whenever the Mayor shall deem it necessary for the protection and welfare of the inhabitants of the City, he or she shall issue an order requiring all dogs kept within the City to be effectively muzzled for such length of time as may be specified in the order to prevent them from biting or injuring persons or animals. Such order shall be published in the official newspaper of the City for such period of time as the Mayor may deem necessary.~~

~~(Code 1986)~~

~~Sec. 2-211. Pit Bulls.~~

~~It shall be unlawful for any person to keep or maintain more than one pit bull on any property in the City. This prohibition shall expire on January 1, 2018.~~

~~(Ord. No. 501, § 1; Code 2012; Ord. No. 903, § 22, 1-26-2015)~~

Commented [JJ7]: Recommend deletion.

ARTICLE 3. OTHER ANIMALS

Sec. 2-301. Exotic Animals.

- (a) It shall be unlawful for any person, firm or corporation to keep, maintain or have in ~~his or her~~their possession or under ~~his or her~~their control within the City any poisonous reptile or any other dangerous wild animal or reptile, any vicious or dangerous animal or any other animal or reptile of wild, vicious or dangerous propensities.
- (b) It shall be unlawful for any person to keep, maintain or have in ~~his or her~~their possession or under ~~his or her~~their control within the City any exotic animals, including but not limited to the following:
 - (1) All poisonous animals including rear-fang snakes.
 - (2) Apes: Chimpanzees; gibbons; gorillas, orangutans; and siamangs.
 - (3) Baboons.
 - (4) Badgers.
 - (5) Bears.

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- (6) Bison.
 - (7) Bobcats.
 - (8) Cheetahs.
 - (9) Crocodilians, 30 inches in length or more.
 - (10) Constrictor snakes, six feet in length or more.
 - (11) Coyotes.
 - (12) Deer; includes all members of the deer family, for example, white-tailed deer, elk, antelope and moose.
 - (13) Elephants.
 - (14) Game cocks and other fighting birds.
 - (15) Hippopotami.
 - (16) Hyenas.
 - (17) Jaguars.
 - (18) Leopards.
 - (19) Lions.
 - (20) Lynxes.
 - (21) Monkeys.
 - (22) Ostriches or emus.
 - (23) Porcupines.
 - (24) Pumas; also known as cougars, mountain lions and panthers.
 - (25) Raccoons.
 - (26) Rhinoceroses.
 - (27) Skunks.
 - (28) Tigers.
 - (29) Wolves.

The prohibitions of this section shall not apply to ear-tipped feral cats.

- (c) The prohibitions of this section shall not apply to bona fide pet shops, zoos, circuses, carnivals, educational institutions, medical institutions or to any ~~resident~~citizen when the ~~citizen~~resident petitions the Governing Body, if:
 - (1) Their location conforms to the provisions of the zoning ordinance of the City.
 - (2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
 - (3) Animals are maintained in quarters so constructed as to prevent their escape.
 - (d) The Judge of the Municipal Court shall have the authority to order any animal deemed vicious confined, ~~destroyed~~humanely euthanized or removed from the City.
- (Ord. No. 857, § 9; Ord. No. 903, § 23, 1-26-2015)

Commented [JJ8]: Change all references from citizen to resident

ARTICLE 4. CHICKENS

Sec. 2-401. Registration and Fee.

- (a) Any person who keeps chickens in the City shall obtain a permit from the City prior to acquiring chickens.
- (b) The principal use of the person's property must be a single-family use dwelling or duplex-family dwelling as defined in chapter 16.
- (c) The property must be occupied by the person requesting the permit.
- (d) Every owner of chickens over 16 weeks of age shall annually register with the City Clerk ~~his or her~~ their name and address.

(Ord. No. 932, § 1, 5-16-2016)

Sec. 2-402. Renewal of Registration.

- (a) Renewal applications shall be approved by the City Clerk, unless a complaint from a contiguous neighbor has been filed with the City or its representatives. If complaints are received, renewal applications may only be approved by the City Council.
- (b) The City Council may refuse to renew or revoke a permit if, following a public hearing, it finds any of the following:
 - (1) The premises are being maintained in violation of any applicable law of the State of Kansas, or of the City.
 - (2) The premises are being maintained so as to be a public nuisance.
 - (3) The premises are being maintained so as to be detrimental to the health, safety or peace of mind of persons residing in the immediate vicinity.

It shall be the duty of the City Clerk or designated agent, upon receipt of the registration fee hereinbefore required to keep a record suitable for the registration of chickens, the time of the registration, the name of the owner or keeper, the number of the registration and the amount paid therefore.

The City Clerk shall deliver to the owner or keeper of the chickens a certificate in writing, stating that the person has registered the chickens and the number by which the chickens are registered.

(Ord. No. 932, § 2, 5-16-2016)

Sec. 2-403. Same; Number and Type of Chickens Allowed.

- (a) No person or household shall own or harbor more than six chickens of 16 weeks of age or older or more than one clutch (eight) chicks per tract of land regardless of how many dwelling units are on the tract.
- (b) Only female chickens are allowed.

Sec. 2-404. Enclosures.

- (a) Chickens must be kept in a clean, safe and healthy environment.

-
- (b) Chickens must be kept in a coop, run or chicken tractor at all times.
 - (c) All coops shall be inspected and approved by the Building Inspector.
 - (1) The coop must be built with a minimum of 12 square feet per chicken, not to exceed 85 square feet total (minimum two square feet of coop per chicken).
 - (2) The coop shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked. Opening windows and vents must be covered with predator- and bird-proof wire of less than one-inch openings.
 - (3) The coop, run and chicken tractor shall consist of sturdy wire or wooden fencing.
 - (4) The coop, run and chicken tractor shall be designed so as to be easily maintained.
 - (5) The coop, run and chicken tractor shall be constructed with durable materials that will hold up to weather and environment.
 - (6) Used materials (reclaimed material) for enclosures must be approved by the Building Inspector as referenced in the adopted International Residential Code. The use of scrap, waste board, sheet metal, or similar materials is prohibited.
 - (d) Coops, runs and chicken tractors may only be located in the rear yard of the property, as defined in Chapter 16.
 - (e) Coops must be located at least ten feet from the property line and at least 40 feet from any adjacent residential dwelling, church, school or place of business.
 - (f) Chicken runs and chicken tractors must be located at least ten feet from the property line.

Sec. 2-405. Odor and Noise Impact.

- (a) Odors from chickens, chicken manure or other chicken related substances shall not be perceptible at or beyond the property boundaries.
- (b) Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensibilities.

(Ord. No. 857, § 14; Ord. No. 903, § 24, 1-26-2015)

Sec. 2-406. Waste Storage and Removal.

Chicken waste is the responsibility of the owner; no more than three cubic feet of chicken manure can accumulate. The coop and surrounding area must be kept free from trash and accumulated droppings. Composting of manure must following City Code Section 15-105 - Composting.

(Ord. No. 857, § 15)

Sec. 2-407. Feed and Water.

- (a) Chickens shall be provided with access to feed and clean water at all times.
- (b) All feed and other items associated with the keeping of chickens shall be protected from or to prevent rats, mice, or other rodents from gaining access to or coming into contact with the feed.

(Ord. No. 857, § 16)

Sec. 2-408. Predators and Rodents.

The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. ~~§ 17~~ (Ord. No. 857, § 17)

Sec. 2-409. Non-Commercial Use.

- (a) Chickens are not to be kept for profit.
- (b) Commercial chicken operations are prohibited.

(Ord. No. 857, § 18)

Sec. 2-410. Reserved.

Editor's note(s)—Ord. No. 903, § 25, adopted January 26, 2015, repealed the former § 2-410 in its entirety, which pertained to chickens harmed by dogs or cats, and derived from Ord. No. 857, § 19.

Sec. 2-411. Unlawful Acts.

- (a) No person shall publicly slaughter any chicken.
- (b) It shall be unlawful for any person to keep chickens in violation of any provision of this article.
- (c) It shall be unlawful for any owner, renter or leaseholder of property to allow chickens to be kept on the property in violation of the provisions of this article.

(Ord. No. 857, § 20; Ord. No. 932, § 3, 5-16-2016)

Sec. 2-412. Enforcement.

- (a) Lack of care, illness issues and abuse complaints will be handled through code enforcement, police and protection ordinances.
- (b) Where chickens are found running at large, the City will seek assistance from a person with expertise in catching chickens.

(Ord. No. 857, § 21; Ord. No. 932, § 4, 5-16-2016)

Sec. 2-413. Nuisances.

Any violation of this article that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under the general nuisance abatement provisions of Chapter 8, Article 3.

(Ord. No. 857, § 22)

[Add a clause on keeping or hiring of goats. Hired by a professional handler, perhaps get a permit to get goats. Checking with Goats on the Go on best practices here. Plan is to require a no-fee permit for up to two weeks for use of goats to aid in vegetation control with targeted grazing. Residents must use a licensed herder and are limited to two permits per year. Those using targeted grazing are required to place a sign on the property with](#)

[contact information for the company and warnings about electric fencing. Venders must use pulse-type fence energizers in containing the goats.](#)

Commented [JLL9]: Question to Legal: Is this an ordinance/codification thing or is this just a requirement we have that we promote on our website? Maybe we just state: Those using goats for targeting grazing must acquire a permit from the City for up to two weeks of grazing. Residents are limited to two permits/year that cannot be consecutive.

Then we detail the other requirements as part of the permit??

**CITY OF ROELAND PARK, KANSAS
ORDINANCE NO. 1052**

**AN ORDINANCE UPDATING VARIOUS PROVISIONS IN CHAPTER II
OF THE CITY OF ROELAND PARK, KANSAS MUNICIPAL CODE**

Whereas, the Governing Body of the City of Roeland Park, Kansas desires to overhaul Chapter II of the Roeland Park Municipal Code regarding “Animal Control and Regulations,” and;

Whereas, the Governing Body of the City of Roeland Park, Kansas desires to remove and replaced all gendered pronouns found within Chapter II of the Roeland Park Municipal Code, and;

Whereas, the Governing Body of the City of Roeland Park, Kansas desires to update the policies and procedures used to administer animal control throughout the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
CITY OF ROELAND PARK, KANSAS:**

SECTION 1. Existing Section 2-101(m) and (u) of the Code of the City of Roeland Park, Kansas, are hereby amended to read as follows, existing Section 2-101(v) is deleted in its entirety and “Reserved” for future use, and Section 2-101(x) “Veterinarian” is hereby amended to read as follows:

(m) *Harbor* means any person who shall allow any animals to habitually remain or lodge or to be fed within their home, store, yard, enclosure or place of business or any other premises where they resides or controls. This shall not apply to unowned ear-tipped feral cats whose colony is on or around the property of a resident.

(u) *Owner* means the one who owns, or their employee, agent, or other competent person into whose charge an animal has been placed by the actual owner as described in subsection (r) above.

(y) *Veterinarian* means a doctor of veterinary medicine licensed by the State of Kansas.

SECTION 2. Existing Section 2-102(a) is hereby amended to read as follows:

(a) There is hereby created the position of Animal Control Officer for the City and such Officer shall be charged with the enforcement of this chapter. Any person employed by the City as an Animal Control Officer shall have such powers and authority as allowed by law in the enforcement of this chapter.

SECTION 3. Existing Section 2-103(b) is hereby amended to read as follows:

(b) Use any tranquilizer guns, humane traps, or other suitable devices to subdue and capture any animal that is deemed by the Animal Control Officer, in their discretion, to be of a danger to itself or to the public health and safety.

SECTION 4. Existing Section 2-104(b) is hereby amended to read as follows:

(b) It shall be unlawful for any person to interfere with the Animal Control Officer in the exercise of their duties.

SECTION 5. Existing Section 2-105(c) is hereby amended to read as follows:

(c) Facilities for the humane euthanasia of animals.

SECTION 6. Existing Section 2-106 is hereby deleted in its entirety and is "Reserved" for future use.

SECTION 7. The language immediately following subsection (a) through (k) of existing Section 2-107 is hereby amended to read as follows:

"In addition to the penalties provided in section 1-117 of this Code, the Judge of the Municipal Court may order a person convicted of violation under this section to turn the animal involved over to a designated humane society. All such animals taken by the designated agency may be placed with another or more suitable person or humanely euthanized as soon thereafter as is conveniently possible."

SECTION 8. Existing Section 2-108(d), (e), and (f) are hereby amended to read as follows:

(d) The humane euthanasia of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or by an authorized agent such as a licensed veterinarian, at the request of the owner;

(e) The humane euthanasia of an animal by the Animal Control Officer, a public health officer or a law enforcement officer in the performance of their official duty;

(f) The humane euthanasia of an unclaimed animal after three full business days following the receipt of such animal at a municipal pound or an incorporated humane society shelter by the owner, operator or authorized agents of such establishments.

SECTION 9. Existing Section 2-114 is hereby amended to read as follows:

At any time before the sale or euthanasia of any animal impounded under the provisions of this article, except for animals impounded under sections 2-123 (vicious) and 2-115 (rabid), the owner thereof may redeem the animal by paying the City Clerk the impounding fee and all costs incurred as a result of such impoundment.

SECTION 10. Existing Section 2-115(a) and (b) are hereby amended to read as follows:

(a) Any Animal Control Officer or law enforcement officer or local health officer may take up, upon private or public property, any animal which has bitten or scratched a person or other animal and impound the animal in the City pound, securely penned and separated from other animals, or in a veterinary hospital or animal care facility for a period of not more than 30 days during which time the local health officer shall determine whether or not such animal is suffering from a disease and, if not, the local health officer shall authorize the release of the animal upon

payment by the owner of the boarding fee therefore. The health officer may authorize the keeping of any such animal on the owner's premises if the owner produces a rabies vaccination certificate showing that the animal has valid rabies vaccination protection. Impoundment costs shall be borne by the owner. If in the opinion of the local health officer symptoms develop justifying a microscopic examination, then the animal shall be euthanized and examination made by the State Department of Health and Environment.

(b) In lieu of the provisions of subsection (a), the owner of any such animal may, at their own expense, take such animal to any duly qualified and licensed veterinarian for observation. Such veterinarian shall report their findings in writing to the local health officer. If in the opinion of such veterinarian a microscopic examination is justified, then the animal shall be turned over to the Animal Control Officer or any law enforcement officer to be euthanized and examination made by the State Department of Health and Environment.

SECTION 11. Existing Section 2-116 is hereby amended to read as follows in its entirety:

Whenever a dog, cat or other animal is bitten by a rabid animal or an animal later proved to have been rabid, it shall be the duty of the owner of the animal that is bitten, to report that fact to the local health officer and/or the police department. It shall also be the duty of the owner of the bitten animal to humanely euthanize the animal unless:

- (a) The animal which was bitten had been vaccinated against rabies at least three weeks before being bitten and has a current vaccination; and
- (b) If the bitten animal has a current vaccination, it shall be confined for 90 days; and
- (c) The bitten animal shall be released from confinement only upon written order from the local health officer, who declares the animal to be free of rabies; and
- (d) If the animal is found to have contracted rabies during confinement, it shall be humanely euthanized.

SECTION 12. Existing Section 2-118 is hereby amended to read as follows in its entirety:

The Mayor is hereby authorized whenever in their opinion the danger to the public safety from rabid animals is made imminent to issue a proclamation ordering all persons owning any animal in the City to confine the animal in a good and sufficient enclosure from which the animal cannot escape, or fasten such animal by means of a chain on the premises where the owner may reside, for such time as may be specified in such proclamation. Any animal not confined during such time may be humanely euthanized wherever found by any law enforcement officer, or the Animal Control Officer of the City. The owner of such animal may be prosecuted for such violation thereof.

SECTION 13. Existing Section 2-119(a), (b), and (c) are hereby amended to read as follows:

(a) No person or household shall own or harbor more than two dogs of six months of age or older or more than one litter of puppies, or more than two cats of more than six months of age or more than one litter of kittens, or engage in the commercial business of breeding, buying, selling, trading, training or boarding cats or dogs, or both cats and dogs, without first having

obtained a special permit from the City. A special permit for a third dog or a third cat may be approved administratively by the City Clerk. The fee for such special permit, shall be \$100.00. No special permit shall be issued until an inspection certificate has been issued by the Animal Control Officer certifying approval of the premises and compliance with the applicable laws of the City. Thirty days after notifying neighbors, if the City Clerk has received not more than one protest concerning the keeping of the animals for which the special permit is being applied for, the City Clerk shall issue a special permit. If two or more complaints are received, the special permit request shall go before the City Council. If three or more complaints are received, the special permit shall be denied. The City shall not allow more than three dogs or three cats per residence. Those persons who have received City Council approval to keep more than three dogs or more than three cats prior to December 22, 2015 shall be exempt from the limitation to have a maximum of three dogs or three cats. This shall only apply to the specific animals for which the special permit was issued.

(b) Special permits must be renewed annually. No special permit shall be issued until an inspection certificate has been issued by Neighborhood Services certifying approval of the premises and compliance with the applicable laws of the City. After notifying neighbors, if the City Clerk has not received any protest concerning the keeping of the animals for which the special permit was issued, the City Clerk may issue a renewal of an existing special permit at the same location. If the Animal Control Officer finds that the holder of any special permit is maintaining the facility in a manner detrimental to the health, safety or peace of mind of any person residing in the immediate vicinity, he or she shall report such fact to the City Clerk, and the special permit shall not be renewed except after a public hearing before the City Council.

(c) The Neighborhood Services or any law enforcement officer shall have the right to inspect any premises licensed under this section at any reasonable time. The application for a special permit shall be deemed to constitute consent to such entry and inspection. Should the applicant or any person having control of the property refuse access to the property for an inspection, the Animal Control Officer or law enforcement officer may seek an administrative search warrant.

SECTION 14. Existing Section 2-122(g)(5) is hereby deleted in its entirety and is “Reserved” for future use.

SECTION 15. Existing Section 2-201(a) and (e) are hereby amended to read as follows:

(a) Every owner of any dog or cat over six months of age shall annually register with the City Clerk their name and address with the name, sex and description of each dog or cat owned and kept within the City. It shall be unlawful for the owner of any newly acquired dog or cat or any dog or cat brought into the City to fail to register such animal within 30 days from acquisition or bringing the dog or cat into the City. It shall be unlawful for the owner of any previously registered dog or cat to fail to maintain current registration of such dog or cat.

(e) The registration year shall be on an annual basis. Owners must register their animals within 30 days of obtaining the animal or within 30 days of expiration of the current license. Every owner or harbinger of a dog or cat who shall fail to register the same within 30 days of the expiration of the registration period shall pay in addition to the registration fee herein provided, a penalty fee for late registration.

SECTION 16. Existing Section 2-207(c) and (d) are hereby amended to read as follows:

(c) No dog or cat impounded under this section shall be removed from shelter until after expiration of a minimum of three full business days of custody during which the public has clear access to inspect and recover the dog or cat through time periods ordinarily accepted as usual business hours. During such time of custody, the City shall attempt to notify the owner or custodian of any dog or cat impounded by such facility if the owner or custodian is known or reasonably ascertainable. Such dog or cat may at any time be released to the legal owner, moved to a veterinary hospital for treatment or observation, released in any manner, if such dog or cat was a gift to the animal shelter, or euthanized by a licensed veterinarian if it appears to the veterinarian that the dog or cat is diseased or disabled beyond recovery. If within three full business days the owner does not appear to claim the dog or cat, then the dog or cat may be sold, euthanized or otherwise disposed of.

(d) If at any time before the sale or euthanasia of any dog or cat impounded under the provisions of this article, the owner of an impounded dog or cat does appear and redeem the dog or cat, it shall be turned over to the person claiming it upon payment of any impoundment fees or penalties plus the actual costs of impoundment, and shall not apply to any dog or cat alleged as being vicious under section 2-123 or suspected of rabies under section 2-115 of this Code.

SECTION 17. Existing Section 2-208(a) is hereby amended to read as follows:

(a) If any dog or cat is not redeemed by its owner or harborer within the time allowed for redemption as specified in section 2-207 thereof, the Animal Control Officer, any authorized law enforcement officer, any authorized veterinarian or any duly authorized pound personnel may humanely euthanize such dog or cat or sell the same for the costs of impoundment and keeping, plus any registration fee due for the current year.

SECTION 18. Existing Section 2-210 is hereby deleted in its entirety and "Reserved" for future use.

SECTION 19. Existing Section 2-211 is hereby deleted in its entirety and "Reserved" for future use.

SECTION 20. Existing Section 2-301(a), (b), (c) and (d) are hereby amended to read as follows:

(a) It shall be unlawful for any person, firm or corporation to keep, maintain or have in their possession or under their control within the City any poisonous reptile or any other dangerous wild animal or reptile, any vicious or dangerous animal or any other animal or reptile of wild, vicious or dangerous propensities.

(b) It shall be unlawful for any person to keep, maintain or have in their possession or under their control within the City any exotic animals, including but not limited to the following:

******Editor's Note: Subsections (1) through (29) immediately following the above language remain in their entirety, unchanged by this Ordinance.******

(c) The prohibitions of this section shall not apply to bona fide pet shops, zoos, circuses, carnivals, educational institutions, medical institutions or to any resident when the resident petitions the Governing Body, if:

******Editor's Note: Subsections (1) through (3) immediately following the above language remain in their entirety, unchanged by this Ordinance.******

(d) The Judge of the Municipal Court shall have the authority to order any animal deemed vicious confined, humanely euthanized or removed from the City.

SECTION 21. There is hereby established Section 2-302 titled "Goats and Sheep" to read as follows:

Goats and/or sheep may be used by residents solely for targeted grazing pursuant to this Section and the permitting policy as outlined by the City . A resident may apply for up to two (2) permits per year, with the duration of each permit limited to ten (10) days of goat or sheep grazing on the resident's property. All other rules and regulations regarding the use of goats and/or sheep shall be contained in the permitting policy provided by City Staff.

SECTION 22. Existing Section 2-401(d) is hereby amended to read as follows:

(d) Every owner of chickens over 16 weeks of age shall annually register with the City Clerk their name and address.

SECTION 23. Existing Section 2-408 is hereby amended to read as follows:

The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.

SECTION 24. This Ordinance shall take effect upon its publication, or the publication of a summary thereof, in the official City newspaper.

PASSED by the City Council the ____ day of _____ 2024. **APPROVED** by the Mayor.

Michael Poppa, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney

Item Number: Reports of City Officials:- XI.-A.
Committee 4/15/2024
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 4/11/2024
Submitted By: Chief Morris
Committee/Department: Police / Safety
Title: 2024 1st Quarter Police Department Report
Item Type: Presentation

Recommendation:

Presentation of the 1st quarter police activity for 2024.

Details:

Police activity report of criminal offenses, citations, arrests, accidents, and crime comparisons.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Police	Morris, John	Approved	4/11/2024 - 2:33 PM

Goals/Objectives & Terms

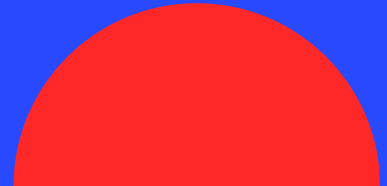
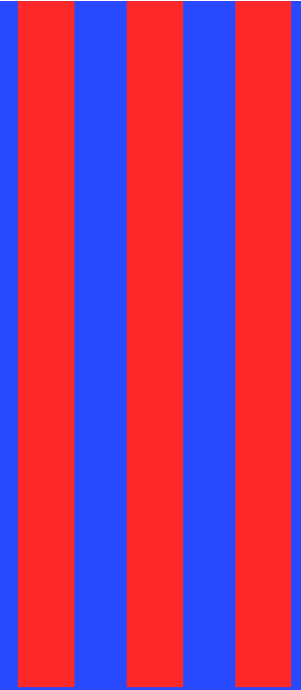
ATTACHMENTS:

Description	Type
1ST QUARTER 2024	Cover Memo



Roeland Park P.D.

2024 First Quarter Police Activity Report



Roeland Park P.D.

Introduction : Presentation of police activity for the first quarter of 2024.

January 1 – March 31

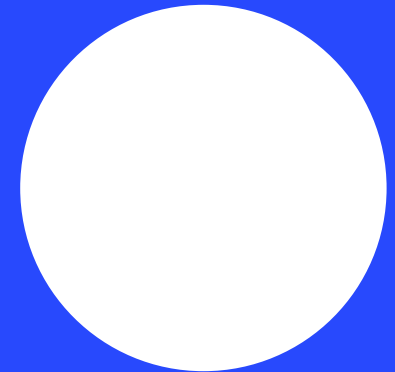
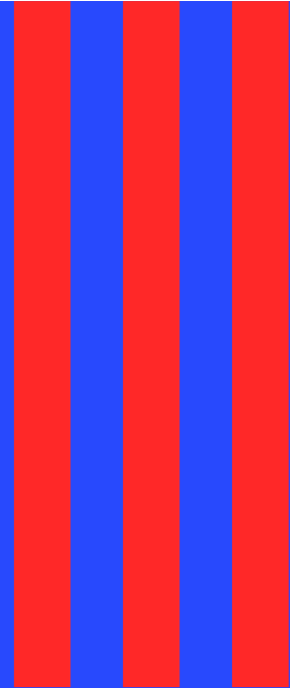


Number of Incidents : 172

Uniform Crimes U.C.R. : 47

Homicide / Rape / Robbery / Assault / Burglary / Theft / Auto Theft / Arson

Non U.C.R. Crimes 125





Uniform Crime Totals

Homicide – 0

Rape – 0

Robbery – 0

Assault – 13

Burglary – 2

Theft – 27

Auto Theft – 5

Arson – 0

ARREST INFORMATION

(SEE DATA SLIDE FOR FURTHER DETAILS)

ARRESTS - 45

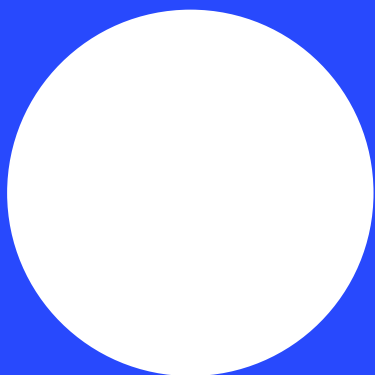
ADULT ARRESTS – 45

JUVENILE ARRESTS - 0

MALE ARREST – 33

FEMALE ARREST - 12

Accidents

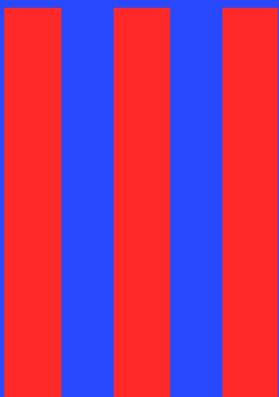


January – 7

PLEASE SLOW DOWN

February – 5

March – 3

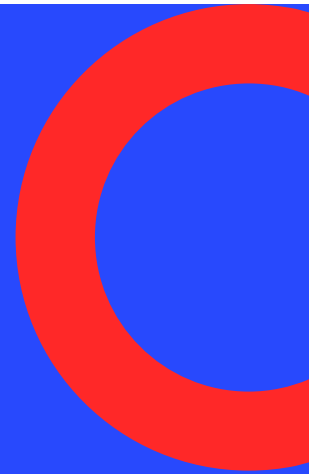


Citations & Warnings

Citations – 231

Warnings – 60

1. White	171 Citations	74%	47 Warnings
2. Black	41 Citations	18%	12 Warnings
3. Hispanic	15 Citations	6%	1 Warning
4. Asian	0	0	
5. Indian	0	0	
6. Other / Unk	1	0	



Location of Incidents

Blvd. Apts. – 8
Price Chopper – 4
Lowe's – 5
Walmart – 11
RPPD – 23
Business District – 42
East of Roe – 29
West of Roe – 39
Other - 11

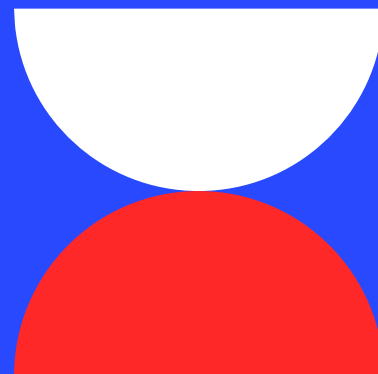
Arrest Data

Race	Male	Female
White	22	8
Black	8	1
Hispanic	3	3
Asian	0	0
Indian	0	0
Other / Unk	0	0

White 67%

Black 20%

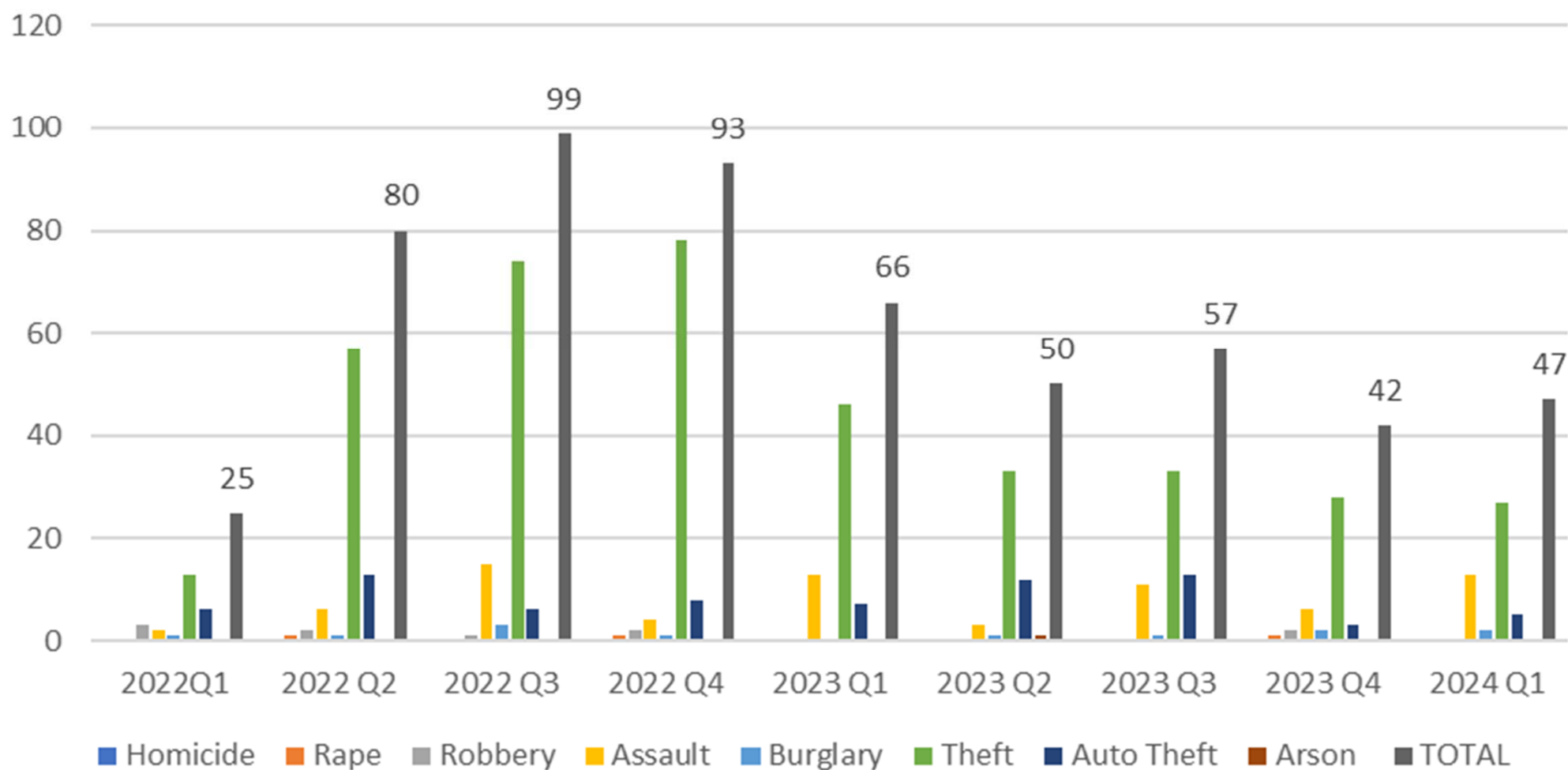
Hispanic 13%



U.C.R. Comparison

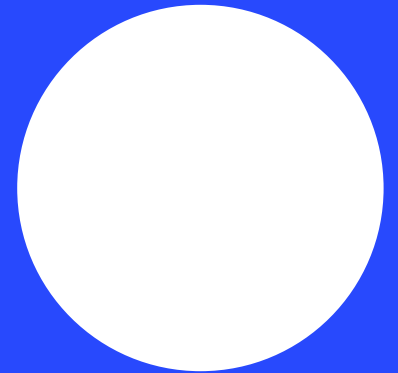
2022 Quarter 1	January - March	U.C.R Incidents 25
2022 Quarter 2	April - June	U.C.R. Incidents 80
2022 Quarter 3	July - September	U.C.R. Incidents 99
2022 Quarter 4	October - December	U.C.R. Incidents 93
2023 Quarter 1	January - March	U.C.R. Incidents 66
2023 Quarter 2	April - June	U.C.R. Incidents 50
2023 Quarter 3	July - September	U.C.R. Incidents 57
2023 Quarter 4	October - December	U.C.R. Incidents 42
2024 Quarter 1	January - March	U.C.R. Incidents 47

U.C.R. Comparison 2022-2024



Co-Responder & Animal Control (pending)

Will Forward Information When Available



Item Number: Reports of City Officials:- XI.-B.
Committee 4/15/2024
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 4/10/2024
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **2024 1st Quarter Public Works Report**
Item Type: Report

Recommendation:

Informational Only - Public Works 1st Quarter Report

Details:

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Public Works	Nielsen, Kelley	Approved	4/11/2024 - 4:12 PM

Goals/Objectives & Terms

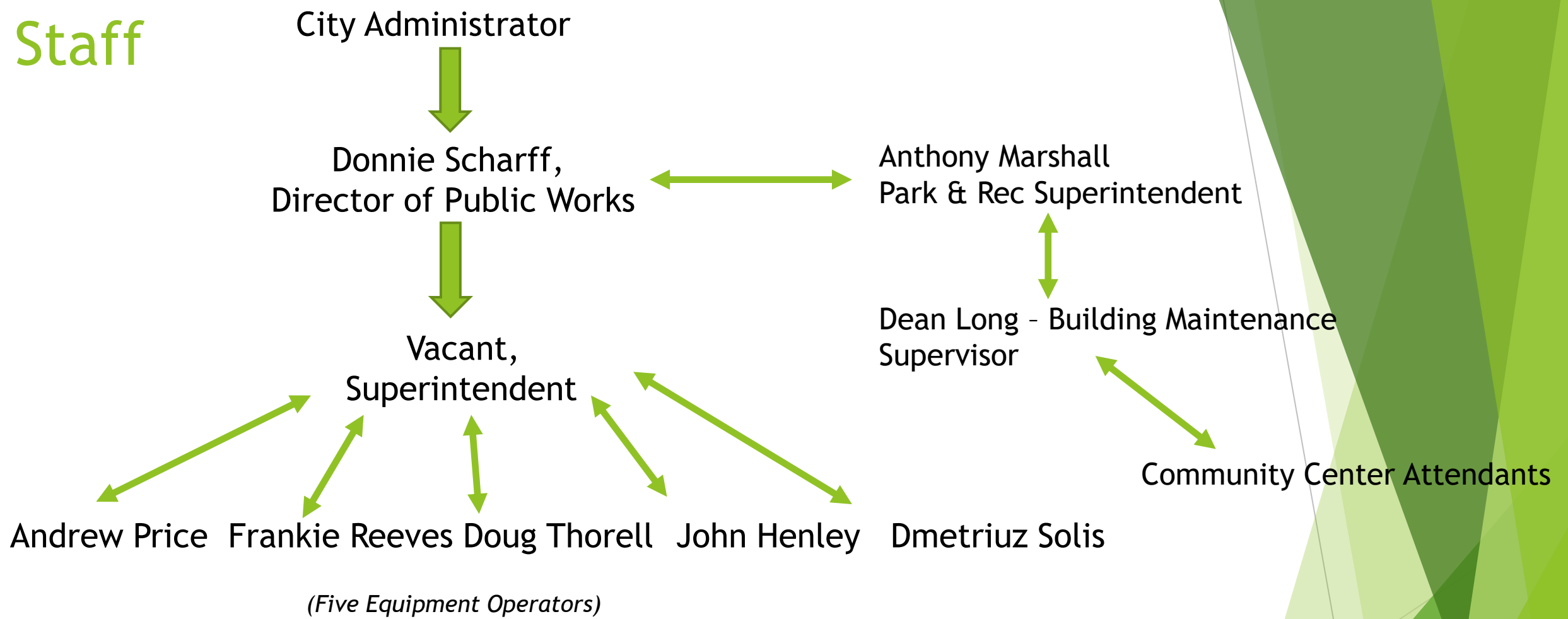
ATTACHMENTS:

Description	Type
▢ PW Report	Cover Memo

Public Works Report 4-15-2024

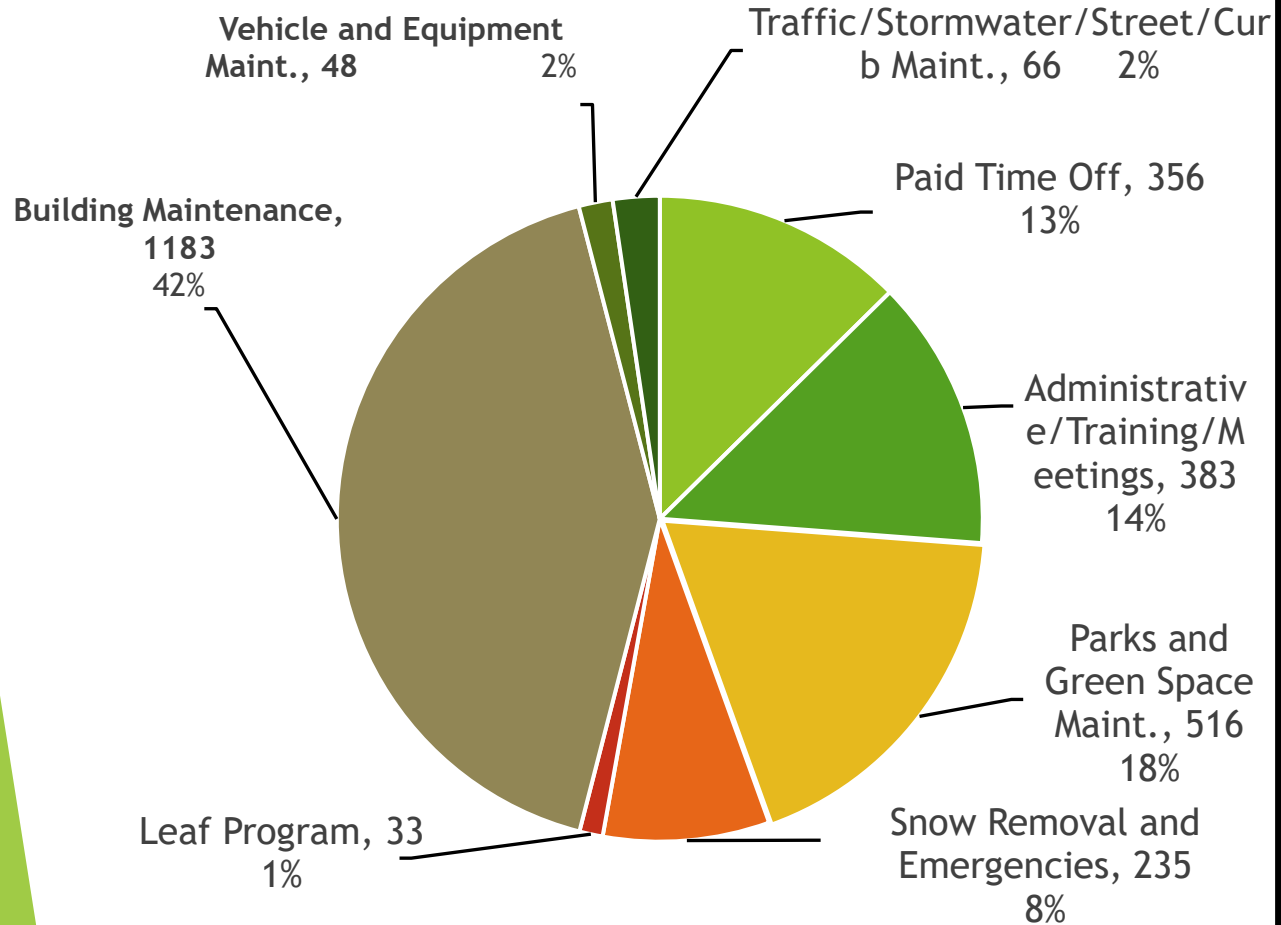


Staff



2024

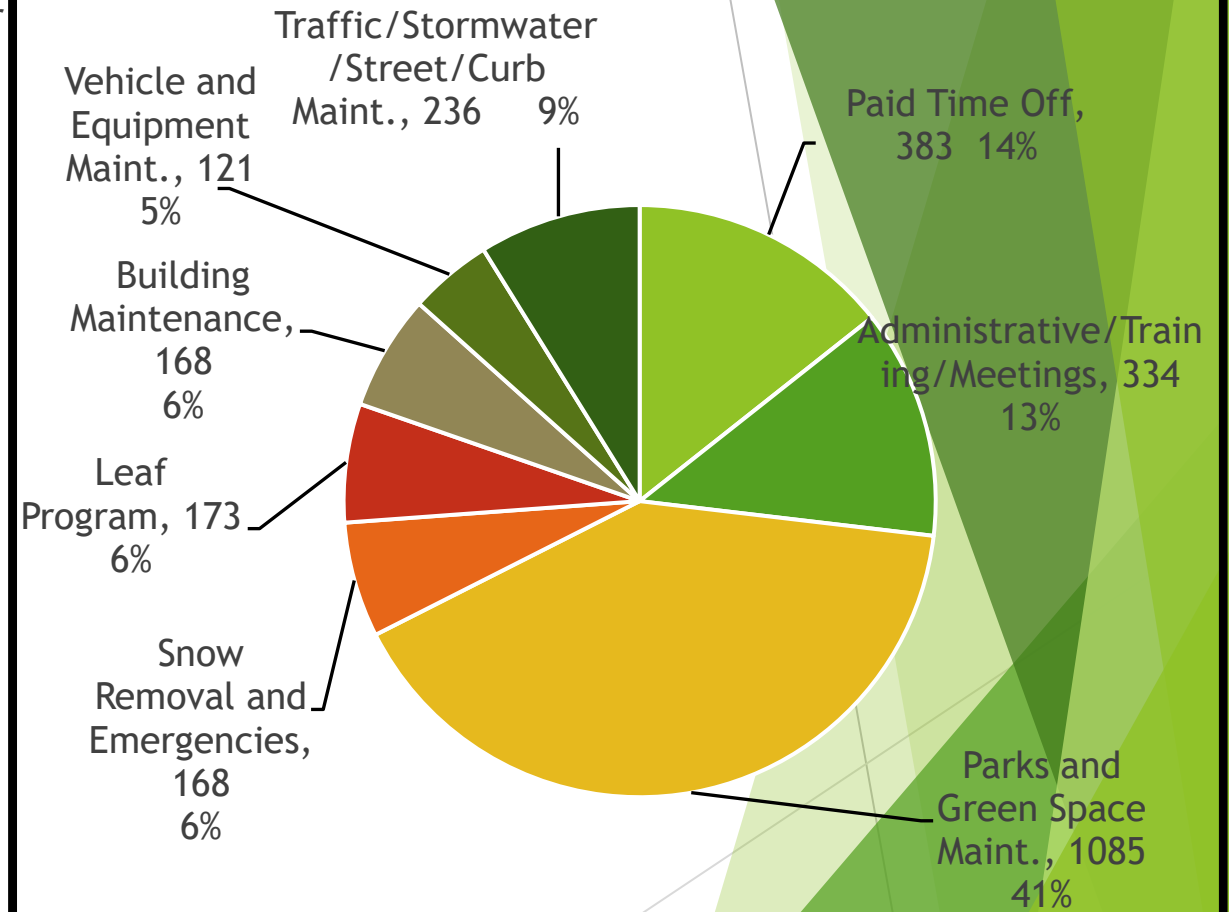
Staff Hours from 1/1/24 to 4/1/24 Total= 2,820



- Paid Time Off
- Parks and Green Space Maint.
- Leaf Program
- Vehicle and Equipment Maint.
- Administrative/Training/Meetings
- Snow Removal and Emergencies
- Building Maintenance
- Traffic/Stormwater/Street/Curb Maint.

2023

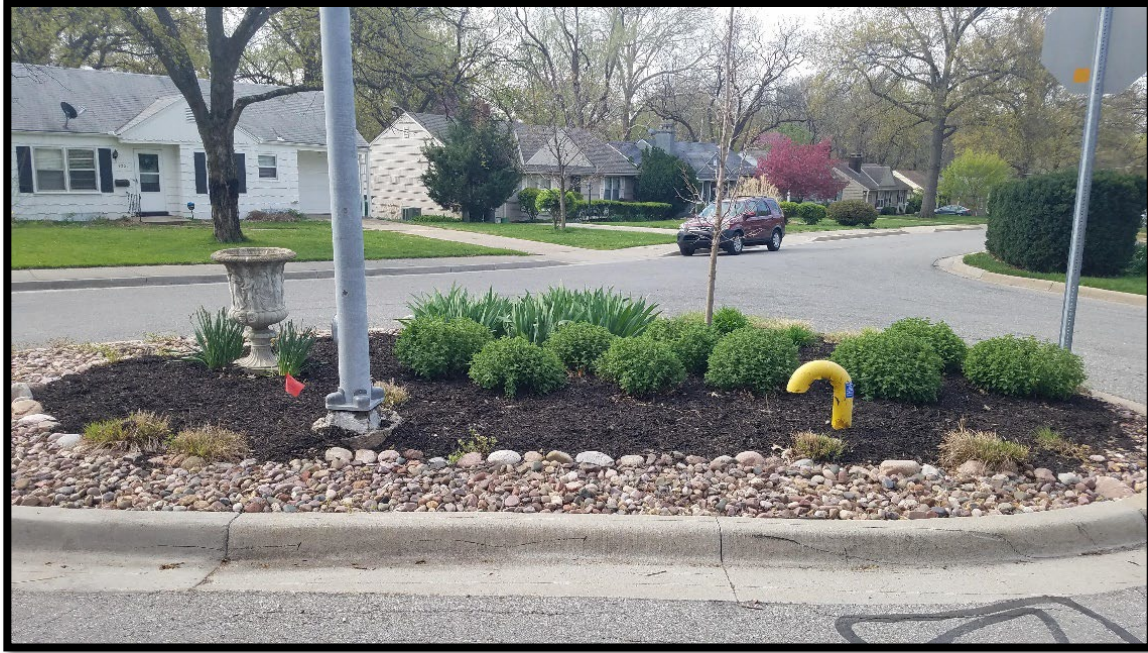
Staff Hours From 1/1/23 to 4/1/2023 Total= 2,668



- Paid Time Off
- Parks and Green Space Maint.
- Leaf Program
- Vehicle and Equipment Maint.
- Administrative/Training/Meetings
- Snow Removal and Emergencies
- Building Maintenance
- Traffic/Stormwater/Street/Curb Maint.

Parks Maintenance and Improvements

- 4 High Frequency Park Safety Inspections
- 3 Low Frequency Park Safety Inspections
- Mulching Planting Areas
- De-weeding landscape areas

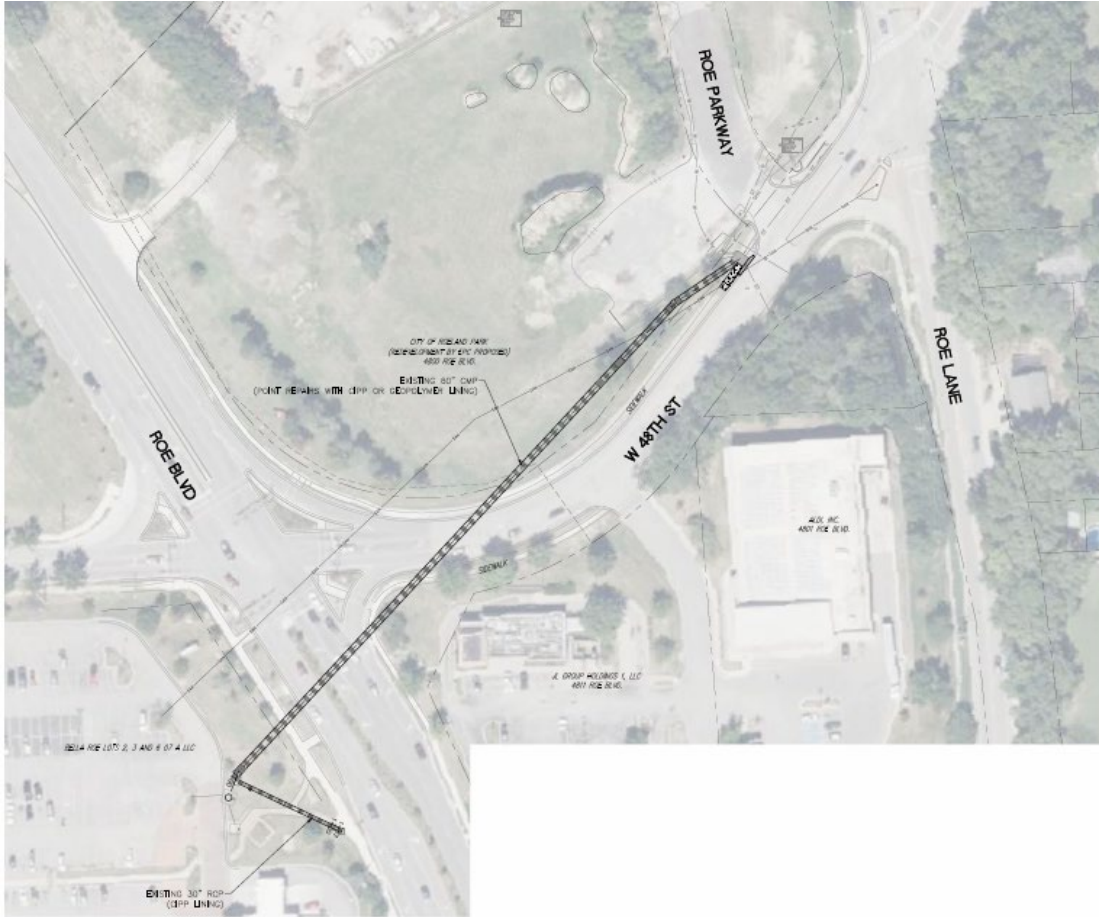


Street Sweeping- 2024



- Street Sweeping Schedule- planned for the first week of each month. Takes a person 3 to 5 days to sweep the entire city depending on who is sweeping and the quantity of debris in the streets.
- Cubic Yards Totals - 50 Cubic Yards - Jan thru Mar
- Sweeper capacity of hopper is 8 cubic yards
- Average cubic yards collected per sweeping - Varies
- Average staff hours per city wide sweeping - 32 (depending on amount of material on streets)

60" Pipelining Project - 48th St & Roe Blvd (Complete)



Concrete Lining Added

- Contractor - US Infra Rehab Services
- Completion Date - March 26, 2024

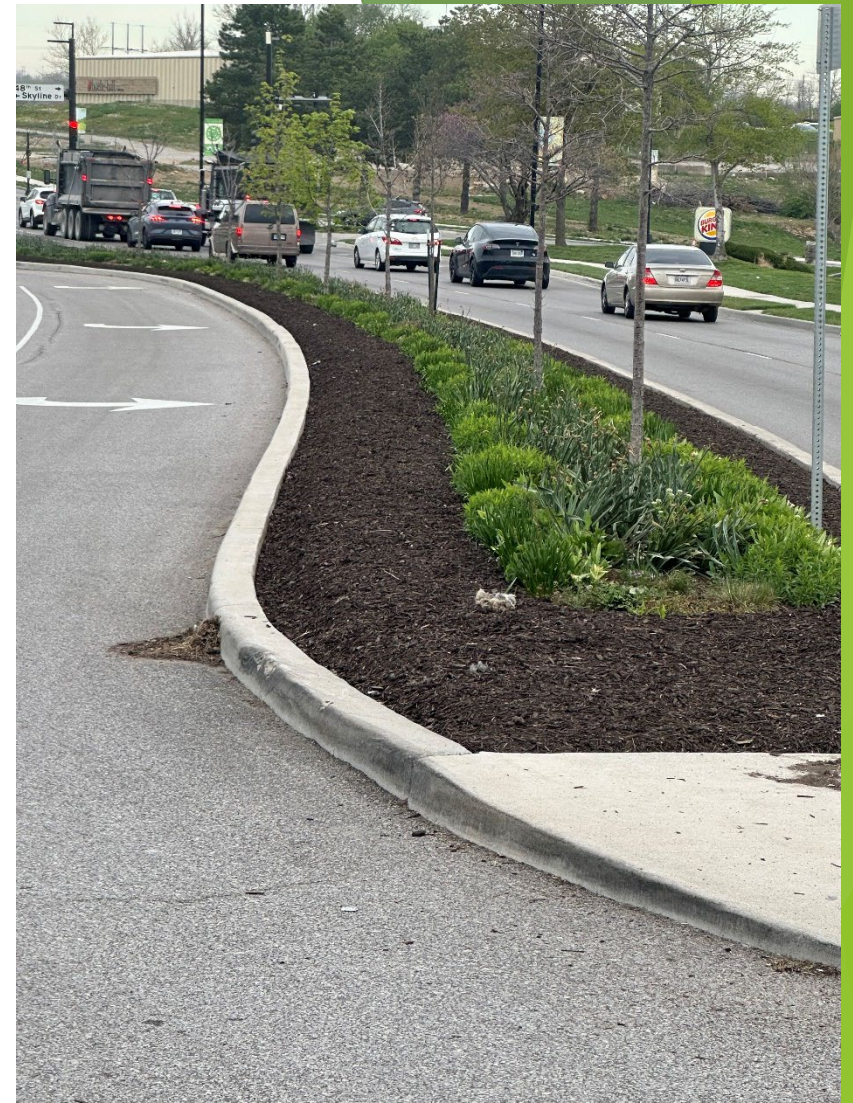


Restoration (Sodding)

Landscaping Maintenance



Re-mulching Islands



New Trees Installed on Roe Blvd/Sod Removed & Mulch Added

Public Works Building Improvements

New Roof Installed

After

Before



Upcoming Projects

- 2024 CARS Johnson Drive/Roe Blvd Signal Replacement - Out for Bid - Spring/Summer 2024
- 2024 Roe Parkway Extension - Plans complete. Utility Coordination meeting held. Engineers working on construction easements. Construction to begin in July
- 2024 EL Monte Sidewalk Extension - Task Order approved. Staff meeting with property owners in vicinity. Planning to setup meeting to discuss project scope.
- 2025 CARS Mission Rd - CARS application submitted. Staff working to meet with property owners about driveway stall additions. Neighborhood meeting scheduled for April 18th, 2024

Questions



Item Number: Reports of City Officials:- XI.-C.
Committee 4/15/2024
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/11/2024
Submitted By: Keith Moody
Committee/Department: Admin.
Title: 2024 1st Quarter Objectives Progress Report
Item Type: Report

Recommendation:

Informational, no action anticipated. For the sake of time staff will not be reviewing the report during the meeting. Please contact staff if you have any questions concerning the report.

Details:

Attached is the Q1 Progress Report for our 2024 Objectives. The one objective with a completion deadline in Q1 is the PD Drone and it is complete. Progress on the other two 2024 Objectives is reflected in the status section.

Progress has also been made during Q1 on each of the outstanding objectives from prior years. The license plate reader objective was finalized in Q1 of 2024. Our intent is to have all prior year outstanding objectives completed in 2024.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request: N/A	
Budgeted Item?	Budgeted Amount: N/A
Line Item Code/Description: N/A	

Additional Information**REVIEWERS:**

Department	Reviewer	Action	Date
Administration	Moody, Keith	Approved	4/10/2024 - 3:11 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Q1 2024 Objectives Report	Cover Memo

Goals and Objectives for Fiscal Year 2024
Roeland Park, Kansas

Progress Report: 1st Quarter

Roeland Park, Kansas								Completion Index	
Progress Report: 1st Quarter								Cost	Deadline
Objective ID	Description	Responsible Party	Cost Estimate	Actual Cost	(Under) or Over Estimate	Completion Deadline	Status- Date Completed	0=Incomplete 1=UNDER 2= On 3=OVER	0=Incomplete 1= Early 2= On Time 3= Late
B	1 Enhance Community Engagement for 2025 Budget Process	Administrative Staff and Governing Body	\$ 15,000	\$ 7,000	\$ (8,000)	9/1/24	Contract for Balancing Act budget engagement software executed in Q1 of 2024. Data upload to the software is underway. The platform will be employed during the 2025 budget development process. Service contract is for \$7k for one year.		
C	1 Add Consistent Markers and Signage within the Parks	Parks and Recreation Superintendent, Public Works Director, Parks Committee	\$ 17,000			7/31/24	Design options and pricing being assembled in Q1 of 2024. Parks and Trees Committee to review options and provide recommendation in Q2.		
D	1 Add Drone to Police Department	Police Chief	\$ 7,000	\$ 6,847	\$ (153)	2/1/24	Purchase completed 3/4/24. Training of officers on use completed in April.	1	3
Total			\$ 39,000	\$ 13,847	\$ (8,153)				

Incomplete Objectives from:
2017

B	3 Find new location for Public Works	City Administrator	\$ 5,450,000			7/31/17	1800 Merriam Lane was purchased 2/1/2023. Construction Manager at Risk agreement approved 4/14/23. Demolition authorized by KCK and work complete as of 7/14/23. Renovation plans approved and building permit issued by KCK 7/17/23. Phase 2 work including roof replacement added to Universal's CMAR contract on 1/2/24. Phase 2 work to be complete by 6/7/24. Public Works began operation in the new facility 1/30/24.	
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2019

F	2 Develop 4 to 5 Historical Markers/Interpretive Signage	Public Works Director & Public Works Committee	\$ 30,000			9/30/19	Council has appointed an Ad Hoc Committee to work on this objective along with the update to Roeland Park's history book. Police Chief is staffing the committee. Committee presented plan to council on 5/21/22. Direction from Council provided to engage a historian who can lead this project to completion. Historian service agreement approved on 5/15/23. Historian is completing research and providing bi-weekly reports to the Historical Committee. Historian work is anticipated to extend through 4/30/24 and cost \$36k.	
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2020

A	1 Update Roeland Park History Book from 1996 to Present	Tom Madigan and Volunteer Historians	\$ 1,000			10/31/20	Council has appointed an Ad Hoc Committee to work on this objective along with the update to Roeland Park's history book. Police Chief is staffing the committee. Committee will complete work on signs then move to updating history book. Historian scope noted in the Historical Sign objective above includes updating the Roeland Park history book. The Plan is to start fresh with a new history book instead of update the existing book.	
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Goals and Objectives for Fiscal Year 2024
Roeland Park, Kansas

Progress Report: 1st Quarter

Completion Index	
Cost	Deadline
0=Incomplete	0=Incomplete
1=UNDER	1= Early
2= On	2= On Time
3=OVER	3= Late

Objective ID	Description	Responsible Party	Cost Estimate	Actual Cost	(Under) or Over Estimate	Completion Deadline	Status- Date Completed		
2021									
A	1 Quarterly Diversity and Racial Equity Assessment	Equity Committee	\$ 2,000			12/31/21	First meeting of Equity Committee held 9/2020. The Committee developed goals and presented to Council. Committee converted to standing committee 3/15/21. City partnered with JOCO on Racial Equity in Communities program for \$6k. Scope of Objective modified during 2023 to reflect incorporating DEI impact analysis into the agenda item reports and budget Objectives. DEI Committee continues to discuss methods to doing assessments per DEI strategic plan. Decision made for DEI Committee to review and provide feedback on policy changes related to diversity and inclusion. In 2024 a complete review of the City Code is being completed with the DEI lens applied.		
Incomplete Objectives from:									
2022									
G	2 Update Zoning Code to Improve Clarity and Address Barriers to Missing Middle Housing	Assistant City Administrator and Building Official	\$ 45,000			12/31/22	Scope of services combined into one step in 2023 instead of two year approach. Proposal from Confluence secured and they are working on a draft. A public forum was held 11/13/23 and joint meeting w/ council and PC 11/20/23. Draft changes to be reviewed by Planning Commission on 2/20/24. Joint meeting with Planning and Council on 4/1 and 4/15 to review proposed changes. Adoption of changes planned for May 2024.		
2023									
B	1 Phase 3 Improvements at Cooper Creek Park	Parks and Recreation Superintendent and Cooper Creek Volunteers	\$ 12,330			12/31/23	Contract executed with Habitat Architects for 2023 through 2026 invasive species control (item 2) and additional tree planting (item 3) totaling \$10,600. Contract for Natural Bank Stabilization was approved 7/24/23 for \$55,000.		
B	3 Review and Update Nall Park Master Plan	Parks and Recreation Superintendent and Parks Committee	\$ 45,000	\$ 44,565	\$ (435)	8/1/23	Master Plan consulting contract has been awarded to Lamp Rynearson. Feature options being presented at public engagement meetings in April 2024.		
B	4 Add Artistic Play Sculpture at Southeast Entryway to R Park	Parks and Recreation Superintendent, Arts Committee and Parks Committee	\$ 90,000			12/15/23	Universal Construction has agreed to add this project to their scope of work at no cost. The firm pricing they have secured totals \$281k compared to the budget of \$160k. The fundraising group does not believe they will be able to raise the additional \$121K. The Parks Committee is looking at design alternatives that could bring the cost back down to the original budget. Contracts are in place with a structural engineer and playground safety specialist. A funding agreement is in place to ensure the \$60k of matching donations will be available.		
C	1 Purchase License Plate Reader Cameras for Police Department Use	Police Chief	\$ 34,000	\$ 33,535	\$ (465)	1/30/2023	Purchase was approved by Council on 2/20/23. Cameras are installed and police policy was previously adopted along with other Police Policies. Cameras and automated notification capability became fully functional 2-8-24.	2	3

Item Number: Reports of City Officials:- XI.-D.
Committee 4/15/2024
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/11/2024
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **2024 1st Quarter Strategic Plan Progress Report**
Item Type: Report

Recommendation:

Informational item, no action anticipated. For the sake of time staff will not be reviewing the quarterly report during the meeting. Please contact staff with any questions concerning the Q1 report.

Details:

Attached please find the 1st Quarter Progress Report for the Strategic Plan. As the City completes initiatives which advance the Strategic Plan staff memorializes those accomplishments into this report. The newest accomplishments are added at the end of the appropriate "Goal and Strategy". This helps to keep the report in chronological order.

The accomplishments completed or seeing progress in the 1st quarter of 2024 are highlighted in green on the attached progress report.

Since adoption of the Strategic Plan in 2015 the City has taken steps in each of the 5 "Goal" areas as well as implementing initiatives that further each of the 17 "Strategy" areas. The City has undertaken a total of **174 initiatives** to date as part of the Plan's implementation which represents a **\$27.7 million investment** in the Community!!!!!!

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

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- Does this item benefit Community for All Ages?

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- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

A Strategic Plan review and update process may be an appropriate Objective for 2025.

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Moody, Keith	Approved	1/8/2024 - 5:31 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Q1 2024 Strategic Plan Progress Report	Cover Memo

Strategic Plan						
Roeland Park, Kansas						
Page 1						
Progress Report: 3/31/24						
Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
Goal 1: Create a long-term financial plan to diversify revenue supporting economic growth.						
1 A	Collaborate with peer cities with similar developmental issues and define potential options. (Phase 1)	City Administrator & Asst. City Administrator	1. In 2017 Roeland Park collaborated with Fairway and Westwood on bidding out solid waste services. A new contract was executed locking in fees paid for solid waste for an initial 3 years. The new contract provides for performance standards as well as financial penalties in the event the contractor does not meet prescribed performance standards. Under the new contract weekly summary reports are also provided which list service complaints by address and chronicles the time addressed as well as the approach/reasoning behind each resolution. The 2019 Citizen Satisfaction Survey saw a 22% increase in satisfaction with solid waste services over the 2016 survey results.	\$ -	11/30/17	A new contract was executed locking in fees paid for solid waste for an initial 3 years. Citizen satisfaction improved with solid waste in 2019 from 2016, however satisfaction has not returned to 2008 levels. Mission changed to WCA for waste services as of 1/1/20; In 2020 WCA is charging Mission \$15.75/month and charging Roeland Park \$15.17/month for comparable service. A contract extension with WCA was approved in 2020 in cooperation with Fairway and Westwood for 2021 to 2025; the 2021 rate will increase to \$15.45/month with the monthly rate increasing not more than \$.35 each year.
			2. In 2017 Roeland Park began looking at animal control service alternatives to the NEAC system in place. This effort lead to Mission looking at delivering animal control services through a civilian staff within their police department. At the end of 2018 NEAC disbanded and each of the cities in NEAC contracted with the City of Mission to provide animal control services. It is anticipated that has a contract relationship with a single municipality will provide for improved animal control service at a lower cost (\$12,000 savings from NEAC fee).	\$ (12,000)	1/1/19	Contract executed in 2018 service began 1/1/19. Performance review in 2019 shows satisfaction with the service as well as lower than anticipated costs.
			3. In 2018, other NE JOCO cities were asked if they would have interest in sharing a Public Information Officer. The other communities felt their communications approach was working effectively and had concerns about how sharing a staff position would be implemented so that the shared time amounted to the percentage being charged per entity. In 2019, Roeland Park implemented a contracted PIO position on a trial basis to determine if this approach would be effective.			Contract PIO Began 1/1/2019. Monthly reports including benchmarking comparisons to other cities provided. Contract PIO program continues in 2020.
			4. In 2018, Roeland Park approached Mission, Fairway and Westwood if they were interested in joint participation in a City Magazine. The other communities felt their current newsletter, social media efforts and own city magazine in the case of Mission is working effectively. Roeland Park proceeded to meet with two local firms that have experience producing city magazines but ultimately the cost of production was beyond Roeland Parks budget.			Complete
			5. In 2017 Roeland Park invited Fairway to purchase salt through a joint method to reduce the price per ton. Fairway indicated they were pleased with their current method. Roeland Park reached out to some of the larger cities in JOCO and found that Roeland Park was able to piggy back on Lenexa's salt purchase contract resulting in a savings over prior year prices. Roeland Park informed Fairway of this opportunity.			Complete
			6. In 2015 Roeland Park and Fairway entered into an agreement for the joint construction of a salt storage facility on Fairways public works site. Construction of the facility was completed in 2016.	\$ 70,900	8/1/16	Complete

Strategic Plan						
Roeland Park, Kansas						
Page 2		Progress Report: 3/31/24				
Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
			7. In 2018 Roeland Park made request of Mission to de-annex .7 acres of land (old KDOT right of way) owned by Roeland Park at the northeast corner of Roe and Johnson. The boundary line adjustment will simplify development and ongoing regulation of the site. Development at this intersection began in 2017 with construction of a new bank and hospital it is continuing with the Gateway project in Mission. Encouraging development of the NE corner at this same time is beneficial to both communities.	\$ 74,602	12/9/19	Deannexation from Mission and Annexation by Roeland Park completed on 10/22/19. Financial consideration agreement with Mission completed on 12/9/19. First of two payments to Mission made in June of 2020. 2nd payment made in June of 2021. Complete
			8. In 2019 Roeland Park is including Westwood Hills in our annual contracted street maintenance bid in hopes that the larger volume will generate lower per unit prices.			Complete in 2019, continuing in 2020.
			9. Starting in 2016 Roeland Park began offering contract code enforcement services to Westwood Hills which reimburses the City for the use of this staff time plus an administrative fee of 15%.			Complete
			10. Roeland Park has an interlocal agreement with the City of Westwood to provide Building Inspection services when either City is in need. Prior to hiring John Jacobson, the City was without a Building Inspector for several months. We were able to rely on the City of Westwood's building inspector on a contractual basis to fill that void. Likewise, Mr. Jacobson has helped Westwood with building inspections when their staff was unavailable.			Ongoing
			11. Roeland Park, Westwood and Kansas City, KS worked together to rebrand the 47th Street Corridor and host an inaugural community event to promote the businesses within the corridor and provide for a social event for residents.	\$ 3,000	9/8/19	Event was a success, hoping it will be an annual event.
			12. Roeland Park is a partner with MARC and other first tier cities on a Workforce Housing Study.	\$ 750	12/16/19	Results of housing study presented to Council by MARC on 12/16/19.
			13. Roeland Park is a partner with JOCO and other JOCO cities on an affordable housing study.	\$ 650		Study and report completed in 2020. Tool Kit presented to Council by UCS on 2/21/22.
			14. Roeland Park is working on an interlocal agreement to provide Code Enforcement services on an as needed basis to Mission Woods.		10/5/20	Approved 10/5/20.
			15. Worked with Fairway to develop a plan for extending a sidewalk along Buena Vista which passes through both cities and serves to enhance pedestrian safety for residents of both communities.	\$ 206,591	10/31/23	Design reviewed on 1/18/21. Easements acquired. Contract awarded. Construction to began in 7/2022. Completed in 10/2022. Net cost to Roeland Park is \$306k, Fairway paid \$70k and CARS paid \$195k.
			16. Possibility of Mission Hills providing Roeland Park arborist services being discussed.	\$ -	11/15/21	Staff met to discuss on 9/16/21, a service agreement was developed and adopted on 11/15/21.
			17. Offering opportunity to other cities to piggyback on the curbside glass recycling contract for services commencing on 1/1/23.	\$ -		Proposals for curbside glass recycling service reviewed with Council approving agreement with Ripple on 8/22/22. Comms plan implemented in 4th qtr. of 2022.

Strategic Plan						
Roeland Park, Kansas						
Page 3		Progress Report: 3/31/24				
Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
			18. Working with Johnson County Community College on lease agreement for classroom and office space at the community center for adult education class offerings.	\$ (20,000)	5/22/23	JCCC is losing access to the JoCo Library the fall of 2023 due to the library's relocating to a new facility being built next to the Merriam Community Center. City, JCPRD and JCCC staff worked to develop a lease that would provide classroom and office space for adult education classes at the Community Center. The Lease was executed in May 2023 effective 7/1/23. Classes began in August of 2023. The lease revenue helps to reduce the annual subsidy of sales taxes dedicated to operate the Community Center.
1 B	Prioritize grant funding opportunities to improve the community and diversify finances. (Phase 1)	City Administrator & Asst. City Administrator	1. In 2016, STP Funding identified, applied for and secured \$4.6 million to support street/storm/signal/lighting/walkways/landscaping improvements along the entire length of Roe Boulevard. TIF 1 and TIF 3 resources also identified too support this project as well as CARS funding. Of the \$10 million total project cost only \$.226 million is coming from sales taxes.	\$ 10,000,000	12/31/16	Bids opened 3/21/20, construction began in May 2020. Phase 1 complete 11/30/20. Phase 2 (mill/overlay north of 48th and landscaping) completed 5/2021. Entry signs installed 8/2021 and bulbs planted 11/2021. Project complete 11/2021.
			2. In 2017, USTA Grant identified, applied for and secured for \$32,000 to support reconstruction of the R Park Tennis Courts.	\$ 160,690	12/31/17	Tennis courts completed to include pickle ball as well as youth tennis lines in 2018.
			3. In 2017, CDBG Grant identified, applied for and secured \$100,000 to support street/sidewalk improvements to Birch Street.	\$ 278,500	12/31/17	Birch street/sidewalk completed 12/20/18.
			4. In 2017, CARS Funding established a street improvement plan which optimizes the CARS resources available to the City each year and incorporated these resources into the Capital Improvements Plan.	\$ -	8/31/17	CARS funding secured for 2018, 2019 and 2020 projects. 2021 through 2025 CARS projects planned in the CIP.
			5. In 2017, SMAC Funding established a storm system improvement plan which optimizes the use of SMAC resources by coordinating street improvements and storm sewer improvements into the Capital Improvements Plan.	\$ -	8/31/17	Agreement with JOCO for drainage basin project coordination completed in 12/2019. Inspection of pipe/structures is continuing.
			6. In 2017, KDHE Arboretum Grant identified, applied for and secured \$25,000 for 20 trees to be planted to establish an arboretum in R Park.	\$ 25,000	12/31/17	Trees installed at R Park in the spring of 2018.
			7. In 2018, CDBG Grant applied for and secured \$135,000 to support street improvements to El Monte Street.	\$ 166,000	10/31/18	Project completed 8/31/19.
			8. In 2018, Planning Sustainable Places grant identified, applied for and secured for \$80,000 to support a planning/visioning effort for the intersection of 48th and Roe as well as the Johnson Drive corridor.	\$ 100,000	9/30/18	Final Corridor Plan presented to Council 8/5/19.
			9. In 2019 SMAC funding will also be used to aid in funding inventory and videotaping of the City's in ground storm water collection system.	\$ 58,389	12/1/19	Contractor completed inventory/videotaping of City storm sewer system in 2019.
			10. In 2019, \$79,500 in CARS funding used to complete improvements to 50th Terrace from Roe to Cedar.	\$ 182,256	8/31/19	Project completed in summer of 2019.
			11. In 2019, information being gathered concerning the Kansas Land and Water Conservation Grant program, as an opportunity to partially fund R Park and Aquatic Center improvements planned for 2020/21.			Notice of grant would not come before award of contract for these two projects. Staff will look at applying for eligible projects planned out past 2020.

**Strategic Plan
Roeland Park, Kansas**

Page 4

Progress Report: 3/31/24

Goal and Strategy		Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
				12. Two CDBG eligible projects for 2021 funding presented to Council.	\$ 200,000	9/30/20	Two 2021 projects presented in May 2020, council direction was to apply for \$200k in funding for ADA Improvements at Community Center and Aquatics Center. Roeland Parks project is not recommended for funding as of 9/30/20.
				13. Looking at street, sidewalk and bike trail projects that would qualify for STP funding in 2022 or 2023.		12/30/20	Nall and Elledge improvement projects submitted for STP funding in May of 2020. Neither project was recommended for funding by the STP committee as of 12/30/20. The trail improvements planned in Phase 3 of R Park do not qualify for STP funds.
				14. Working with County on CARES Act funds to be allocated to JOCO cities.	\$ 213,000	12/31/20	City Administrator served on advisory committee to JOCO on how to distribute a portion of the \$116 million in CARES Act funds to cities. The City will receive \$213,000 in Cares Act funds. Projects supported by these funds have been completed.
				15. American Rescue Plan Act Fund Utilization	\$ 1,020,000	3/28/21	Witt O'Brien hired to assist the City in developing a plan for how best to employ the resources. US Treasury final guidelines issued 1/2022 allowing for all funds to be used for revenue replacement. Council adopted ARPA funding plan on 7/5/22. Service agreements with Habitat for Humanity and the Chamber approved on 10/3/22 to provide housing and local business assistance. Chamber is working on Project RISE. Other projects funded with ARPA resources include: Community Center Renovation, Pool Painting, Tornado Siren Replacement, Street Light Painting, License Plate Reader Cameras, AV upgrades to City Hall and Community Center, Zoning Code Updates. Tree Inventory and Project Rise in 2024.
				16. JCPRD Contribution to Community Center Parking/Storm Drainage Improvements	\$ 122,000	3/28/21	JCPRD has allocated funds for the parking lot and storm drainage improvement project. Contract awarded in September, to be complete prior to the start of the 2022 pool season.
				17. Kansas Creative Arts Grant identified and applied for in support of the 48th Street mural.	\$ 10,000	2/10/22	Received notification of a \$10,000 grant award for the mural project in July. Mural dedicated on 10/23/22. Grant funds received in February of 2022.

Strategic Plan						
Roeland Park, Kansas						
Page 5						
Progress Report: 3/31/24						
Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
			18. Application for \$200k in CDBG funding for the 2022 Elledge reconstruction project submitted.	\$ 151,000	10/1/21	CDBG award increased from \$125k to \$151k due to extra funds being available. Easements secured. Contract awarded and construction began in June of 2022. Construction to be complete in 11/2022.
			19. SMAC Grant submittal for replacement of corrugated metal pipe prepared for 2023 funding cycle.	\$ 436,335		City Engineer and PWD completed a grant submittal for lining the 60" corrugated metal storm pipe under Roe Blvd 1/31/22. SMAC approved \$436,355 in funding for 2023 construction.
			20. Consider implementation of a Stormwater Utility Fee to diversify revenue sources and potentially reduce mill.	\$ 300,000		Presentation and discussion held at 1/3/22 and 3/21/22 workshops. Comparison of cities collecting fee on not for profits provided on 4/4/22. Council direction on 4/4/22 was to develop and implement an education plan leading to the fee being implemented for FY 2024. Education plan has been developed. Council adopted a storm water policy on 1/17/22 that goes into effect 8/1/23. The 2024 storm water fee is reflected in the adopted 2024 budget. Communications have sent out through normal channels concerning implementation with letters sent to all commercial/school/ church/government property detailing how the fee was calculated and when the fee will take effect. Final implementation will occur with the 2027 Budget.
			21. Pursue Spark Grant	\$ 5,000,000		A SPARK grant was submitted 2/28/22 to fund renovations to the Community Center. Project was not approved for funding.
			22. Pursue BASE Grants	\$ 2,391,250		A BASE grant was submitted 2/28/22 for funds to complete improvements to and extend Roe Parkway to Roe Boulevard (\$2.2 million). A BASE grant was submitted 2/28/22 for funds to support the Johnson Drive improvements planned for 2022 (\$191,250). Neither project was selected for funding.
			23. Pursue STP and CMAQ Grants	\$ 1,120,000		In April 2022 a pre-application was submitted for 2025-26 STP funds in support of Phase 1 Nall Ave improvements completed along with a CMAQ funding application for replacing the street sweeper with an all electric sweeper. \$660k of STP funds awarded to Phase 1 Nall project (or 72% of construction) in 2025; no funding awarded for electric sweeper.

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Goal and Strategy		Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
				24. Pursue T Mobile Home Town Grants	\$ 50,000		Submitted 2022 Elledge Drive Complete Street project for funding consideration on 6/29/22. Received notice on 8/15/22 that grant was not awarded.
							9/12/22 submitted second grant application for the Mighty Bike play sculpture for \$50k. No grant awarded.
				25. Pursue CDBG grant for 2024	\$ 200,000		A \$200k application for CDBG funding for 2024 was submitted in support of a sidewalk extension and storm drainage improvement project between El Monte and Delmar. \$196k was awarded, the project will be completed in the summer of 2024.
				26. Regional Climate Pollution Reduction Grant- MARC Applicant to EPA			Staff developed and submitted 3 project ideas with funding to Roeland Park totaling \$13 Million. MARC is submitting the grant, no word yet on if funded.
				27. Pursue KDOT Cost Share Grant		on-going	The City is investigating what street projects may be eligible for this funding opportunity.
				28. Pursue SMAC Funds for Phase 1 Nall Storm Improvements			4/8/24 received notice of \$276k grant from SMAC for the 2026 Phase 1 Nall project.
				29. Pursue Active Transportation Infrastructure Investment Program Grants		on-going	The City is investigating what planning and construction projects may be eligible for this funding opportunity.
				30. Pursue Innovative Technology Program Grants for Transportation Systems			The City is investigating what planning and construction projects may be eligible for this funding opportunity.

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Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
1 C	Evaluate the historical, present and future financial commitments of Roeland Park and create a written analysis. (Phase 1)	City Administrator & Asst. City Administrator	1. In 2016, Columbia Capital completed an analysis of the debt obligations of the City which is now incorporated into the monthly financial summary provided by the Finance Director.	\$ 1,912	1/1/16	Complete
			2. In conjunction with development of the 2018 Capital Improvements Plan, the City acquired the Plan It asset management software. This system allows the City to plan for perpetual investment in each capital item under our responsibility. The system reflects the funding source, the timing of when resources are available and when resources will be spent. It employees a two part scoring system to prioritize projects. It has the capacity to attach all supporting documents associated with an asset including pictures, studies, plans and legislative records. This tool in concert with the three year budget forecast model employed by the City provides information necessary in determining the present and future financial needs of the City.	\$ 725	8/31/17	On going, updated annually with budget process.
			3. At Council's request, Columbia Capital provided borrowing scenarios and procedure information as part of the 2020 budget process. Staff also provided Council budget scenarios reflecting different borrowing amounts. The borrowing analysis focused on funding new parks/recreation amenities, beyond merely replacing existing infrastructure.	\$ 800	7/1/19	Council completed a planned \$1.25 million borrowing with a ten year maturity with a 1.51% interest rate to fund new parks and pool facilities as of 9/30/20; in addition two outstanding issues were refinanced saving residents over \$50,000.
			4. Council approved placing on the 11/3/20 ballot a question that would extend the term of the current special purpose sales tax as well as increase it from a quarter of a percent to one-half of one percent. This would generate an additional \$375,000 annually to be used on maintaining infrastructure and buildings.	\$ 375,000	11/3/20	Communications plan executed. Question was approved with 60% in support on 11/3/20.
1 D	Dedicate resources to create a financial plan with the purpose to diversify the revenue base. (Phase 1 and Phase 2)	City Administrator & Asst. City Administrator	1. In 2016, the Development Committee created development plans for The Rocks and Northeast RJ (the two undeveloped sites owned by the City. These uses will diversify the revenues which support city services.	\$ 23,290	12/31/16	Sale of Northeast RJ land closed on 12/26/19. Staff continues to discuss The Rocks with prospective developers.
			2. In 2017, the City approved plans for St. Luke's Hospital and Commerce Bank to develop new sites. Development of this property diversifies land use and contributes to diversity of revenues in support of city services.	\$ -	6/30/18	The two sites contribute to an attractive gateway and synergy of development at this intersection.
			3. In 2019, the City entered into a land sale agreement worth \$1.2 million with Sunflower Medical Group to construct a medical office building that will accommodate multiple medical service providers within the City limits.		5/6/21	Construction completed and facility occupied May 6, prior to the 6/25/21 construction completion deadline.
			4. In 2019, the City completed a corridor plan for Roe and 48th as well as Johnson Drive from Roe to Roeland Dr. This citizen lead initiative identified redevelopment scenarios for each corridor that residents support. All of the concepts would diversify and strengthen the City's revenue base.		8/19/19	Council has adopted the corridor plan.
			5. Entered into an MOU and land sale agreement with Sunflower Development on a mixed use development concept for the Rocks. The principal use being a 200 unit multi-family building.		1/2/22	MOU extended to 1/2/22. Land sale agreement approved 1/3/22. Due diligence period expired 5/4/22 without execution of the Land sale agreement.

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Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update	
			6. Enter into an MOU and land sale agreement with EPC for the Rocks to provide diversity in housing (200+ unit multi-family building as anchor) options as well as commercial space (mixed use).			MOU executed 6/21/22. Land sale agreement executed 9/6/22. Funding agreement approved 9/19/22. Development agreement, TIF Plan, CID, IRB, Rezoning and Preliminary Development Plan approvals completed 12/19/22. Final Development Plan approved 4/3/23. Sale of the property closed on 8/30/23. Construction to commence by 6/30/24.	
			7. Encourage redevelopment of Southwest Corner of Mission and 47th.			Planning Commission recommended rezoning and a preliminary development plan 12/20/22 for an urgent care use on the site.	
			8. Encourage redevelopment of the Presbyterian Church site.			Planning Commission has provided feedback to owner concerning a townhome concept on the site as well as recommending rezoning to allow use of the site as a theater. The theater concept has fallen through. Staff worked with a buyer on a special use permit to repurpose the site as a pre-school. They are hoping to open in fall 2024.	
1 E	Establish an Economic Development Committee to work with the City Council, residents and business community for implementation of the finance plan. (Phase 1 and Phase 2)	City Administrator & Asst. City Administrator	1. In 2015 The Development Committee was established. They have created development plans for The Rocks and Northeast RJ reflecting diverse uses to further the financial plan.	\$ -	1/31/21	The work of this Committee lead to a land sale for Northeast RJ in 12/2019. The buyer built a medical office facility. Committee efforts also led to sale of the Rocks for a mixed use development. Both sites will broaden the employment opportunities in Roeland Park and diversify the land uses in Roeland Park. Committee retired as of 1/31/21.	
Goal 2: Create a commercial development plan to revitalize underutilized property and leverage available land to create a sustainable community.							
2 A	Identify and prioritize potential commercial development sites in order to attract and retain developers and retail constituents supporting sustainable goals. (Phase 1)	City Administrator & Asst. City Administrator	1. The City also continues to support and attend the 47th and Mission Overlay Committee meetings along with representatives from the UG, Westwood, and area business leaders to discuss development in the district including the plans for development at the southwest corner of 47th and Mission.	\$ -		47 Committee developed revisions to the development standards, approved by Council on 5/2/22. City continues to encourage redevelopment on the SW corner of 47th and Mission.	
			2. The Rocks and Northeast RJ development plans support this goal.	\$ -		Land sale for Northeast RJ (for \$1.2 million) in 12/2019. The buyer built a medical office facility. The Rocks property was sold on 8/30/23 to EPC. Both of these projects result in development of underutilized sites that broaden the employment opportunities in Roeland Park and diversify the land uses contributing to a more sustainable community.	

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Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
			3. In 2017, City learned more about the Walmart site lease terms and identified the TIF1 resources that will accumulate through the end of the TIF (2023).	\$ -	12/31/18	TIF development amended in 2018 to expand options for use of excess TIF resources. \$2.368 million in TIF 1 resources used on the Roe 2020 project.
			4. In 2018, the City identified the TIF3 resources that will accumulate through the end of the TIF (2025) and has incorporated these incentives into marketing of The Rocks.	\$ -	12/31/18	Ongoing
			5. In 2018, the City took the lead to clear up land use uncertainty for properties along the north side of Johnson Drive.		8/31/18	Covenant amendments filed, first redevelopment within the corridor underway in 2018 and completed in 2019.
			6. In 2019, a citizen-led planning/visioning process occurred for the area at 48th and Roe as well as along Johnson Drive. This effort produced redevelopment concepts for land along these corridors.		8/19/19	The final report was adopted by Council on 8/19/19.
			7. Update the Comprehensive Plan plus review Universal Design guidelines and residential design standards	\$ 65,000	9/21/20	Comprehensive plan was adopted by Council on 9/21/20.
			8. Complete strategies included in Comprehensive Plan Update	\$ 20,000	11/1/21	Universal Design incentives developed and adopted on 9/7/21. Residential Design Standards developed and adopted 11/1/21.
			9. Create TIF 4 district to support mixed use development of the Rocks site.			TIF 4 created and TIF 3 boundary amended on 2/21/22. TIF 4 development plan approved and will become active in 2025.
2 B	Leverage commercial development sites as anchors for transforming Roeland Park into a community that serves to attract all ages with target audiences of young adults and seniors. (Phase 2)	City Administrator & Asst. City Administrator	1. The Sustainability Committee and Asst. City Administrator have been working through the MARC Community for All Ages recognition program.	\$ -	4/19/19	The City received Silver designation in 2017 and Gold designation in April of 2019.
			2. The mix of uses reflected in The Rocks and Northeast RJ site plans further this goal.	\$ -		The addition of professional medical services at the Northeast RJ site (via Sunflower Medical and Advent Health) also provided new employment opportunities both of these contribute to Roeland Park being more attractive to a broader age range of residents. The proposed mixed use development of the Rocks will add diversity of housing options as well as new commercial space; this too enhances Roeland Park's appeal to a broader age range of residents.
			3. The Planning Sustainable Places planning/visioning project (see Goal 2A above) also furthers this goal.		8/19/19	Both the Johnson Drive and 48th/Roe corridors provided mixed use redevelopment concepts that would broaden commercial and residential offerings attractive to all ages. The final report was adopted by Council on 8/19/19.
			4. In 2018, the City adopted a Master Sidewalk/Bikeway Plan which serves as a guide for extending sidewalks and biking routes, this furthers this goal.	\$ 3,000	6/30/18	The plan aids in identifying sidewalk extensions as well as bike route additions in coordination with street projects.

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Goal and Strategy		Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
				5. The City developed the R Park Phased Development Plan on 3/18/19 and approved the design task order for Phase 1 of development plan which will install a pavilion and fully accessible restroom facility. The Master Plan also incorporates elements of Universal Design which will increase accessibility to and throughout the park.		4/7/23	Phase 1 and 2 completed 11/30/20. Phase 3 completed 4/7/23.
				6. Assemble land to encourage redevelopment along north side of Johnson Drive.			Council authorized the purchase of 3 adjoining properties at the east end of this corridor on 3/21/22. Closing completed on 4/30/22. Tenant leases for both sites are in place for up to 18 months. St. Luke's has indicated that they are not interested in purchasing the north end of the vacant lot. Discussions with adjoining residential lots will occur along with development of a preliminary plat.
2	C	Establish an Economic Development Committee (as mentioned in Goal 1) to reignite dialogue between developers, planning committee, citizens, and others by increasing transparency at each level. (Phase 2)	City Administrator & Asst. City Administrator	1. The Development Committee was established in 2015 as addressed in Item 1E.	\$ -	12/31/21	With the sale of the Rocks site pending the goal of the Committee has been achieved, the Committee's annual term expired on 12/31/21.
				2. In 2019, Planning Commission and Development Committee members serve with citizens and commercial property owners on the PSP Project Committee, leading an intense community engagement process, looking at the 48th and Roe intersection and Johnson Drive corridor.		8/19/19	Corridor plan adopted in August 2019.
				3. In 2019, a Business Satisfaction Survey was administered for the first time.	\$ -	4/8/19	Results of survey presented on 4/8/19.
Goal 3: Market Roeland Park to increase awareness and promote a positive image.							
3	A	Create a new branding endeavor of Roeland Park as premier city of choice. (Phase 1)	City Clerk	1. In 2017, the City completed a branding plan and logo. Implementation of the branding plan began in 2018.	\$ 14,740		Logo has been implemented on vehicles, buildings, wayfinding signs, clothing, social media, website and official documents, street signs and entryway signs.
				2. In 2019 a marketing firm will assist in enhancing pubic communications as well as implementing the branding initiative.			PIO was selected and began work on 1/1/19. The effectiveness of our communications efforts is reported monthly, comparing our performance to that of comparable communities.
				3. The City hired Civic Plus to create a new website that included the new logo and help rebrand the City. Website was completed in 2018.		8/2/18	Complete
				4. Council approved finish elements for street lights, traffic lights, benches, stamped concrete and entryway monuments as part of the Roe 2020 project that will further the City's brand and provide for a unique appearance for Roeland Park.	\$ -	7/1/19	These elements are reflected in the Roe 2020 project. Logo was incorporated on street names signs and street banners along Roe. Three entryway signs installed in August 2021 with color changing capacity employed during the 2021 holidays for the first time.

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Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
			5. 4 seasons of street banners employing the City logo developed and installed on Roe Boulevard. Lit winter decorations also provided.	\$ 46,000	9/30/21	Four seasons of street banners have now been installed along Roe. Lit winter decorations installed 12/1/21 for the first time.
			6. City Hall and Community Center Exterior Branding		10/1/23	The exteriors of both the Community Center and City Hall were stained with a similar color and design enhance the communities brand identity.
			7. Update to Website	Cost is included in annual service agreement with Civic Plus	4/5/24	Civic Plus has developed a new layout for the homepage and is working to remove old files. Intent is to enhance search functionality as well as improve usability. The updated site went live on 4/5/24.
3 B	Ensure continuous outreach to effectively engage citizens, businesses, public and nonprofit sector. (Phase 1)	City Clerk/Police Chief	1. In 2017, more outreach through social outlets began.			Ongoing
			2. In 2017, a six month public engagement process was completed for the Roe 2020 visioning.		11/2/17	Complete
			3. In 2018, a monthly Communications Report was created to track the effectiveness of efforts to engage the public.			As of 9/30/20 the PIO provides a quarterly communications report and presentation to council.
			4. In 2018, the number of newsletters was increased to 6 to 8. This will go back to 6 in 2019.		12/31/18	Complete
			5. In 2018, the city website was updated.	\$ 18,781	8/2/18	Complete
			6. In 2018, the City engaged residents of The Roe Manor Heights subdivision to eliminate discriminatory language from their covenants and uncloud land use issues for lots fronting on Johnson Drive.	\$ 10,000	5/22/18	This created a process that can be followed with other subdivisions to eliminate discriminatory language.
			7. In 2019, an intensive public engagement process is occurring in concert with the Planning Sustainable Places project.	\$ 100,000	8/19/19	Corridor Plan adopted by Council.
			8. In 2019, an intensive public engagement process will occur in concert with the Comprehensive Plan update.	\$ 65,000		Confluence began working with the Planning Commission in August of 2019; on 9/21/20 the Comprehensive Plan was adopted by the Council.
			9. In 2019, a marketing firm will be engaged to enhance public engagement as well as further the branding initiative.	\$ 12,000	12/31/19	Consultant began 1/1/19, contract continuing into 2020.
			10. In 2019 a communications plan for the 2019-20 leaf pick up program was developed to guide communications efforts leading up to and during this project.			Implemented on 10/23/19
			11. In 2019 a communications plan for the Roe 2020 project was developed to guide communications efforts leading up to and during this project.			Implemented on 10/31/19
			12. In 2019 a communications plan for the R Park Phase 1 improvements was developed to guide communications efforts leading up to and during this project.			Implemented on 11/20/19
			13. In 2019 a communications plan for the Aquatic Center renovation project was developed to guide communications efforts leading up to and during this project.			Implemented on 12/5/19
			14. Video taping of council meetings began on 1/6/20 to provide residents the ability to watch council meetings and stay apprised of issues being discussed by their elected leaders.	\$ 3,230	1/6/20	Complete
			15. Virtual Council and Committee meetings implemented in order to continue the work of the City while affording public participation.			In March of 2020 City secured a monthly subscription to GoToMeeting, affording public access to virtual meetings.

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Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
			16. Hybrid meeting capability implemented allowing for residents to attend virtually or in person as well as adding closed captioning.			Changed to Zoom in June 7, 2021. No additional cost over GoToMeeting. Closed captioning capability is a free app. Meetings continue to be recorded and made available to the public on YouTube.
			17. Work with Chamber to enhance engagement with the Roeland Park business Community.	\$ 162,000		Contract for service executed in 4th Quarter of 2022. Project Rise created and implemented in first half of 2023. Council has created a Task Force to review work complete in 2023 and identify goals for 2024. Service agreement with Chamber approved December 2023 for 2024.
3 C	Establish Roeland Park as the premier community for location and service. (Phase 1)	City Clerk/Police Chief	1. In 2016, the City completed a third citizen satisfaction survey to benchmark performance against neighboring communities and identify what service areas have the greatest return on resources invested.	\$ 15,000	10/30/16	The benchmark document has aided in setting annual Objectives (priorities) as part of the budget development process.
			2. In 2016, the City completed a single family Cost of Living Comparison to benchmark with the other KC metro communities.	\$ -	10/30/16	The benchmark document has aided in setting annual Objectives (priorities) as part of the budget development process.
			3. In 2019 a Citizen Satisfaction Survey was completed, this will continue to identify areas where we can improve compared to neighboring communities, but also identify trends from efforts implemented since the 2016 survey.	\$ 20,000	4/1/19	Survey completed 4/1/19. Overall satisfaction increased 1.8 points from 20016 survey.
			4. In 2019 a tax rebate program was implemented to provide tax relief to impoverished members of the community.	\$ 2,865	12/1/19	Complete, the program will continue in 2020.
			5. In 2019 the City doubled its contribution to its Minor Home Repair Program.	\$ 4,500	1/1/19	Complete
			6. Complete single family Cost of Living Comparison to benchmark with the other KC metro communities in 2020.	\$ -	6/15/20	The benchmark document was updated to reflect costs as of 1/1/20. It is used in setting annual Objectives (priorities) as part of the budget development process as well as providing insight on solid waste, sales tax, property and storm water fees.
			7. The City completed a process to select a solar services consultant/partner in order to complete analysis of the potential rate of return and payback period for solar energy installations at municipal facilities. The project would reduce dependency on fossil fuel derived energy and advance the city's role as a leader in sustainable efforts.			In partnership with Everygy the City is moving forward with solar installations at the Community Center and City Hall. The IRR of the project is 236% with a 2.5 yr. payback period. Roof was replaced at City Hall 12/15/20. Solar was operational at the Pool Pump House in May 2021 and at the Community Center and City Hall in June of 2021. A dashboard accessible through the City website to shows performance of the two solar installations.
			8. Receipt of the Leading the Way Award from ETC, recognizing Roeland Park as being in the top 10% of all cities for levels of citizen satisfaction.		9/20/21	Award presented at the 9/20/21 council meeting.

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Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
			9. First KC area curbside glass recycling service implemented city wide.		1/1/23	As of 1/1/2023 a new curbside glass recycling service unique to the metro area began. Monthly reports provided on participation and diversion weights. Year 1 report presented at 2/5/24 meeting.
Goal 4: Connect citizens to the community through events, places, services and activities.						
4 A	Increase effective communication as an essential element in the quest to increase community involvement. (Phase 1)	All Directors/City Administrator	1. The Events Committee coordinates events throughout the year to bring residents out to meet and enjoy Roeland Park amenities. In 2018 they hosted the Fall Family Picnic at R Park and the Spring Fling at Nall Park. The Governing Body and Staff continue to recruit to build participation in the Events Committee. The committee has been re-configured as the Community Engagement Committee which will shift to engaging the public in smaller scale events and assisting staff with planning of larger events.			Ongoing
			2. In 2017, more outreach through social outlets began.			Ongoing
			3. In 2017, a six month public engagement process was completed for the Roe 2020 visioning.		11/2/17	Complete
			4. In 2018, a monthly Communications Report was created to track the effectiveness of efforts to engage the public.			Ongoing
			5. In 2018, the number of newsletters was increased to 6 to 8. Went back to 6 in 2019.			Ongoing
			6. In 2018, the city website was re-designed.	\$ 18,780	8/2/18	Complete
			7. In 2018, the City engaged residents of The Roe Manor Heights subdivision to eliminate discriminatory language from their covenants and uncloud land use issues for lots fronting on Johnson Drive.	\$ 10,000	5/22/18	Complete
			8. In 2019, an intensive public engagement process occurred in concert with the Planning Sustainable Places project focused on the Johnson Drive and 48th/Roe corridors.		8/19/19	Corridor Plan adopted by Council.
			9. In 2019, an intensive public engagement process began in concert with the Comprehensive Plan update.			Council adopted Comp Plan on 9/21/20.
			10. In 2019, a marketing firm will be engaged to enhance public engagement as well as further the branding initiative.			Started 1/1/19.
			11. In 2019 communications plans developed for major projects.		12/5/19	Complete
			12. In 2019 quarterly progress reports provided to track efforts which address the Strategic Plan Initiates.			Ongoing
			13. Citizens Academy Offered	\$ 7,000	11/3/21	Council approved providing a citizen's academy in the fall of 2021 with \$4,000 of the \$7,000 total cost being covered by donations. Classes began in September concluded in November 2021. We plan to conduct the academy every other year.
			14. 2021 Citizen satisfaction survey.	\$ 20,850	9/30/21	Council finalized special questions in May, survey distributed in June, final report was in September. Significant improvement in satisfaction with community engagement noted.

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Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
			15. Utilize ETC's small survey tool to gather public input/feedback on current topics.	\$ -	3/31/22	The City utilized this new service for the first time to gather public input concerning a tree preservation policy being considered. A second survey was conducted to gather insight on declines in satisfaction with the bulky item pick up service.
			16. 2023 Resident satisfaction survey.	\$ 20,850	7/24/23	Council finalized special questions in April, survey distributed in May, final report was in July. Overall satisfaction index increased for the 4th consecutive survey.
			17. 2024 Citizens Academy Offered	\$ 9,000		Recruiting for a spring academy began in December of 2024. The academy will run 9 weeks from April through May.
			18. Budget Engagement Objective	\$ 7,000		With the 2025 budget development process the City is implementing use of the Balancing Act interactive budget software platform.
4 B	Increase civic activities to connect residents to the community. (Phase 2)	All Directors/City Administrator	1. The Events Committee coordinates events throughout the year to bring residents out to meet and enjoy Roeland Park amenities. In 2018 they hosted the Fall Family Picnic at R Park and the Spring Fling at Nall Park. The Governing Body and Staff continue to recruit to build participation in the Events Committee. The committee has been re-configured as the Community Engagement Committee which will shift to engaging the public in smaller scale events and assisting staff with planning of larger events.			Ongoing
			2. For 2019 Roeland Park partnered with Westwood and Kansas City, Kansas on a new festival (The 47 Foodie Fest) with brought residents to the 47th and Mission corridor.	\$ 3,000	9/8/19	Successfully completed first event on 9/8/19. Successfully completed 2nd event with increased attendance on 6/5/22.
			3. KC Symphony performance at R Park.		4/15/21	An estimated 350 people attended this free concert at our recently completed park renovation.
			4. Pool renovation ribbon cutting event with DJ and T-shirt give away.		5/29/21	The event celebrated completion of the pool renovations and opening of the pool for the 2021 season.
			5. First ever dog swim at Aquatic Center.		9/7/21	Very strong attendance with 78 dogs attending. \$500 raised in support of K-9 officer.
			6. First ever Haunted Trail event held at Nall Park.		10/23/21	Over 500 people attended this new event.
4 C	Promote community service opportunities to encourage resident involvement and connection to Roeland Park. (Phase 2)	All Directors/City Administrator	1. In 2014, the Citizen's Fundraising for R Park secured a grant for granular trails in R Park.	\$ 25,500	10/31/14	Complete
			2. In 2017, the Parks Committee in collaboration with the Urban Trail group completed the design and construction of a multi-user trail in Nall Park.		11/30/17	Complete
			3. In 2018, Citizen's Fundraising for R Park, Parks Committee and Arts Committee led fundraising for a new signature art piece at R Park.	\$ 80,000	5/22/19	All funds have been raised and See Red Run sculpture installed in May 2019.
			4. In 2017, Citizen's Fundraising for R Park led fundraising for a new pavilion at R Park.			Design of the structure is progressing in concert with the Phase 1 improvements at R Park scheduled for 2020.

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Goal and Strategy		Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
				5. In 2018, the Parks Committee began working on developing a phased development plan for R Park.	\$ 30,000	3/18/19	Phased development plan adopted 3/18/19. Design of the phase 1 elements is underway in 2019.
				6. In 2019, the Neighbors Helping Neighbors program was established to provide property maintenance assistance for owners who are not able to complete the work themselves.	\$ 5,600	12/31/19	The program was a success in 2019 and will continue in 2020.
				7. In 2019, an Aquatics Advisory Committee was established as a standing committee to provide recommendations on pool related policy and operations.	\$ -	6/1/19	Complete
				8. In 2020, an Ad Hoc Historical Committee was established to work on updating the City's history book and Historic Markers.			Committee membership established in March 2020, no progress as of yet.
				9. In 2020 an Ad Hoc Police Policy Review Committee was established to work on updating Police policies.		6/20/21	A divers group was appointed to this committee which has been reviewing police policy and making recommendations on to the Council. All policies reviewed and implemented in June of 2021.
				10. In 2020 an Ad Hoc Racial Equity Committee was established to work on developing a way to measure progress being made by the City to ensure racial equity.			A divers group was appointed to this committee which has been considering a rubric to measure racial equity progress. The committee was converted to a standing committee in March of 2021. They are working on implementing the objectives they developed and also partnering with Joco on DEI initiatives.
				11. In 2022 a citizen group presented an idea for a Mighty Bike Play Sculpture to compliment the green traffic garden at R Park. The group has committed to raising \$70,000 in support of the concept.	\$ 160,000		Council has incorporated the concept into a 2023 budget objective. Refined cost estimates reflect a total project cost of \$287k. Alternative pricing continues to be pursued along with alternative design options. Universal Design agreed to include this project in their scope of work at no cost. Contracts are in place with a structural engineer and playground safety specialist. A funding agreement is in place to ensure the \$60k of matching donations will be available.
Goal 5: Promote recreational opportunities through enhanced green space, facilities and communication.							
5 A	Develop existing facilities and green space to maximize usage and service to the public. (Phase 2)	Public Works Director		1. In 2014 granular trails added to R Park.	\$ 29,000	12/1/14	Complete
				2. In 2014, new Community Center roof installed.	\$ 107,710	12/1/14	Complete
				3. 2016, new water fountain, benches, receptacles and picnic tables added at R Park.		10/31/16	Complete
				4. In 2016 restrooms and shelter renovated at Nall Park, new water fountain installed and playground equipment repainted.	\$ 103,500	8/30/16	Complete
				5. In 2016, plans to relocate public works in order to see that property developed to a higher and better use.			Ongoing

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Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
			6. City Hall ADA compliance modifications began in 2017 and will continue through 2020.	\$ 12,000	2/14/22	Final designs approved by Council in the 4th quarter of 2020. Bid awarded in March 2021. Final completion on 2/14/22.
			7. In 2017, multi-purpose trail added to Nall Park.	\$ 12,000	10/1/17	Complete
			8. In 2018, tennis courts reconstructed at R Park.	\$ 160,690	7/1/18	Complete
			9. In 2018, arboretum installed at R Park.	\$ 25,000	10/5/18	Complete
			10. In 2018, new shade sail structure added at Granada Park and two shade structures added at R Park.	\$ 42,190	4/29/19	Complete
			11. In 2018, completed Pool Analysis establishing direction for summer only pool operations. Improvements to pool will be planned during 2019.	\$ 35,555	11/31/18	Complete
			12. In 2018, new roofs were installed on the pump house and pool house structures, replaced main drain valve, replaced corroded fittings in pump house, lighting replaced, diving boards restored, chemical treatment system replaced, vortex/kiddie pool and slide pool repainted, and concrete deck repairs completed.	\$ 84,150	12/31/18	Complete
			13. In 2019 the following improvements were completed at the pool: replacing broken concrete deck panels, new climbing wall, removal of dome tethering system, new signage, caulking of deck, refurbishing of bulkhead, valve and fitting replacements in pump house, new dispensers in restrooms.	\$ 105,000	9/9/19	Complete
			14. In 2019 an interior/exterior design assessment lead by an ad hoc citizen committee provided design plans to enhance the Community Center.	\$ 19,500	12/9/19	Complete. Phased improvements have been incorporated into the Capital Improvement Plan.
			15. In 2019 two A/C only air handling units replaced by combined A/C and Heat forced air units at the Community Center. This allowed for the elimination of the boiler system while improving the energy efficiency of the building.	\$ 35,000	12/15/19	Complete
			16. Phase 1 and 2 of R Park Development Plan to include a new pavilion, restroom facility, soccer field, paved trail, ADA access and more	\$ 1,400,000	11/30/20	Council selected a contractor for phase 1 and 2, work began in May 2020. Neighborhood meeting held 4/22/20. Substantial completion reached in November of 2020.
			17. Nall Park amenity replacement.	\$ 31,343	1/17/20	Receptacles, benches and picnic tables replaced at Nall Park.
			18. In 2020-21 a major renovation is planned for the Aquatic Center.	\$ 1,800,000	5/29/21	Contract was awarded in June of 2020, work completed in May of 2021.
			19. Prohibit use of tobacco products at parks and recreation facilities.	\$ -	4/1/21	Passed ordinance on 3/1/21; goes into affect on 4/1/21; signage will be installed by 4/1/21. Education on the new law will be provided by social media, newsletter and city web site.
			20. Sweaney Park Amenity Replacement	\$ 4,245	8/9/21	Equipment has been delivered to Public Works. Installation complete 8/9/21.
			21. Improvements to Cooper Creek Park Phase 1.	\$ 33,000	11/30/21	Invasive species removal, fence installation, art installation, landscaping around welcome sign, new concrete pads added.
			22. Phase 3 of R Park Development Plan to include new playground equipment, paved trails, green traffic garden.		4/7/23	Construction began 7/2022; playground fall protection completed 4/7/23.
5 B	Enhance promotion of community events, facilities and programs to increase awareness and recreation participation. (Phase 1)	City Clerk	1. Every issue of the Roeland Parker includes upcoming events and dedicates a page to the recreational activities at the Community Center. In addition, staff send media blasts through constant contact emails and social media of all City events.			Ongoing each year.

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Goal and Strategy	Description	Responsible Party	Specific Activities Undertaken to Achieve this Goal	Cost or (Revenue)	Date Completed	Status/Progress/Update
			2. In partnership with JCPRD, tennis lessons were offered at the new tennis courts in 2018.	\$ -		Ongoing each year.
			3. In partnership with JCPRD and the Events Committee the Egg Hunt and Mayor's Tree Lighting events are being promoted through JCPRD publications as well as being assisted with planning/coordinating/staffing of these events. Attendance at the tree lighting was better in 2018 than it has been in the past 5 years, feedback was very supportive of holding the event at the Community Center and having more groups participating in the performances.	\$ -		Ongoing each year.
5 C	Identify and leverage additional financial, human and creative resources to expand recreational opportunities. (Phase 2)	City Clerk/Public Works Director	1. The Citizen's Fundraising Initiative for R Park has been active since 2014. Through 12/31/18 the group has raised \$229,403 in support of a limestone trail, benches, picnic tables, receptacles, signage, drinking fountain, a pavilion, an arboretum, shade structures, and artwork via fundraising events, grants, product sales, donations, awards and in-kind donations for the betterment of R Park.	\$ (229,403)		Ongoing
			2. In concert with Urban Trail and the Boulevard Apartments the City developed a multipurpose trail in Nall Park.	\$ 12,000	12/1/17	Complete
			3. In 2017, the City secured \$32,000 in funding to leverage against local resources in the reconstruction of the tennis courts at R Park. The courts now contain lines for youth play as well as lines for Pickle Ball play. JCPRD in partnership with the City is offering recreational programming at the new facility.	\$ 160,690	7/1/18	Complete
			4. Items 5.B.2 & 3 above also support this strategic initiative by utilizing JCPRD's staff and experience to expand recreation opportunities.	\$ -		Ongoing each year.
			5. In 2019 the Council included adding a Parks and Recreation Superintendent position to the staff as part of the 2020 budget.	\$ 100,000	1/6/20	Complete
			6. JCPRD committed \$122,000 in support of parking/storm improvements at the Community Center Campus.	\$ 122,000	6/21/22	Contract awarded 9/2021, work completed 6/21/22.
			7. CDBG grant applications will be submitted for two phases of planned renovations at the Community Center in 2023 and 2025, the requests will be for the maximum amount of \$200k for each of the two phases. \$385k in ARPA Funds also allocated to the projects.	\$ 785,000		CDBG application for 2023 funding complete and submitted 5/22/22. CDBG funds not awarded. Phase 1 Construction began 11/2022.
			Total	\$ 27,701,909		