

AGENDA
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall - 4600 W 51st St
August 15, 2016 7:00 PM

Pledge of Allegiance
Roll Call
Modification of Agenda

I. Citizens 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. 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. Appropriation Ordinance # 895
- B. May 16, 2016 City Council Minutes
- C. Committee Liaisons

III. Business From the Floor

- A. **Applications / Presentations**

IV. Mayor's Report

- A. St. Agnes TARC Team Proclamation (Team America Rocket Challenge)

V. Workshop and Committee Reports

- A. Workshop and Ad Hoc Summary
- B. Bike Walk Ad-Hoc Final Report

VI. Reports of City Liaisons

VII. Unfinished Business

VIII. New Business

IX. Ordinances and Resolutions:

- A. Resolution 649 Approving the 2017 Budget

- B. ORDINANCE NO. 931 AN ORDINANCE RELATING TO THE ADMINISTRATION OF THE CITY OF ROELAND PARK, KANSAS; AMENDING AND REPEALING EXISTING SECTIONS 1-204, 1-207, 1-208, 1-212, 1-217 AND 1-315 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS
- C. Poppa Version CHARTER ORDINANCE NO. 33 A CHARTER ORDINANCE AMENDING AND REPEALING CHARTER ORDINANCE NO. 26; ALSO AMENDING AND REPEALING EXISTING SECTIONS 1-203 AND 1-203.1 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.
- D. Rhoades Version CHARTER ORDINANCE NO. 33 A CHARTER ORDINANCE AMENDING AND REPEALING CHARTER ORDINANCE NO. 26; ALSO AMENDING AND REPEALING EXISTING SECTIONS 1-203 AND 1-203.1 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.
- E. Poppa Version CHARTER ORDINANCE NO. 34 A CHARTER ORDINANCE EXEMPTING THE CITY OF ROELAND PARK, KANSAS FROM THE PROVISIONS OF K.S.A. 14-301 AND 14-307 RELATING TO THE POWERS AND DUTIES OF THE MAYOR AND PROVIDING SUBSTITUTE PROVISIONS THEREFOR
- F. Rhoades Version CHARTER ORDINANCE NO. 34 A CHARTER ORDINANCE EXEMPTING THE CITY OF ROELAND PARK, KANSAS FROM THE PROVISIONS OF K.S.A. 14-301 AND 14-307 RELATING TO THE POWERS AND DUTIES OF THE MAYOR AND PROVIDING SUBSTITUTE PROVISIONS THEREFOR
- G. ORDINANCE NO. 937 AN ORDINANCE RELATING TO RENTAL HOUSING; AMENDING AND REPEALING EXISTING SECTIONS 5-704, 5-705, 5-706 AND 5-711 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.

X. Reports of City Officials:

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: Consent Agenda- II.-A.
Committee 8/15/2016
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Appropriation Ordinance # 895**
Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
☐ Appropriation Ordinance # 895	Cover Memo

The City of Roeland Park, Kansas

4600 West Fifty-First Street

Roeland Park, Kansas 66205

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

Friday, August 12, 2016

Appropriation Ordinance - 8/15/2016 - #895

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 15th day of August, 2016.

Attest:

City Clerk

Mayor

Total Appropriation Ordinance	\$	555,915.32
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There are sufficient funds in the General Fund to cover general fund expenditures.

Appropriation Ordinance - 8/15/2016 - #895

Vendor	Dept	Acct #	Description	Invoice Description		Amount	Check /EFT	
							Chk #	Date
Advance Auto Parts	102	5260.102	Vehicle Maintenance	Invoice: 5128621722689 /	8/10/2016	54.24	65898	54.24
Airgas USA, LLC	106	5306.106	Materials	Invoice: 9938266363 /	8/10/2016	88.08	65899	88.08
Alamar Uniforms	102	5308.102	Clothing & Uniforms	Invoice: 520163 /	8/3/2016	151.98	65860	468.52
Alamar Uniforms	102	5308.102	Clothing & Uniforms	Invoice: 514238 /	8/3/2016	316.54	65860	
American Fidelity Assurance Co.	101	2052.101	Supplemental Insurance Payable	Invoice: 1238819A /	7/20/2016	60.00	65822	60.00
American Fidelity Assurance Co.	101	2052.101	Supplemental Insurance Payable	Invoice: 1238820-5A /	8/3/2016	208.33	65861	1,538.74
American Fidelity Assurance Co.	101	2052.101	Supplemental Insurance Payable	Invoice: 1238820-5A /	8/3/2016	1,330.41	65861	
American Fidelity Assurance	101	2052.101	Supplemental Insurance Payable	Invoice: B490818 /	7/27/2016	1,434.36	65845	1,434.36
Arboles Tree Trimming LLC	106	5321.106	Tree Maintenance	Invoice: 1382 /	8/3/2016	1,200.00	65862	1,200.00
Asphalt Sales Company, Inc	270	5438.270	In-house Street Maintenance	Invoice: 131304 /	7/20/2016	218.01	65823	1,268.93
Asphalt Sales Company, Inc	270	5438.270	In-house Street Maintenance	Invoice: 131285 /	7/20/2016	1,050.92	65823	
Asphalt Sales Company, Inc	270	5438.270	In-house Street Maintenance	Invoice: 131558 /	8/3/2016	186.19	65863	1,229.80
Asphalt Sales Company, Inc	270	5438.270	In-house Street Maintenance	Invoice: 131529 /	8/3/2016	1,043.61	65863	
Barnhart Security & Alarm, Inc.	106	5210.106	Maintenance And Repair Building	Invoice: 6528 /	8/3/2016	75.00	65864	75.00
Sylvester Birdsong	102	5308.102	Clothing & Uniforms	Invoice: 7/31/16 WORKBOOTS /	8/10/2016	89.99	65900	89.99
Blue Sky Cleaners	102	5224.102	Laundry Service	Invoice: 7/31/16 /	8/10/2016	216.60	65901	216.60
Kelley Bohon	105	5206.105	Travel Expense & Training	Invoice: 7/26/16 TRAVEL /	7/27/2016	14.58	65846	14.58
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	Invoice: 1024854 /	7/20/2016	35.00	65824	35.00
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	Invoice: 1025411. /	8/10/2016	35.00	65902	35.00
C & C Group	101	5210.101	Maintenance & Repair Building	Invoice: 89189 /	8/3/2016	125.32	65865	125.32
C & G Rubber Stamp, Inc.	106	5306.106	Materials	Invoice: 113271 /	8/3/2016	80.00	65866	80.00
City of Fairway	360	5760.360	Building Expense	Invoice: 1 SALT STORAGE /	8/10/2016	59,050.85	65903	59,050.85
Coleman Equipment Inc.	106	5211.106	Maintenance & Repair Equipment	Invoice: 14154 / BCKT RNTL SKID STEER	8/3/2016	168.00	65867	168.00
Coleman Equipment Inc.	106	5211.106	Maintenance & Repair Equipment	Invoice: 14969 /	8/10/2016	1,379.54	65904	1,379.54
Columbia Capital Management, LLC	101	5209.101	Professional Services	Invoice: 16430007 /	7/27/2016	4,038.12	65847	4,038.12
Occupational Health Centers of the SW	106	5207.106	Medical Expense & Drug Testing	Invoice: 1009583017 /	8/3/2016	127.00	65868	127.00
Consolidated Communications	101	5202.101	Telephone	Invoice: 7/9/16 /	7/20/2016	1,350.71	65825	1,350.71
Custom Tree Care, Inc.	106	5214.106	Other Contracted Services	Invoice: 15356 /	8/10/2016	190.00	65905	361.00
Custom Tree Care, Inc.	106	5214.106	Other Contracted Services	Invoice: 15357 /	8/10/2016	171.00	65905	
E. Edwards, Inc.	106	5308.106	Clothing & Uniforms	Invoice: 7181612052 / workwear daniel v	8/3/2016	159.95	65869	159.95
Ben Egidy	102	5206.102	Travel Expense & Training	Invoice: 8/1-8/3/16 TRAVEL /	7/27/2016	180.00	65848	180.00
Environmental Systems Research Institi	106	5814.106	Computer Software	Invoice: 93158325 /	8/3/2016	400.00	65870	400.00
ETC Institute	101	5516.101	Strategic Planning	Invoice: 21477 /	7/20/2016	4,570.00	65826	4,570.00
Fastenal Company	106	5306.106	Materials	Invoice: MOKC449907 / plow bolts/top lock	7/20/2016	11.95	65827	11.95
Fastenal Company	106	5306.106	Materials	Invoice: MOKC450232 /	8/3/2016	15.02	65871	15.02
First Bank Leasing	360	5619.360	Lease/Purchase Principal	CK32174 Invoice: 7/22/16 LOAN PAYMENT	7/27/2016	27,908.40	32174	31,251.00
First Bank Leasing	360	5620.360	Lease/Purchase Interest	CK32174 Invoice: 7/22/16 LOAN PAYMENT	7/27/2016	3,342.60	32174	
First Bank Leasing	101	5401.101	Insurance & Surety Bonds	CK32175 Invoice: 7/27/16 MOSS PRINT /	7/27/2016	372.88	32175	372.88
Gilmore & Bell, P.C.	200	5214.200	Other Contractual Services	Invoice: 35384 /	7/20/2016	650.00	65828	650.00

David J. Grummon, P.A.	103	5209.103 Professional Services	Invoice: 7/12/16 /	7/20/2016	150.00	65829	150.00
Hanna Rubber Company	106	5306.106 Materials	Invoice: 1205452IN / water heater hose en	8/10/2016	8.00	65906	8.00
Harbour Construction, Inc.	300	5221.300 Contract Street Maintenance	Invoice: 13099280 /	7/20/2016	149,642.37	65830	149,642.37
Mandy Honeyman	101	4215.101 Building Permit	Invoice: 7/15/16 DUMPST.OVERP /	7/20/2016	10.00	65831	10.00
Johnson County Wastewater	101	5198.101 Sewer	Invoice: 1838/3179/9550 7/16 /	7/20/2016	175.79	65832	440.82
Johnson County Wastewater	106	5198.106 Sewer	Invoice: 1838/3179/9550 7/16 /	7/20/2016	265.03	65832	
Johnson County Wastewater	106	5198.106 Sewer	Invoice: 7699 7/28/16 /	8/10/2016	13.25	65907	13.25
Johnson County Government	101	5218.101 IT Services & Communication	Invoice: 98992 /	7/27/2016	4,291.43	65849	4,291.43
Johnson County Key Service, Inc.	101	5210.101 Maintenace & Repair Building	Invoice: 128288 /	7/20/2016	10.50	65833	10.50
Jennifer Jones-Lacy	101	5203.101 Printing & Advertising	CK32176 Invoice: 7/26/15 EXP. /	7/27/2016	419.00	32176	419.00
Jennifer Jones-Lacy	101	5203.101 Printing & Advertising	CK32176 Invoice: 7/26/16 EXP /	8/3/2016	419.00	32176	
Jennifer Jones-Lacy	101	5203.101 Printing & Advertising	Credit: 7/26/16 EXP	8/3/2016	(419.00)	32176	
Kansas City Board of Public Utilities	101	5121.101 Franchise Exps/Traffic Signals	Invoice: 2834 7/25/16 /	8/3/2016	29.56	65872	29.56
KCP & L	101	5201.101 Electric	Invoice: 7/27/16 MULTIPLE /	8/3/2016	2,796.09	65873	3,549.62
KCP & L	106	5201.106 Electric	Invoice: 7/27/16 MULTIPLE /	8/3/2016	753.53	65873	
KCP & L	106	5201.106 Electric	Invoice: 1275 8/4/16 /	8/10/2016	1,761.31	65908	1,761.31
Kansas City Testing & Engineering, LLC	300	5221.300 Contract Street Maintenance	Invoice: C1016182 /	8/10/2016	4,050.00	65909	4,050.00
Keller Fire & Safety	101	5301.101 Office Supplies	Invoice: 167628 / office sup	7/20/2016	19.03	65834	19.03
Kansas Gas Service	101	5199.101 Natural Gas	Invoice: 1745 7/14/16 /	7/20/2016	54.03	65835	99.82
Kansas Gas Service	106	5199.106 Natural Gas	Invoice: 7836 7/14/16 /	7/20/2016	45.79	65835	
Kansas Heavy Construction	450	5625.450 Stormwater Maintenance	Invoice: 130099200 /	7/27/2016	101,938.50	65850	101,938.50
Kansas One-Call System, Inc.	101	5120.101 Street Light Repair & Maintenance	Invoice: 6070441 /	8/3/2016	168.00	65874	168.00
Kansas Secretary of State	106	5401.106 Insurance & Surety Bonds	Invoice: 8/16 NOTARY /	8/3/2016	25.00	65875	25.00
Kansas State Treasurer	103	5228.103 Fees Due State of Kansas	Invoice: 7/16 COURT REVENUE /	8/10/2016	1,348.00	65910	1,348.00
Lamp, Ryneerson & Assoc., Inc.	300	5209.300 Professional Services	Invoice: 31604101 /	7/20/2016	1,038.64	65836	1,038.64
Lamp, Ryneerson & Assoc., Inc.	450	5209.450 Professional Services	Invoice: 316041010000002 /	8/3/2016	10,582.80	65876	10,582.80
League of Kansas Municipalities	101	5203.101 Printing & Advertising	Invoice: 161809 /	7/27/2016	100.00	65851	100.00
League of Kansas Municipalities	102	5405.102 Dues, Subscriptions & Books	Invoice: 161927 /	8/10/2016	308.60	65911	308.60
The Legal Record	101	5204.101 Legal Printing	Invoice: L62016 /	8/3/2016	21.61	65877	61.28
The Legal Record	101	5204.101 Legal Printing	Invoice: L61940 /	8/3/2016	23.97	65877	
The Legal Record	101	5204.101 Legal Printing	Invoice: L61919 /	8/3/2016	15.70	65877	
The Legal Record	101	5204.101 Legal Printing	Invoice: L62187 /	8/10/2016	16.88	65912	144.67
The Legal Record	101	5204.101 Legal Printing	Invoice: L61930 /	8/10/2016	113.07	65912	
The Legal Record	101	5204.101 Legal Printing	Invoice: L62119 /	8/10/2016	14.72	65912	
Jose Leon	106	5206.106 Travel Expense & Training	Invoice: 8/27-8/31/16 TRAVEL /	8/10/2016	270.00	65913	270.00
Lowe's Business Acct./GEMB	106	5304.106 Janitorial Supplies	CK32179 Invoice: 1760 8/12/16 /	7/28/2016	62.36	32179	364.60
Lowe's Business Acct./GEMB	106	5304.106 Janitorial Supplies	CK32179 Invoice: 1760 8/12/16 /	7/28/2016	31.31	32179	
Lowe's Business Acct./GEMB	106	5306.106 Materials	CK32179 Invoice: 1760 8/12/16 /	7/28/2016	9.88	32179	
Lowe's Business Acct./GEMB	106	5306.106 Materials	CK32179 Invoice: 1760 8/12/16 /	7/28/2016	10.03	32179	
Lowe's Business Acct./GEMB	106	5306.106 Materials	CK32179 Invoice: 1760 8/12/16 /	7/28/2016	37.92	32179	
Lowe's Business Acct./GEMB	106	5306.106 Materials	CK32179 Invoice: 1760 8/12/16 /	7/28/2016	38.95	32179	
Lowe's Business Acct./GEMB	106	5318.106 Tools	CK32179 Invoice: 1760 8/12/16 /	7/28/2016	17.07	32179	

Lowe's Business Acct./GEMB	106	5320.106	Grounds Maintenance	CK32179 Invoice: 1760 8/12/16 /	7/28/2016	17.06	32179	
Lowe's Business Acct./GEMB	106	5320.106	Grounds Maintenance	CK32179 Invoice: 1760 8/12/16 /	7/28/2016	33.78	32179	
Lowe's Business Acct./GEMB	270	5438.270	In-house Street Maintenance	CK32179 Invoice: 1760 8/12/16 /	7/28/2016	106.24	32179	
Lynn Peavey Company	102	5307.102	Other Commodities	Invoice: 320224 /	7/20/2016	81.00	65837	81.00
Mid America Peripheral Support	102	5214.102	Other Contracted Services	Invoice: 433975 /	8/3/2016	228.56	65878	341.77
Mid America Peripheral Support	105	5214.105	Other Contracted Services	Invoice: 433975 /	8/3/2016	113.21	65878	
Mid America Peripheral Support	102	5214.102	Other Contracted Services	Invoice: 434016 /	8/10/2016	41.25	65914	82.50
Mid America Peripheral Support	105	5214.105	Other Contracted Services	Invoice: 434016 /	8/10/2016	41.25	65914	
Venessa Maxwell-Lopez	103	5209.103	Professional Services	Invoice: 7/22/16 /	7/27/2016	150.00	65852	150.00
Midwest Public Risk	107	5126.107	Health Insurance	Invoice: B01W50 /	7/27/2016	26,286.23	65853	26,286.23
Midwest Public Risk	101	5213.101	Audit Fees	Invoice: 2016063024 /	8/10/2016	2,200.00	65915	2,200.00
Moss Printing	101	5205.101	Postage & Mailing Permits	Invoice: 7883 /	7/20/2016	709.42	65838	1,920.85
Moss Printing	101	5205.101	Postage & Mailing Permits	Invoice: 7883 /	7/20/2016	1,211.43	65838	
NAPA Auto Parts	106	5211.106	Maintenace & Repair Equipment	Invoice: 357183 / coolant tank cap	8/10/2016	12.37	65916	12.37
Nationwide Retirement Solutions	101	2060.101	Section 457 Employee Payable	Invoice: 7/28/16 PAYROLL /	7/27/2016	1,204.01	65854	1,204.01
Nationwide Retirement Solutions	101	2060.101	Section 457 Employee Payable	Invoice: 8/11/16 PAYROLL /	8/10/2016	1,398.37	65917	1,398.37
Northeast Johnson Cty. Chamber of Com	108	5206.108	Travel Expense & Training	Invoice: 20554 /	8/3/2016	60.00	65879	60.00
Next To Nature Landscape, LLC	106	5214.106	Other Contracted Services	Invoice: 35532 /	8/3/2016	2,689.00	65880	2,689.00
Bryan Pasmore	101	2045.101	KP&F Employee Withholding Payable	Invoice: 7/16 KPERS OVERPMT /	7/20/2016	162.78	65839	162.78
Wex Bank	106	5302.106	Motor Fuels & Lubricants	CK32182 Invoice: 46352570 /	8/2/2016	141.53	32182	141.53
Playpower LT Farmington Inc.	106	5320.106	Grounds Maintenance	Invoice: 1400202312 / rpark planks replace	8/3/2016	801.00	65881	801.00
Praxair Distribution Inc	106	5214.106	Other Contracted Services	Invoice: 73802345 /	8/10/2016	25.85	65918	25.85
Balls Food Stores	101	5408.101	Miscellaneous Charges	Invoice: 638109 /	8/10/2016	16.99	65919	16.99
Principal Life	107	5130.107	City Paid Life Insurance	Invoice: 7/17/16 /	7/27/2016	766.99	65855	766.99
ProShred of Kansas City	102	5214.102	Other Contracted Services	Invoice: 100108629 /	8/3/2016	22.50	65882	45.00
ProShred of Kansas City	105	5214.105	Other Contracted Services	Invoice: 100108629 /	8/3/2016	22.50	65882	
Wex Bank	104	5302.104	Motor Fuels & Lubricants	Invoice: 46224395 /	7/20/2016	84.23	65840	518.96
Wex Bank	106	5302.106	Motor Fuels & Lubricants	Invoice: 46224395 /	7/20/2016	434.73	65840	
Wex Bank	102	5302.102	Motor Fuels & Lubricants	CK32181 Invoice: 46310485 / fuel	8/2/2016	1,766.01	32181	1,766.01
Rejis Commission	102	5214.102	Other Contracted Services	Invoice: INV0049417 /	8/3/2016	204.20	65883	204.20
Riteway Maintenance & Supply, LLC	101	5214.101	Other Contracted Services	Invoice: 15466 /	8/3/2016	1,275.00	65884	1,275.00
Riteway Maintenance & Supply, LLC	101	5214.101	Other Contracted Services	Invoice: 15510 /	8/10/2016	910.00	65920	910.00
Road Builders Machinery & Supply Co,	270	5438.270	In-house Street Maintenance	Invoice: R32674 /	8/10/2016	1,800.00	65921	1,800.00
Roto - Rooter Plumbing & Drain Service	290	5211.290	Maintenace & Repair Equipment	Invoice: 50619132737 /	8/3/2016	300.00	65885	300.00
Roeland Park Community Foundation	108	5103.108	Salaries - Elected Officials	Invoice: CKAUG /	8/1/2016	60.00	65858	60.00
RSM US LLP	101	5213.101	Audit Fees	Invoice: R4880302301 /	7/27/2016	6,500.00	65856	6,500.00
Santa Fe Air Conditioning	101	4265.101	Business Occupational Licenses	Invoice: 7/27/16 LICENSE /	8/3/2016	40.00	65886	40.00
George Schlegel	101	5230.101	Art Commissioner	Invoice: CHECKAUG /	8/1/2016	100.00	65859	100.00
Schuler Heating & Cooling, Inc.	290	5210.290	Maintenace And Repair Building	Invoice: 34614 / room 4 strength trng	8/3/2016	3,250.00	65887	3,250.00
Shafer, Kline & Warren, Inc.	270	5209.270	Professional Services	Invoice: 13009901030 /	8/3/2016	1,834.48	65888	17,517.03
Shafer, Kline & Warren, Inc.	270	5209.270	Professional Services	Invoice: 13009905014 /	8/3/2016	225.00	65888	
Shafer, Kline & Warren, Inc.	300	5209.300	Professional Services	Invoice: 1300992905 /	8/3/2016	4,197.55	65888	

Shafer, Kline & Warren, Inc.	450	5209.450 Professional Services	Invoice: 13009920010 /	8/3/2016	5,787.50	65888	
Shafer, Kline & Warren, Inc.	510	5209.510 Professional Services	Invoice: 1300992209 /	8/3/2016	2,217.20	65888	
Shafer, Kline & Warren, Inc.	270	5456.270 CARS Projects	Invoice: 13009913013 /	8/3/2016	3,255.30	65888	
Shafer, Kline & Warren, Inc.	270	5209.270 Professional Services	Invoice: 1300992508 /	8/10/2016	150.00	65922	23,739.73
Shafer, Kline & Warren, Inc.	270	5209.270 Professional Services	Invoice: 13009905015 /	8/10/2016	300.00	65922	
Shafer, Kline & Warren, Inc.	270	5209.270 Professional Services	Invoice: 1300993401 /	8/10/2016	3,932.53	65922	
Shafer, Kline & Warren, Inc.	270	5209.270 Professional Services	Invoice: 13009901031 /	8/10/2016	7,614.65	65922	
Shafer, Kline & Warren, Inc.	300	5209.300 Professional Services	Invoice: 1300993003 /	8/10/2016	3,583.25	65922	
Shafer, Kline & Warren, Inc.	300	5209.300 Professional Services	Invoice: 1300992805 /	8/10/2016	359.75	65922	
Shafer, Kline & Warren, Inc.	300	5209.300 Professional Services	Invoice: 1300992906 /	8/10/2016	1,240.00	65922	
Shafer, Kline & Warren, Inc.	450	5209.450 Professional Services	Invoice: 13009920011 /	8/10/2016	2,917.05	65922	
Shafer, Kline & Warren, Inc.	510	5209.510 Professional Services	Invoice: 13009922010 /	8/10/2016	3,642.50	65922	
Shawnee Mission Ford, Inc.	102	5260.102 Vehicle Maintenace	Invoice: 376471 / 28 side glass mirror	7/20/2016	101.81	65841	101.81
Suburban Lawn & Garden	106	5320.106 Grounds Maintenance	Invoice: 808319 / backflow test	7/20/2016	148.52	65842	148.52
Suburban Lawn & Garden	106	5320.106 Grounds Maintenance	Invoice: 817883 /	8/3/2016	60.00	65889	60.00
Government Leasing & Finance, Inc.	360	5619.360 Lease/Purchase Principal	CK32178 Invoice: 308863364 /	7/28/2016	1,833.40	32178	26,718.30
Government Leasing & Finance, Inc.	360	5620.360 Lease/Purchase Interest	CK32178 Invoice: 308863364 /	7/28/2016	24,884.90	32178	
US BANK	106	5206.106 Travel Expense & Training	CK32171 Invoice: MOODY 7/20/16 /	7/20/2016	206.80	32171	526.38
US BANK	101	5408.101 Miscellaneous Charges	CK32171 Invoice: MOODY 7/20/16 /	7/20/2016	319.58	32171	
US BANK	102	5206.102 Travel Expense & Training	Invoice: MORRIS 7/25/16 /	8/2/2016	450.30	32180	2,078.35
US BANK	105	5206.105 Travel Expense & Training	Invoice: JONES-LACY 7/25/16 /	8/2/2016	300.00	32180	
US BANK	106	5206.106 Travel Expense & Training	Invoice: LEON 7/25/16 /	8/2/2016	92.75	32180	
					\$	555,915.32	

Item Number: Consent Agenda- II.-B.
Committee 8/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: May 16, 2016 City Council Minutes
Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
☐ May 16, 2016 Council Minutes	Cover Memo

ROELAND PARK CITY COUNCIL MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, May 16, 2016 7:00 P.M.

- Joel Marquardt, Mayor
- Becky Fast, Council Member
- Tim Janssen, Council Member
- Ryan Kellerman, Council Member

- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Poppa, Council Member
- Michael Rhoades, Council Member
- Erin Thompson, Council Member

- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. Admin.
- Kelley Bohon, City Clerk
- John Morris, Police Chief
- Jose Leon, Public Works Director

Admin

Janssen
Poppa

Finance

Rhoades
Kelly

Safety

McNeil
Thompson

Public Works

Fast
Kellerman

PLEDGE OF ALLEGIANCE

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

ROLL CALL

City Clerk Bohon called the roll; all members were present.

MODIFICATION OF AGENDA

It was agreed to move the Mayor's Report and Proclamations after the Consent Agenda.
Unfinished Governing Body Workshop Items 3 through 9 were moved to New Business.

I. CITIZENS COMMENTS

It was agreed to take citizen comments before the item to be discussed.

II. CONSENT AGENDA

- A. Appropriation Ordinance 892**
- B. March 21, 2016 City Council Minutes**
- C. Committee Reappointment**
- D. Ordinance for Citywide Block Party**

MOTION: CMBR MCNEIL MOVED AND CMBR POPPA SECONDED TO APPROVE THE CONSENT AGENDA. (MOTION PASSED 8-0).

III. BUSINESS FROM THE FLOOR

A. Applications/Presentations

1. Special Permit Chickens – 3607 W. 47th Place

City Clerk Bohon said a completed application for a chicken permit has been filed with the City and Mr. Flickinger, building inspector, has signed off on the coops.

MOTION: CMBR MCNEIL MOVED AND CMBR POPPA SECONDED TO APPROVE THE PERMIT FOR THE AGNE FAMILY. (MOTION PASSES 8-0)

2. SMA Run, August 27, 2016

Crystal Wilson, President of the Cure SMA Kansas City Chapter, presented to the Council asking for approval to hold the 16th Annual Cure SMA Race and Roll. To date, they have raised over \$700,000 in the 15 years since

holding the race. She said they have received approval from Bishop Miege High School to hold the event there. The race route will be the same as the past five years and residents affected by the route will be notified. The scheduled race date is Saturday, August 27, 2016.

MOTION: CMBR KELLERMAN MOVED AND CMBR KELLY SECONDED TO APPROVE THE SMA RUN ON AUGUST 27, 2016. (MOTION PASSES 8-0)

3. Sustainability Update – Michael Kelly

Michael Kelly, Sustainability Committee, updated the Council on the progress of a number of goals established by the committee. Mr. Kelly said the committee is participating in community events in concert with other City committees as well as the Citizens Fundraising Committee, all of which help the City work towards its recognition under the Mid-America Regional Council's Community for All Ages program. The program created by the Kansas City Community for All Ages and the First Suburbs Coalition seeks to recognize communities that are taking steps to be more welcoming to its residents of all ages and abilities, and in the process become more vibrant, healthy and prosperous communities.

On May 3rd, the application for the bronze recognition level was approved by MARC, and awarded June 17th at the First Suburbs Coalition meeting at the Roeland Park Community Center. Sustainability will continue to work with MARC towards the next level of silver. At that level of recognition a group of members will go through the Community for All Ages checklist to identify the opportunities and recognize the progress the community has made in different areas such as quality healthcare, walkable streets, green spaces and other issues that are important to residents of all ages in Roeland Park.

The Sustainability Committee also planned and implemented the Generation Exchange Project. The goal was to foster a discussion about the important traditions of Roeland Park that residents would like to preserve for future generations. Mr. Kelly added that the feedback from residents was positive and they were impressed at the knowledge of the student interviewers. The interviews will be reviewed and a report will be made to the City Council as part of the silver level of the Community for All Ages program. Generation Exchange 2.0 will include students from St. Agnes Elementary in the fall of 2016.

Mr. Kelly said he Sustainability Committee is continuing to look at ways to be more involved with community events such as Arbor Day, the block party and the October event where they hope to partner with the Better Blocks Project.

Mr. Kelly concluded saying he will keep the Council informed of the Sustainability Committee's progress.

4. Parks Update – Jennifer Provyn

CMBR Thompson provided the Parks update stating that during the last Parks meeting the opinion was they wanted to see the tennis courts in the 2017 CIP, an item addressed at the Governing Body Workshop. They have an opportunity to complete a charrette at no cost to the City with the architects at BNIM, Community for All Ages and AARP. This would enable the City to get some outside feedback for R Park.

5. Bike Walk Ad Hoc Committee Update – Kyle Rogler

Kyle Rogler said the committee was established July 2015 to focus on issues of pedestrian bike-walk safety and improvements that could be implemented and planned for by the City on future projects. Currently the committee is working on the Walk Friendly Communities application. Public Works is gathering traffic count data. The application will be submitted on behalf of the City and the anticipation is a bronze recognition for Walk Friendly Communities certification. This then provides a framework for when the City wants to look at pedestrian or bike infrastructure improvements and will act as a guide to help achieve the silver goal level. He also noted that Roeland Park is the first city in Kansas to have a walk friendly community reach this level.

The committee has also worked with Public Works and SKW on making the recent grant proposal for Roe Boulevard. Their part was the visioning process from the bike advocacy side of things to help determine the scope of the grant for the Roe Blvd 2020 project to appropriate funds for the improvements the City wishes to see.

CMBR Thompson and CMBR Kelly will also put forward the proclamation of May is Bike Month.

Mr. Rogler will report back to Council at the July meeting, after which time the committee will dissolve. CMBR Kelly thanked Joe Blankenship who was chair of the committee and said she has enjoyed working with his body of knowledge and with other members of the Council.

6. Commerce Bank Update

Brent Hall provided his monthly update to the Council. Aaron March with White Goss will assist in the process of replatting the property and amending the development agreement. Commerce Bank has finalized a contract with a user for the excess property and has met with City staff to provide the details. It will be a micro-hospital and urgent care facility. The plan is to build a 16,000 square foot building on 1.75 acres. Commerce Bank will occupy the remaining 1.25 acres.

Mr. Aaron March said he was looking forward to working with staff and the Governing Body on the process. He said that it is not possible to get the zoning by September, and would need to ask for support for an amendment of the development agreement.

CMBR Kelly reminded Mr. Hall of the percentage of art that needs to be at the site.

IV. MAYOR'S REPORT

A. Miego Proclamations

CMBR Janssen read the Bishop Miego Girls Basketball Championship Week Proclamation into the record.

MOTION: CMBR JANSSEN MOVED AND CMBR MCNEIL SECONDED TO APPROVE THE BISHOP MIEGE GIRLS BASKETBALL CHAMPIONSHIP WEEK PROCLAMATION. (MOTION PASSED 8-0).

CMBR Rhoades read the Bishop Miego Boys Basketball Champions Week Proclamation into the record.

MOTION: CMBR RHOADES MOVED AND CMBR KELLY SECONDED TO APPROVE THE BISHOP MIEGE BOYS BASKET BALL CHAMPIONS WEEK PROCLAMATION. (MOTION PASSED 8-0).

(The proclamations were followed by a round of applause and photographs with the Mayor.)

CMBR Kellerman also congratulated the Bishop Miego Boys Tennis Doubles Team that took the Kansas State Championship.

V. WORKSHOP REPORTS

A. Workshop Summary

CMBR Fast said that the Governing Body has been discussing the branding agreement with Benedictine College and the citizen survey that will go along with the branding initiative.

Ordinance 932, special permit for chickens. The Governing Body has decided it will no longer have a special permit for chickens, which will eliminate the need to present their application in front of the Council.

Discussions are ongoing as to formalizing the Workshop procedures.

The Governing Body has been discussing the 2017 budget, the CIP and the upcoming community forum.

B. Ad Hoc Development Summary

CMBR Thompson provided an update as to the northeast corner of Johnson & Roe. She said that CBC is working on the plan for the development concepts and is still working with KDOT to convey the land. Also discussed was the relocation of Public Works. She said the Roe Body Shop is for sale and is being considered as a possible site. New business discussed at the meeting was a possible partnering with the Northeast Johnson County Chamber to bring back community business breakfasts.

VI. REPORTS OF CITY LIAISONS

A. Stormwater Management Advisory Council

PUBLIC COMMENT:

Tom Madigan (5316 W. 49th Terr.) Mr. Madigan spoke to the stormwater project on 49th street that did not include the cul-de-sac at 49th Street and Birch as they were told it was not in the flood plain and the \$360 paid annually by residents to fund the project.

CMBR Kellerman reported that the Stormwater Management Advisory Committee met on April 25th. They discussed the election of 2016 committee offices.

He added that the EPA-integrated framework was laid out to combine permits to meet the Clean Water Act. A combined stormwater and wastewater permit will be more multi-purpose and comprehensive. Phases were proposed, including a feasibility study of up to \$120,000 to kick off at the end of the year for 2017 for the Blue River and surrounding areas, to be paid by SMAC.

Also discussed was new technology for detention ponds consisting of four basins in the Mill Creek Watershed in Lenexa. This will maximize the quality of the water basin and adjust the level of the basins through digital software.

The Mission Hills Brush Creek Stream Stabilization Study was also passed.

At that meeting Public Works Director Leon made the motion to spend \$12,500 to study the erosion and settlement at the end of Brush Creek along State Line Bridge. SMAC will fund 90 percent of the study, but cannot fund the actual improvements. The ultimate goal is to preserve the bridge. There is also an option to get CARS funding for the improvements.

They also passed the Prairie Village project at 95th Street and Roe. Public Works Director Leon made the motion for this \$3.8 million project as well which will be for downstream improvements and will take 10 homes out of the 100-year floodplain in Overland Park. This will be a joint project with Overland Park.

The overall 2017 budget is \$17,460,000 and strategic planning recommendations were also discussed.

Public Works Director Leon added that the strategic plan development has been worked on by the SMAC committee for the past year and they have identified six strategies to reorganize the way SMAC distributes money.

- Watershed based organization. The goal is to be more integrated, not just improving one's own city, but that communities will work together.
- Flood Damage reduction.
- Water Quality focus.

- System Management. This will allow municipalities to submit projects that will cover the deteriorated infrastructure and does not have to be flood related.
- Funding Approach and Criteria.
- Alternative Funding.

B. Shawnee Indian Mission

Mayor Marquardt said there is a brown bag luncheon on the third Wednesday of the month with a special speaker. The luncheon is held at noon and attendees enter at the north building via the west entrance.

VII. UNFINISHED BUSINESS

There was no unfinished business to discuss.

VIII. NEW BUSINESS

A. BRANDING - BENEDICTINE

Clay Johnston, Assistant Professor and Program Chair of Marketing at Benedictine College addressed the Council. He said he has been working closely with the Branding Committee on the project. He said the students are very excited about the opportunity to get out of the classroom and into the real world to put teaching into practice. They have a solid game plan of marketing research and are gaining insights of the community and will be working toward the final design and launch of what he hopes to be a strong new brand that will help accomplish the City's goals for the future.

City Administrator Moody said they have incorporated the requested changes into the agreement and they have been reviewed by both Benedictine College as well as the City Attorney.

Mayor Marquardt recommended changing language from "Council adopts plan" to say, "Council considers adopting plan."

CMBR Fast inquired when the interns will begin working with the City and how the process will work. Mr. Johnston said they begin in June and will begin collecting information on all of the City assets that need to be updated with the new brand. They will also be identifying key stakeholders in town.

Mayor Marquardt thanked Mr. Johnston for coming and said they were looking forward to working with him.

CMBR Kelly said she would like to have a later discussion on how to choose the representatives for the interviews. City Administrator Moody said that is incorporated into the agreement. He will be asking at the next Workshop for the Governing Body to provide a listing of folks they would like to be involved and get direction on who is to be added to the committee so that action can be taken at the June meeting as they would like to have the Branding Committee in effect in June.

MOTION: CMBR POPPA MOVED AND SECONDED BY CMBR RHOADES TO APPROVE THE AGREEMENT WITH BENEDICTINE COLLEGE. (MOTION PASSES 8-0)

B. 2016 STREET MAINTENANCE PROGRAM (Workshop Item #2)

MOTION: CMBR KELLY MOVED AND CMBR THOMPSON SECONDED TO APPROVE THE 2016 STREET MAINTENANCE CONTRACT AGREEMENT WITH HARBOR CONSTRUCTION, INC. AT A COST NOT TO EXCEED \$233,166.33, CONTINGENT UPON CITY ATTORNEY APPROVAL AND CONTRACT AND INSURANCE REQUIREMENTS. (MOTION PASSED 8-0)

C. ENGINEERING AGREEMENT 2016 STORMWATER PROJECT (Workshop Item #3)

CMBR Fast said the stormwater problems into Nall Park have been an issue for years resulting in a deteriorated trail and fence.

Public Works Director Leon said in the cul-de-sac at 4800 Birch there is a deteriorated corrugated metal pipe that dumps halfway down the hill and has deteriorated the hill. Consequently, two large trees have fallen over in the last three to five years across the trail. The engineering agreement is a plan to resolve this issue. The plan is to collect the water in the same inlet with a new pipe that will go all the way down the hill and take it underneath the asphalt path. There will still be water flowing over the path due to topography, but this project will lessen the problem.

CMBR Kellerman asked if there was a difference in scope of work done by Larkin versus the City's own engineer. Public Works Director Leon said it was strictly a cost difference. The projected cost for this project is between \$45,000 and \$50,000. Ms. Jones-Lacy said this will be paid for out of the Special Infrastructure Fund 27D that is funded through sales tax.

City Attorney Shortlidge said the contract in the Council packet is the wrong contract, but Larkin has signed Roeland Park's agreement for professional services.

CMBR McNeil questioned the City's reduced sales tax receipts and whether it would affect the project. Ms. Jones-Lacy said this project has been budgeted and is covered out of this year's budget.

CMBR Kellerman inquired about the City going out to bid for at least three bids and why was Larkin chosen over another firm. Public Works Director Leon said that they were the City's previous engineer and is familiar with their work. They reached out to the City for any work available. Mr. Leon took their bid submission along with two other firms and theirs came in at the best price.

MOTION: CMBR FAST MOVED AND CMBR KELLY SECONDED TO APPROVE THE ENGINEERING AGREEMENT FOR 2016 STORMWATER MAINTENANCE PROJECT WITH LARKIN LAMP RYNEARSON & ASSOCIATES AT A COST NOT TO EXCEED \$15,000. (MOTION PASSED 8-0)

D. 1ST QUARTER FINANCIALS (Workshop Item #4)

PUBLIC COMMENT:

Thomas Madigan (5316 W. 49th Terr.) Mr. Madigan spoke to the funding of the City's leaf pick-up program.

Ms. Jones-Lacy provided an overview of all of the funds. She said that ad valorem taxes are one of the primary revenue sources for the City. Property taxes through the 1st quarter of 2016 are at about a 5.8 percent increase for the year. Most of those taxes are received in January and June of the year, so they have received more than half of the revenue for the year. Sales and use tax, while 7.5 percent below original budget projections, are better than last year. Franchise fees continue to be a concern due to the price of gas which is down significantly and the last mild winter has resulted in the fees associated with those utilities being down. Telephone franchise fees are down, which is anticipated as people move away from landlines. Electric utility franchise fees continue to be strong and is the largest source of the franchise fees. Court fines are down about 5.5 percent for the year attributing to the fact that there were a lot of officers out sick or in training in January. Moving forward, the judge will be adjusting fees and those fees will be brought down. There were 34 percent fewer tickets in 2016 as compared to 2015. She noted that having the officers out in the field makes a big difference. Overall, revenues in the General Fund, are up 2.2 percent.

Expenditures in the General Fund were four percent below actual expenditures for this time last year. This includes the annual cost for animal control, but does not include workmen's comp payments. Any interest accrued in investments is being reinvested through Columbia Capital. \$11,000 has been reinvested this year.

E. DISCUSSION OF CHANGE IN ELECTION DATES (Workshop Item #5)

There was Council discussion of when new Governing Body offices would be taken. City Attorney Shortlidge said the expressed language is based on the League of Kansas Municipalities model ordinance.

MOTION: CMBR FAST MOVED AND CMBR THOMPSON SECONDED TO APPROVE CHARTER ORDINANCE 32 REGARDING SPECIAL ELECTIONS.

CMBR Fast recommended to amend Section 3 that a term will expire on the third Monday instead of the second Monday.

City Administrator Moody said staff was not anticipating an action by Council this evening and was designated as a Workshop discussion.

City Attorney Shortlidge said the proposed ordinance language has been sent to the election commissioner for review to make sure they're comfortable with the special election provisions before the Council makes their final decision. To date, he has not heard back from them.

There was further discussion of how to vacancy positions and the timing of special elections with the state changes regarding odd and even year election cycles.

City Attorney Shortlidge will pose the question to the state election commissioner whether the City can add on to an even year election-year ballot for filling a vacancy to avoid a special election.

CMBR Poppa inquired about changing the noticing of special elections to publication versus mailing to residents.

CMBR Kelly said she felt a better record needed to be made with special elections since they hear from residents that many do not use or have access to computers or read publications. She said everyone gets mail and a postcard is all that is necessary to notify residents. Mayor Marquardt said he agreed with this.

CMBR Fast said the language for committee appointments in January should be changed to February.

MOTION: CMBR FAST MOVED TO WITHDRAW THE MOTION.

There was consensus among the Governing Body to review further at a Workshop before final approval at a City Council meeting.

F. REVIEW OF AGREEMENT WITH CBC FOR OLD POOL SITE MARKETING (Workshop Item #6)

City Administrator Moody said this item is not ready for discussion and will be presented at a Workshop when it is ready to be discussed.

G. ROTATION CHANGE FOR COMMITTEES AND COUNCIL PRESIDENT. (Workshop Item #7)

CMBR Janssen and CMBR Poppa posed the four following discussion questions:

Q1. Is there consensus of the Governing Body to discontinue rotations as of May 16, 2016?

After a brief discussion it was agreed that two representatives would be on each standing committee.

Q2. Is there consensus of the Governing Body to eliminate chair/co-chair designations?

In order to eliminate the appearance of an implied hierarchy, it was decided the designation would be co-chair for both committee representatives.

Q3. Is there consensus of the Governing Body to change the rotation of CMBRS into service areas from the current eight-year rotation to the modified four-year rotation?

There was no final decision made to this question.

Q4. Is there consensus of the Governing Body to adopt option A, option B or option C?

a. Councilmembers and President will hold current positions until February 2017

b. Councilmembers rotate to regularly scheduled positions in February 2017

c. Councilmembers rotate to regularly scheduled positions in May 2017

CMBRS Fast and Poppa supported Option A

CMBR Thompson supported Option A, but hasn't made up her mind on the rotation schedule.

CMBRS McNeil, Kellerman and Kelly supported Option B

CMBR Janssen supported Option B, but could also support Option C.

CMBR Rhoades also supported Option B, but could go with the other two choices.

H. POLICY ON APPOINTMENT OF GOVERNING BODY TO AD-HOC AND TASK COMMITTEES (Workshop Item #8)

CMBR Rhoades stressed if someone wants to be on an ad hoc committee they should be able to.

There was consensus to have four Councilmembers on an ad hoc committee. If more than four expressed a desire, then it becomes a Council issue.

There was an agreement to discuss this matter at a future Workshop.

I. ORDINANCE FORMALIZING WORKSHOP PROCEDURES. (Workshop Item #9)

This item will be moved back to Workshop for discussion.

J. 2016 CITIZEN SURVEY

MOTION: CMBR POPPA MOVED AND CMBR KELLY SECONDED TO APPROVE THE AGREEMENT FOR THE CITIZEN SURVEY IN CONCERT WITH APPROVAL OF THE BRANDING AGREEMENT WITH BENEDICTINE COLLEGE AS PRESENTED. (MOTION PASSED 8-0)

K. ORDINANCE 932, CHANGE OF SPECIAL PERMIT FOR CHICKENS

City Administrator Moody provided background information stating that this is the result of a discussion that came out of the Workshop to streamline permitting procedure.

MOTION: CMBR MCNEIL MOVED AND CMBR THOMPSON SECONDED TO ADOPT ORDINANCE 932, TO REMOVE THE KEEPING OF CHICKENS FROM BEING A SPECIAL PERMIT TO SIMPLY BEING ALLOWED. (MOTION PASSED 8-0).

L. COUNCIL PRESIDENT SELECTIONS

Mayor Marquardt called for the new Council President nominations.

CMBR McNeil nominated Tim Janssen. CMBRS Janssen, McNeil, Kellerman and Rhoades for Janssen
CMBR Poppa nominated Erin Thompson.

CMBRS McNeil, Kellerman, Rhoades and Janssen voted in support of CMBR Janssen
CMBRS Fast, Kelly, Poppa and Thompson voted in support of CMBR Thompson

Mayor Marquardt cast the deciding vote in support of CMBR Thompson.

CMBR Janssen congratulated CMBR Thompson.

IX. ORDINANCES AND RESOLUTIONS

X. REPORTS OF CITY OFFICIALS:

XI. ADJOURNMENT

MOTION: CMBR FAST MOVED AND CMBR KELLY SECONDED TO ADJOURN. (MOTION PASSED 8-0)

Joel Marquardt, Mayor

Kelley Bohon, City Clerk

Item Number: Consent Agenda- II.-C.
Committee 8/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date: 7/29/2016
Submitted By: Staff
Committee/Department: Admin.
Title: **Committee Liaisons**
Item Type: Other

Recommendation:

Arts Advisory Committee (Expires 12/31 of each year)
At Least 3 Members - 2 Residents, 1 Council

1. Tim Janssen
Alternate Sheri McNeil

Community Events Committee (Expires 12/31 of each year)
Up to 10, 8 Members - 6 Residents, 2 Council

1. Erin Thompson
2. Michael Poppa

Parks/Tree Advisory Committee (Expires 12/31 of each year)
At Least 5 Members - 4 Residents, 1 Council

1. Becky Fast
Alternate Erin Thompson

Sustainability Committee (Expires 12/31 of each year)
5 Members - 4 Residents, 1 Council

1. Teresa Kelly

47th & Mission Road Steering Committee

1. Tim Janssen
2. Michael Rhoades
Alternate Sheri McNeil

MARC – Bike & Pedestrian

1. Sheri McNeil
2. Becky Fast

MARC – First Tier Suburbs

1. Teresa Kelly
2. Erin Thompson

NE Animal Control

1. Sheri McNeil
2. Ryan Kellerman

Shawnee Indian Mission Foundation

- 1.

Stormwater Management Advisory Council (SMAC)

1. Jose Leon
2. Ryan Kellerman

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
☐ Council Committee	Cover Memo
☐ City Code Arts	Cover Memo
☐ City Code - Community Events	Cover Memo
☐ Cit Code Parks	Cover Memo
☐ City Code Sustainability	Cover Memo
☐ Appontments	Cover Memo

Roeland Park Council Committee Appointments suggestions for Council to approve

Arts	Tim (no alternate)
Events	Erin (no alternate)
Parks	Becky (no alternate)
Sustainability	Teresa
47 th & Mission	Tim Michael Rhoades Sheri (alternate)
MARC – Bike & Pedestrian	NO SIGN UP
Shawnee Indian Mission	NO SIGN UP
Stormwater Advisory (SMAC)	Ryan
MARC – 1 st Tier Subrubs	Teresa Erin
NE Animal Control	Sheri
Redevelopment	Michael Poppa (7/16) Teresa (7/12) Alt. Michael Rhoades (7/19) Alt. Tim (7/26)

Michael P.	Teresa	Erin	Ryan	Michael R.	Tim	Sheri	Becky
Redevel.	MARC 1 st	<u>Events</u>	(SMAC) 47 th & Mission	47 th & Mission	<u>Arts</u>	<u>Animal Cont.</u>	<u>Parks</u>
	Redevel.	MARC 1 st		Redevel. Alt.	47 th M.	47 th Mission Alt.	
	<u>Sustainability</u>				Redevel. Alt.		

CHAPTER I. ADMINISTRATION

ARTICLE 11. ARTS ADVISORY COMMITTEE

- 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. 710, Sec. 1; Code 2003)
- 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 member of the City Council 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 1st of each year. In the event a vacancy should occur during the term of any member, his or her 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. 710, Sec. 2; Code 2003)
- 1-1103. **COMPENSATION.** Members of the Arts Advisory Committee shall serve without compensation. Provided, however, that the Art Commissioner shall receive \$100 per month as an expense allowance. (Ord 801, Sec. 1)
- 1-1104. **DUTIES AND RESPONSIBILITIES.** 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. (Ord. 710, Sec. 4; Code 2003)
- 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. (Ord. 710, Sec. 5; Code 2003)
- 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. 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. 710, Sec. 6; Code 2003)
- 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. 710, Sec. 7; Code 2003)

CHAPTER I. ADMINISTRATION

ARTICLE 13. SUSTAINABILITY COMMITTEE

- 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. 814, Sec 2)
- 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 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 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. (861, Sec 1)
- 1-1303. COMPENSATION. Members of the Committee shall serve without compensation. (Ord. 814, Sec 4)
- 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 methods to protect the environment. (Ord. 814, Sec 5)
- 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. 814, Sec 6)
- 1-1306. MEETINGS, RULES AND REGULATIONS. The Sustainability 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. 814, Sec 7)
- 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. 814, Sec 8)

CHAPTER I. ADMINISTRATION

ARTICLE 10. COMMUNITY EVENTS COMMITTEE

- 1-1001. **PURPOSE.** The purpose of the Community Festival Committee is to make recommendations to the city council concerning the annual community festival and such other community events as may from time to time be sponsored, endorsed and/or planned by the city. (Ord. 711, Sec. 1; Code 2013)
- 1-1002. **CREATION AND ESTABLISHMENT.** There is hereby created and established a Community Events Committee for the city which shall consist of two members of the city council and up to 8 additional individuals, of which at least six 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 1st of each year. In the event a vacancy should occur during the term of any member, his or her 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. 710, Sec. 2; Code 2013)
- 1-1003. **COMPENSATION.** Members of the Community Events Committee shall serve without compensation. (Ord. 710, Sec. 3; Code 2013)
- 1-1004. **DUTIES AND RESPONSIBILITIES.** It shall be the responsibility of the Community Events Committee to plan, organize and carry out community events as may from time to time be sponsored by the city and the coordination and scheduling of events planned by other committees. (Ord. 710, Sec. 4; Code 2013)
- 1-1005. **ADVISORS.** The city council may designate or employ, with or without compensation, such advisors to the Community Events Committee as the city council shall hereafter determine to be necessary and advisable to accomplish the purposes of this article. (Ord. 710, Sec. 5; Code 2013)
- 1-1006. **MEETINGS, RULES AND REGULATIONS.** The Community Events 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 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 Events Committee shall constitute a quorum for the transaction of the business of the Committee. (Ord. 710, Sec. 6; Code 2013)
- 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 Events Committee. (Ord. 710, Sec. 7; Code 2013)

CHAPTER XII. PUBLIC PROPERTY

ARTICLE 2. PARKS ADVISORY COMMITTEE

- 12-201. PURPOSE. The purpose of the parks advisory committee is to make recommendations to the Governing Body concerning City owned parks and parkland. The committee shall also act as a tree board to recommend regulations relating to the planting of trees, shrubs and other plantings upon City owned property; to promote beautification of the City and the protection of the public health and safety; and to provide for the preservation and removal of diseased tree, shrubs and plantings. (Ord 797, Sec 1)
- 12-202. CREATION AND ESTABLISHMENT. There is hereby created and established a Parks Advisory Committee for the City which shall consist of no less than five members, of which at least four shall be residents of the City 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 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. (Code 2014)
- 12-203. COMPENSATION. Members of the Committee shall serve without compensation. (Ord. 750, Sec. 2; Code 2007)
- 12-204. DUTIES AND RESPONSIBILITIES.
- (a) It shall be the responsibility of the committee to review current uses and practices as they relate to City parkland, including islands, medians and rights-of-ways, and to make recommendations regarding same.
 - (b) In its capacity as the tree board, it shall be the responsibility of the committee to make recommendations to assure the proper development and maintenance of the trees and shrubs on City owned property, including the care, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs in the public ways, streets and alleys. It shall further be the responsibility of the committee to make recommendations concerning tree care and landscaping in all City parks and to recommend the location and purchase of equipment for the parks. The committee shall recommend any needed budget allocations for the accomplishment of agreed upon projects and shall recommend such projects for inclusion in the City's capital improvement program.
 - (c) When requested by the City Council, the committee shall consider, investigate, make findings and report upon any matter coming within the scope of its work. (Ord 797, Sec 2)

CHAPTER XII. PUBLIC PROPERTY

- 12-205. ADVISORS. The City Council may designate or employ, with or without compensation, such advisors to the parks advisory committee as the City Council shall hereafter determine to be necessary and advisable to accomplish the purposes of this Article. (Ord. 708, Sec. 5; Code 2003)
- 12-206. MEETINGS, RULES AND REGULATIONS. The parks 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 City Council. The committee shall have an agenda for its meetings and keep minutes of its meetings and provide a copy thereof to the City Clerk. A majority of the members appointed to the parks advisory committee shall constitute a quorum for the transaction of the business of the committee. (Ord. 708, Sec. 6; Code 2003)
- 12-207. 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 parks advisory committee. (Ord. 708, Sec. 7; Code 2003)

CHAPTER I. ADMINISTRATION

ARTICLE 13. SUSTAINABILITY COMMITTEE

- 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. 814, Sec 2)
- 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 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 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. (861, Sec 1)
- 1-1303. **COMPENSATION.** Members of the Committee shall serve without compensation. (Ord. 814, Sec 4)
- 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 methods to protect the environment. (Ord. 814, Sec 5)
- 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. 814, Sec 6)
- 1-1306. **MEETINGS, RULES AND REGULATIONS.** The Sustainability 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. 814, Sec 7)
- 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. 814, Sec 8)

2015/2016
MAY APPOINTMENTS
Mayor-Appointed Committee Representatives

47th & Mission Road Steering Committee
Every Other Month, 3rd Friday (except in May, 1st Friday)

(16-1602) The mayor shall appoint three members to the committee, with the advice and consent of the city council, and consistent with the qualification requirements in Section 0. Of the three initial appointments, one shall be for one year, one shall be for two years, and one shall be for three years. Upon the expiration of any initial appointment, successor appointments shall all be for a period of three years. Committee members shall serve their full term, or until a successor is appointed. Committee members may be appointed to more than one successive term.

QUALIFICATIONS:

- a) Committee members may serve in any other elected or appointed position.
- b) The mayor shall appoint three committee members, each having one of the following designations: a current planning commission member, a current city councilmember, and a current resident from Ward 2.
- c) If the qualifications in subsection (b), above, cannot be satisfied, a Committee member shall, at a minimum, have at least one of the following special qualifications that will enable him/her to fulfill the purposes of this Section: (1) a resident with professional experience in a development profession such as planning, architecture, real estate development, or engineering; (2) a business owner within the 47th and Mission Road Area Design Review Overlay District; (3) a resident with experience in other elected or appointed municipal positions dealing with planning, zoning, or community development; (4) a resident with membership in a neighborhood association or committee within the area covered by 47th and Mission Road Area Design Review Overlay District; or (5) a resident with any other demonstrated civic involvement that will enable the committee member to understand and enhance the implementation of the 47th and Mission Road area concept plan.

Tim Janssen, (Ward 2 Resident)
(Planning Commission) – Kyle Rogler
Michael Rhoades, 4916 Mohawk Dr (City Councilmember)
Sheri McNeil (Alternate)
Bill Ahrens

Jo Co Parks & Rec Pool Advisory Board

Becky Fast
JoAnna Rush
Jan Grebe

MARC – Bike & Pedestrian

Teresa Kelly
Erin Thompson

MARC – First Tier Suburbs

Becky Fast
Erin Thompson
Michael Poppa

NE Animal Control

Sheri McNeil
Ryan Kellerman

Redevelopment Committee

Sheri McNeil, City Council
Michael Rhoades, City Council
Tim Janssen (Alt), City Council
Michael Poppa (Alt), City Council
Darren Nielsen, Planning Commission
, Planning Commission

Shawnee Indian Mission Foundation

Bill Art

Stormwater Management Advisory Council (SMAC)

Jose Leon
Ryan Kellerman Council

Item Number: Mayor's Report- IV.-A.
Committee 8/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:

Submitted By:

Committee/Department:

Title: St. Agnes TARC Team Proclamation (Team America Rocket Challenge)

Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
 St. Agnes TARC Proclamation	Cover Memo



Proclamation

“St. Agnes Catholic School Team Avengers Rocket Club Week”

WHEREAS, The Team America Rocketry Challenge (TARC) is the world’s largest rocket contest and the aerospace industry’s flagship program designed to encourage students to study science, technology, engineering and math (STEM); and

WHEREAS, TARC provides middle and high school students the opportunity to design, build and launch model rockets to meet specific altitude and flight duration parameters in a competition among approximately 5,000 students nationwide each year. This year’s rules required a rocket carrying two raw eggs to reach 850 feet in height and return to Earth un-cracked within 44-46 seconds; and

WHEREAS, a team from St. Agnes Catholic School in Roeland Park Kansas which consisted of 7th and 8th graders competed in the TARC qualifying competition in March of 2016 against 799 junior high and high school teams nationwide and placed in the top 101 teams to earn the opportunity to compete in the Finals in the Washington D.C. area; and

WHEREAS, the students that competed in the competition were known as Team Avengers and that team consisted of students Catherine Eshelbrenner, Maddy Bohon, Joe Nordling, Elan Kyser, Zephan Rodriguez, Evan Parra, Eli Ziglinski, Jonathan Pedrotti, Andrew Ramirez, Sasha Kilfoyle, Sam Mitchell, Ayden Greene & Caitlin Hutchinson. The teachers were Gena Schleimer, Stephanie Turner & Jacob Scott; and

WHEREAS, in Washington D.C., the team met with Congressman Kevin Yoder as well as Theda Owens, the National Security Policy Advisor in Senator Pat Roberts office; and

WHEREAS, during the Nationals launch in May of 2016, the 7th and 8th graders had to prep, check, and launch their rocket without any adult help. Because dangerous thunderstorms were looming the team only had one chance to launch and finished in a remarkable 32nd place. These young men and women should be incredibly proud of their dedication, knowledge, and determination to succeed; and

WHEREAS, this would not have been possible without the team sponsor, Kansas STARBASE (Jeff Gabriel, Karen Whitacre and Marda DeCamillis), the team Mentor, Gary Cole, and support from Principal Jane Sullivan and Father Bill Porter; and

NOW THEREFORE, I, Joel Marquardt, Mayor of the City of Roeland Park, along with members of the City Council do hereby proclaim the week of August 15th through August 21st, 2016 as

“St. Agnes Catholic School Team Avengers Rocket Club Week”

IN THE City of Roeland Park Kansas; and

FURTHER, I urge all residents of Roeland Park to join me in recognizing and celebrating the team’s achievement and wish them all continued success.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Seal here

JOEL MARQUARDT
Mayor

Item Number: Workshop Reports- V.-A.
Committee 8/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date: 8/10/2016
Submitted By: Jennifer Jones-Lacy, Asst. City Administrator/Finance Director
Committee/Department:
Title: **Workshop and Ad Hoc Summary**
Item Type: Other

Recommendation:

For informational purposes.

Details:

Workshop Summary August 2016

- **Family Conservancy** made a presentation on the work they do as well as specifically what services they provide in the City facility.
- **Ordinance regarding Mayor's Powers.**
 - o The Governing Body reviewed the suggested changes to the language in the code regarding the Mayor's duties. They agreed with the Mayor's duty to "promote good conduct" but were not unanimous on agreeing that the Mayor's responsibility to ensure all ordinances were followed. The GB suggested changing the wording of the "mayor will take care" that ordinances are followed replacing "take care" with "enforce" and making that a responsibility of the City Administrator. Decided to move to the Council agenda on 8/15.
- **Council president election process and proposed changes**
 - o The Governing body discussed the topic regarding the Mayor's ability to break a tie. The majority agreed to allow the Mayor to continue to break the tie and moved the item to the Council agenda on 8/15.
- **Ordinance formalizing workshop procedures**
 - o The Governing Body agreed to move the item to Council for approval on 8/15.
- **Discuss changes to interior rental inspection program due to state law**
 - o Council reviewed the suggested changes which incorporated a recent change

in state law that requires any internal inspection of rentals to get the consent of the resident. The City's inspection process does not include single family residences unless the property is vacant. The item was moved to Council on 8/15.

Review of upcoming RFQ Schedule

o Staff provided information on the request for proposals that are upcoming for the City Attorney, City Engineer and Engineer for Roe Boulevard.

Sidewalk Inventory Update

o Jose Leon provided an inventory of existing sidewalks in the City and the sidewalk inspection manual Public Works produced to begin inspecting sidewalk in public right-of-way. He plans to use this to inform future decisions on making improvements to sidewalks and adding sidewalk with in the City.

June Financial Report

o Jennifer Jones-Lacy provided an update for the June Financials and gave a highlight of revenues and expenditures citywide. Concerns exist with franchise fees and sales tax collections are a bit low. However, City expenditures are on target for the year.

Redevelopment Committee

Old Pool Site

- a. Letters of Intent Update were reviewed:
- b. Amphitheater Study – FYI at this point only. May obtain study in future, if needed.
- c. Slur Fill RFQ Update – responses due 7/29/16. Howard Lubliner with SKW will compile all responses. Committee to meet on 8/3/16 to review and give direction as to which respondents will be invited to submit proposals. Proposal submissions will follow the same process. The committee will then make a recommendation to Council on whom to enter into a contract with for the stabilization work. The contract is expected to be in the \$50-0,000 range.
- d. Restaurants – CBC to make initial contact with restaurateurs to move forward with obtaining a retail/restaurant end-user for the 3.13 acres of remaining property (after extreme sports and hotel development)

II. NE Johnson and Roe

- a. Roe Sisters House – Ms. McNeil presented development idea to recreate Roe House on NE corner of Roe & Johnson to be utilized as restaurant, café, community garden, green space as well as adjacent barn for meeting room & event space venue.
- b. CBC input/direction - Committee directed CBC to move forward in researching the highest/best use of the NE Roe & Johnson Drive site and incorporating Ms. McNeil's idea into the list of possible uses. Right now, assuming KDOT will convey ROW, but with "cloudy" title.

III. Mission Gateway Update

- a. Mission Planning Commission approved plans Monday – still needs to pass Mission Council

IV. New Business

- a. Meeting next week to review Slur Fill RFQ responses.

Financial Impact

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

Additional Information

Item Number: Workshop Reports- V.-B.
Committee 8/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Bike Walk Ad-Hoc Final Report**
Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

Item Number: Ordinances and Resolutions:- IX.-
 A.
Committee 8/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date: 8/4/2016
Submitted By: Jennifer Jones-Lacy, Asst. City Administrator/Finance Director
Committee/Department: Admin.
Title: **Resolution 649 Approving the 2017 Budget**
Item Type: Resolution

Recommendation:

Approve Resolution No. 649 approving the 2017 Property Tax Levy.

Details:

KSA 79-2925b requires approval of a resolution to increase the amount of property taxes collected by the City from the previous year. The certified property tax rate from the County showed an increase in assessed valuation from 2016 for real property at approximately 11% for the 2017 budget. The Council approved the 2017 Budget at the Council meeting in July. This resolution is an administrative requirement that will be the final step in certifying the budget to the County Clerk for the 2017 fiscal year.

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
☐ 2017 Budget Resolution 649	Resolution Letter

RESOLUTION NO. 649

A resolution expressing the property taxation policy of the City of Roeland Park with respect to financing the annual budget for 2017

Whereas, K.S.A. 79-2925b, as amended, provides that a levy of property taxes to finance the 2017 budget of the City of Roeland Park exceeding the amount levied to finance the 2016 budget of the City of Roeland Park due to increased real estate tax assessments, as adjusted to reflect changes in the Consumer Price Index for All Urban Consumers for calendar year 2015, which is authorized by a resolution; and

Whereas, the pre-certified City property tax mill levy rate in FY 2017 is 33.384 and the mill levy rate in FY 2016 is 33.385; and

Whereas, K.S.A. 79-2925b, as amended, also provides that current year revenue that is produced and attributable to the taxation of (1) new improvements, (2) increased personal property valuation other than increased valuation of oil and gas leaseholds and mobile homes, (3) property located within added jurisdictional territory, and (4) property which has changed in use shall not be considered when determining whether revenue produced from property tax has increased from the preceding year; and

Whereas, City of Roeland Park provides essential services to protect the citizens of the City; and

Whereas, the cost of providing these services continues to increase.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roeland Park that a levy of property taxes in support of the 2017 budget exceeding the amount levied in 2016, as adjusted pursuant to K.S.A. 79-2925b, as amended, is hereby approved.

The Resolution is hereby introduced and adopted by the City Council at the regular meeting held on the 15th day of August, 2016. The Resolution shall become effective upon being adopted by the City Council.

Joel Marquardt, Mayor

SEAL:

Kelley Bohon, City Clerk

Item Number: **Ordinances and Resolutions:- IX.-**
 B.
Committee **8/15/2016**
Meeting Date:



City of Roeland Park Action Item Summary

Date: 7/14/2016
Submitted By: Janssen, Fast, Poppa
Committee/Department: Admin
Title: **ORDINANCE NO. 931 AN ORDINANCE RELATING TO THE
ADMINISTRATION OF THE CITY OF ROELAND PARK, KANSAS;
AMENDING AND REPEALING EXISTING SECTIONS 1-204, 1-
207, 1-208, 1-212, 1-217 AND 1-315 OF THE CODE OF THE CITY
OF ROELAND PARK, KANSAS**
Item Type: Ordinance

Recommendation:

Adoption of workshop structure for holding Governing Body meetings outside of City Council meetings.

Details:

Last year Cmbrs. Janssen and Poppa were tasked with researching and recommending process improvements and standard operating procedures for Committee of the Whole/Standing Committees. After presenting several drafts of the proposed restructuring at previous meetings, Cmbrs. Janssen and Poppa - and most recently with Cmbr. Fast - re-evaluated the proposed process based on feedback from the Governing Body. The revised Committee of the Whole/Standing Committees structure was produced to assist the Governing Body in more effectively crafting and enacting policy.

Additionally, there appear to be some conflicts in the City Code regarding the duties of the Council and Mayor that possibly conflict with the City's form of government. Proposed updates to these sections are also included.

Updates to City Code reflected in Ordinance 931:

- Updated Council President nominations/election date from May to February, annually (term to

effectively begin following adjournment of February meeting).

- Updated duties of Council President to preside at Workshops, given that Co-chairs may present service area specific items.
 - Updated all instances of "Committee of the Whole" to read "Governing Body Workshop"
 - Inserted section outlining days, times and location of Governing Body Workshops.
 - Clarified that a majority of Councilmembers elect shall constitute a quorum for business at all meetings for the Governing Body.
 - Updated all instances of "Standing Committees" to read "Service Areas".
 - Removed reference to ranking Council positions in standing service areas.
 - Updated all instances of "Chair and Co-Chair" to read "Co-Chair".
 - Updated Term Expiring dates from odd to even years on Council position chart.
- Combined service area rotations schedule into one chart (no change to data).
- Updated multiple instances of "Council" or "City Council" to read "Governing Body" in order to maintain consistent references throughout Article 2.
-
- Resolved possible conflicts in City Code regarding the duties of the Council and Mayor by removing superintending control verbiage under Mayor; Powers and Duties.
 - Clarified duties of Mayor by inserting verbiage to reflect explicit supervision of elected official conduct.
 - Clarified duties of City Administrator by inserting verbiage in Sec. 1-315 authorizing City Administrator to sign agreements on behalf of City subsequent to Council approval.

Financial Impact

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

Additional Information

The attached ordinance reflects changes discussed and acted on at the 7/18 council meeting.

ATTACHMENTS:

Description	Type
 Ordinance 931	Cover Memo

ORDINANCE NO. 931

**AN ORDINANCE RELATING TO THE ADMINISTRATION OF THE CITY OF ROELAND PARK, KANSAS;
AMENDING AND REPEALING EXISTING SECTIONS 1-204, 1-207, 1-208, 1-212, 1-217 AND 1-315 OF THE
CODE OF THE CITY OF ROELAND PARK, KANSAS**

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

SECTION 1. Existing Section 1-204 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

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.

SECTION 2. Existing Section 1-207 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

1-207. - Workshops.

The regular meetings of the Governing Body Workshop shall be held on the first and third Mondays of each month at 6:00 p.m. in or adjacent to the Council Chambers of the Roeland Park City Hall, 4600 W. 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.

SECTION 3. Existing Section 1-208 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

1-208. - Quorum.

At all meetings of the Governing Body, a majority of the Councilmembers elect 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 4. Existing Section 1-212 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

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.

SECTION 5. Existing Section 1-217 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

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	2020 (2024)	1
1	2018 (2022)	2
2	2018 (2022)	3
2	2020 (2024)	4
3	2018 (2022)	5
3	2020 (2024)	6
4	2018 (2022)	7
4	2020 (2024)	8

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

Service Area	2016	2017	2018	2019	2020	2021	2022	2023
(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 6. Existing Section 1-315 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

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, 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 and/or public relations fields.
- (d) *Bond.* The City Administrator, before entering upon the duties of his or her 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 insure 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 shall make monthly 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 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 conferences and programs applicable to his or her 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 duties, and he or she shall safely and properly keep all records and papers belonging to the City and entrusted to his or her 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 authority. He or she 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 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 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 his or her 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 7. Existing Sections 1-204, 1-207, 1-208, 1-212, 1-217 and 1-315 of the Code of the City of Roeland Park, Kansas are hereby repealed.

SECTION 8. This ordinance shall take effect upon its publication in the official City newspaper.

PASSED by the City Council this 15th day of August 2016. APPROVED by the Mayor.

Joel Marquardt, Mayor

ATTEST:

Kelley Bohon, City Clerk

APPROVED AS TO FORM:

Neil R. Shortlidge, City Attorney

Item Number: Ordinances and Resolutions:- IX.-
C.
Committee 8/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:

Submitted By:

Committee/Department:

Title:

Poppa Version CHARTER ORDINANCE NO. 33 A CHARTER
ORDINANCE AMENDING AND REPEALING CHARTER
ORDINANCE NO. 26; ALSO AMENDING AND REPEALING
EXISTING SECTIONS 1-203 AND 1-203.1 OF THE CODE OF THE
CITY OF ROELAND PARK, KANSAS.

Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
 Poppa Charter Ordinance 33	Cover Memo

Poppa Version
CHARTER ORDINANCE NO. 33

**A CHARTER ORDINANCE AMENDING AND REPEALING CHARTER
ORDINANCE NO. 26; ALSO AMENDING AND REPEALING EXISTING SECTIONS 1-
203 AND 1-203.1 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.**

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

SECTION 1. Existing Section 1-203 of the Code of the City of Roeland Park, Kansas, originally enacted as part of Charter Ordinance No. 26, is hereby amended to read as follows:

1-203. - President of the Council.

- (a) Beginning on May 1, 2014, 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. As of January 1, 2017, at the first Council meeting in February of each year, nominations shall be made and an election shall be held. Once the nominations are made, a brief five-minute speech will be allowed from each candidate. Upon election by the majority of a quorum present, the President shall be elected for the next term. This process will be repeated annually each February.
- (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, with the understanding that Co-Chairs of a Service Area may present items specific to their assigned 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.

SECTION 2. Existing Section 1-203.1 of the Code of the City of Roeland Park, Kansas, originally enacted as part of Charter Ordinance No. 26, is hereby amended to read as follows:

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.

SECTION 3. Charter Ordinance No. 26 and existing Sections 1-203 and 1-203.1 of the Code of the City of Roeland Park, Kansas, are hereby repealed.

SECTION 4. This Charter Ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

SECTION 5. This Charter Ordinance shall take effect 61 days after the final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided by Article 12, Section 5, Subsection (c)(3) of the Kansas Constitution, in which case this Charter Ordinance shall become effective upon approval by the majority of the electors voting thereon.

PASSED by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this 15th day of August, 2016.

Joel Marquardt, Mayor

ATTEST:

Kelley Bohon, City Clerk

APPROVED AS TO FORM

Neil R. Shortlidge, City Attorney

Item Number: Ordinances and Resolutions:- IX.-
 D.
Committee 8/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:

Submitted By:

Committee/Department:

Title:

**Rhoades Version CHARTER ORDINANCE NO. 33 A CHARTER
ORDINANCE AMENDING AND REPEALING CHARTER
ORDINANCE NO. 26; ALSO AMENDING AND REPEALING
EXISTING SECTIONS 1-203 AND 1-203.1 OF THE CODE OF THE
CITY OF ROELAND PARK, KANSAS.**

Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
 Rhoades Charter Ordinance 33	Cover Memo

**Rhodes Version
CHARTER ORDINANCE NO. 33**

**A CHARTER ORDINANCE AMENDING AND REPEALING CHARTER
ORDINANCE NO. 26; ALSO AMENDING AND REPEALING EXISTING SECTIONS 1-
203 AND 1-203.1 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.**

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

SECTION 1. Existing Section 1-203 of the Code of the City of Roeland Park, Kansas, originally enacted as part of Charter Ordinance No. 26, is hereby amended to read as follows:

1-203. - President of the Council.

- (a) Beginning on February 1, 2017, 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 a Council meeting in February of each year, nominations shall be made and an election shall be held no later than the last Council meeting in February. 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:
 - 1. 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.
 - 2. If there is still a tie and any Councilmembers are not present, an interim President of the Council shall be selected that is not running for the one year term President of the Council and shall serve until the next Council meeting where this process shall be repeated by the top two vote getters.
 - 3. If all members are present at the Council meeting in May and a decision cannot be made, a coin shall be flipped to determine the President of the Council.
 - 4. If a vote at the next Council Meeting was required, regardless if any members are not present, and if the vote is still a tie, a coin shall be flipped to determine the President of the Council.

This process will be repeated annually each February.

(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 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.

SECTION 2. Existing Section 1-203.1 of the Code of the City of Roeland Park, Kansas, originally enacted as part of Charter Ordinance No. 26, is hereby amended to read as follows:

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.

SECTION 3. Charter Ordinance No. 26 and existing Sections 1-203 and 1-203.1 of the Code of the City of Roeland Park, Kansas, are hereby repealed.

SECTION 4. This Charter Ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

SECTION 5. This Charter Ordinance shall take effect 61 days after the final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided by Article 12, Section 5, Subsection (c)(3) of the Kansas Constitution, in which case this Charter Ordinance shall become effective upon approval by the majority of the electors voting thereon.

PASSED by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this 15th day of August, 2016.

Joel Marquardt, Mayor

ATTEST:

Kelley Bohon, City Clerk

APPROVED AS TO FORM

Neil R. Shortlidge, City Attorney

Item Number: Ordinances and Resolutions:- IX.-
 E.
Committee 8/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:

Submitted By:

Committee/Department:

Title:

**Poppa Version CHARTER ORDINANCE NO. 34 A CHARTER
ORDINANCE EXEMPTING THE CITY OF ROELAND PARK,
KANSAS FROM THE PROVISIONS OF K.S.A. 14-301 AND 14-307
RELATING TO THE POWERS AND DUTIES OF THE MAYOR AND
PROVIDING SUBSTITUTE PROVISIONS THEREFOR**

Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
 Poppa Charter Ordinance 34	Cover Memo

Poppa Version

CHARTER ORDINANCE NO. 34

A CHARTER ORDINANCE EXEMPTING THE CITY OF ROELAND PARK, KANSAS FROM THE PROVISIONS OF K.S.A. 14-301 AND 14-307 RELATING TO THE POWERS AND DUTIES OF THE MAYOR AND PROVIDING SUBSTITUTE PROVISIONS THEREFOR

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

SECTION 1. The City of Roeland Park, Kansas, by the power vested in it by Article 12, Section 5 of the Kansas Constitution hereby elects to and does exempt itself and make inapplicable to it the provisions of K.S.A. 14-301 and 14-307 that apply to this city, but are parts of enactments which do not apply uniformly to all cities, and to provide substitute and additional provisions therefor.

SECTION 2. Section 1-202 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

1-202. - Mayor; Powers and Duties.

The Mayor shall:

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

SECTION 3. Existing Section 1-202 of the Code of the City of Roeland Park, Kansas is hereby repealed.

SECTION 4. This Charter Ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

SECTION 5. This Charter Ordinance shall take effect 61 days after the final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided by Article 12, Section 5, Subsection (c)(3) of the Kansas Constitution, in which case this Charter Ordinance shall become effective upon approval by the majority of the electors voting thereon.

PASSED by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this 15th day of August, 2016.

Joel Marquardt, Mayor

ATTEST:

Kelley Bohon, City Clerk

APPROVED AS TO FORM

Neil R. Shortlidge, City Attorney

Item Number: Ordinances and Resolutions:- IX.-F.
Committee 8/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:

Submitted By:

Committee/Department:

Title:

**Rhoades Version CHARTER ORDINANCE NO. 34 A CHARTER
ORDINANCE EXEMPTING THE CITY OF ROELAND PARK,
KANSAS FROM THE PROVISIONS OF K.S.A. 14-301 AND 14-307
RELATING TO THE POWERS AND DUTIES OF THE MAYOR AND
PROVIDING SUBSTITUTE PROVISIONS THEREFOR**

Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
 Rhoades Charter Ordinance 34	Cover Memo

Rhoades Version

CHARTER ORDINANCE NO. 34

A CHARTER ORDINANCE EXEMPTING THE CITY OF ROELAND PARK, KANSAS FROM THE PROVISIONS OF K.S.A. 14-301 AND 14-307 RELATING TO THE POWERS AND DUTIES OF THE MAYOR AND PROVIDING SUBSTITUTE PROVISIONS THEREFOR

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

SECTION 1. The City of Roeland Park, Kansas, by the power vested in it by Article 12, Section 5 of the Kansas Constitution hereby elects to and does exempt itself and make inapplicable to it the provisions of K.S.A. 14-301 and 14-307 that apply to this city, but are parts of enactments which do not apply uniformly to all cities, and to provide substitute and additional provisions therefor.

SECTION 2. Section 1-202 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

1-202. - Mayor; Powers and Duties.

The Mayor shall:

- (a) Preside at all meetings of the Governing Body, except as set forth in Section 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 Section 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 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.

SECTION 3. Existing Section 1-202 of the Code of the City of Roeland Park, Kansas is hereby repealed.

SECTION 4. This Charter Ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

SECTION 5. This Charter Ordinance shall take effect 61 days after the final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided by Article 12, Section 5, Subsection (c)(3) of the Kansas Constitution, in which case this Charter Ordinance shall become effective upon approval by the majority of the electors voting thereon.

PASSED by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this 15th day of August, 2016.

Joel Marquardt, Mayor

ATTEST:

Kelley Bohon, City Clerk

APPROVED AS TO FORM

Neil R. Shortlidge, City Attorney

Item Number: **Ordinances and Resolutions:- IX.-**
 G.
Committee **8/15/2016**
Meeting Date:



City of Roeland Park Action Item Summary

Date: **7/27/2016**
Submitted By: **Jennifer Jones-Lacy, Asst. City Administrator/Finance Director**
Committee/Department: **Admin.**
Title: **ORDINANCE NO. 937 AN ORDINANCE RELATING TO RENTAL HOUSING; AMENDING AND REPEALING EXISTING SECTIONS 5-704, 5-705, 5-706 AND 5-711 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.**
Item Type: **Ordinance**

Recommendation:

Approval of Ordinance No. 937 relating to updates to the rental housing licensing program at the City Council meeting on August 15th

Details:

On February 16, 2015 the City Council approved Ordinance 905 requiring internal inspections of rental housing in Roeland Park. The ordinance states that inspections of multifamily residential units would occur once every five years and single family rental homes would be inspected once a unit is vacant, but no more than once per year.

On May 17, 2016, the Governor signed into law Senate Bill 366 which prohibits the use of internal inspections as part of a rental licensing program without the consent of the legal occupant. However, this law does not preclude the use of administrative search warrants to conduct an inspection if necessary.

Chapter five of the City Code would need to be amended to align with SB 366 which is the intent of the attached Ordinance. City procedures would change in that we would only inspect apartments at the Boulevard upon approval of the legal resident. Single family home inspections would not change as we already schedule the inspections when the properties are vacant. In that case we would continue to work with the landlord or property owner to schedule and complete the inspection.

Financial Impact

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

Additional Information

ATTACHMENTS:

Description		Type
☐	Ordinance 937	Cover Memo
☐	Red-lined rental housing code	Cover Memo
☐	Senate Bill 366	Backup Material

ORDINANCE NO. 937

AN ORDINANCE RELATING TO RENTAL HOUSING; AMENDING AND REPEALING EXISTING SECTIONS 5-704, 5-705, 5-706 AND 5-711 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.

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

SECTION 1. Existing Section 5-704 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 5-704. - Same; License Procedure.

- (a) Any person desiring a license shall make written application to the City Clerk on a form supplied by the City and containing such information as is necessary to administer and enforce the provisions of this article. Such application shall contain as a minimum the name and address of the owner, the address of the property, a consent by the owner to receive notices as provided in this article at a specified address and a consent to the inspections provided in the article. If any rental property is offered for lease by an owner of property who is not a resident of Johnson County, Kansas, the owner shall designate a resident agent who resides in Johnson County, Kansas, who shall be responsible for the payment of all fees and penalties, receipt of notices and all other matters provided herein. The application shall be accompanied by the license fee established pursuant to section 5-104(c) of this Code. The licensing fee shall be prorated for the number of months always rounded up to the next whole dollar between the commencement of the licensing period and the date of the application for those applications that are submitted for dwellings that were not subject to the requirements of this article on the initial application date set forth in section 5-703. No refund of the license fee shall be made to those discontinuing operation or who sell, transfer, give away or otherwise dispose of a licensed dwelling to another person.
- (b) Short-term rentals requirements:
 - (1) The rental is of the owner's principal residence;
 - (2) The owner resides in the premises rented for a period of at least 320 days in each calendar year;
 - (3) Any resident wishing to host a short-term rental must provide courtesy notices to their neighbors adjacent and across the street. Evidence of this notification must be provided to City Hall prior to approval of an application.
- (4) Any short-term rental operating within the City must include the City permit number on marketing materials and online platforms the resident is using to advertise the rental of their home.

SECTION 2. Existing Section 5-705 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 5-705. - Same; Temporary Certificate.

Upon receipt of a completed application and the license fee, the City Clerk shall issue a "temporary certificate" indicating that a license has been duly applied for and the City Clerk shall attach with a sample of the inspection form which will be used to inspect the property by the City Building Official or such official's designated representative, along with a copy of Article 7 of Chapter V of the Code. A temporary certificate shall authorize the occupancy or continued occupancy of the dwelling unit in its present existence and use, pending the issuance or denial of the license. Structures to be converted to rental usage shall not be occupied for human habitation prior to issuance of a temporary certificate.

SECTION 3. Existing Section 5-706 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 5-706. - Same; Inspection.

(a) *Purpose.* Upon receipt of a properly completed application and license fee, the City shall cause the dwelling and the property upon which it is located to be inspected by the City Building Official or such official's designated representative. The City Building Official or his or her designated representative shall inspect the dwelling and the property upon which it is located to determine the following:

- (1) That the use of the property is in compliance with the applicable zoning laws.
- (2) That based upon an inspection of the exterior of the dwelling, the dwelling meets the requirements of the applicable building codes and standards contained in Chapter IV.
- (3) That no condition exists on the exterior of the dwelling or on the property upon which the dwelling is located which constitutes a violation of any other Code section or ordinance of the City.

If the City Building Official finds that the dwelling and the property upon which it is located meets the requirements specified herein, then he or she shall approve the application and notify the City Clerk that the property has passed the inspection.

- (b) *Single family dwellings and duplexes, including permissible short-term rentals.* Interior and exterior inspections of single family dwellings and duplexes may be conducted at any time upon the request of the lawful occupant. Exterior inspections shall be conducted annually at the time an application is submitted for a license or a renewal license. Beginning on January 1, 2016, upon any dwelling becoming vacant, the owner shall notify the City and, if consented to by the owner or the owner's representative, an interior inspection shall be conducted in the presence of the owner or the owner's representative prior to the dwelling being occupied by a new tenant, unless the dwelling has been inspected within the previous 12 months. Failure of the owner to notify the City that a dwelling has become vacant within 15 days after vacation of the dwelling shall be a public offense. Interior inspections may also be conducted pursuant to an administrative search warrant.
- (c) *Multi-family dwellings.* Interior and exterior inspections of multi-family dwellings may be conducted at any time upon the request of the lawful occupant. Beginning on January 1, 2016, interior and exterior inspections of each dwelling unit in a multi-family dwelling shall also be conducted by the Neighborhood Services staff approximately once every four years; multi-family dwelling units shall be systematically selected for such inspections. Interior

inspections shall only be conducted with the consent of the lawful occupant or pursuant to an administrative search warrant.

(d) *Reinspections.* If, upon inspection of a dwelling, the Neighborhood Services staff determines that the dwelling is not in compliance with applicable City ordinances, staff will discuss a schedule and process to achieve compliance with the owner or tenant. Reinspections shall be conducted to ensure that appropriate corrective action has been completed.

SECTION 4. Existing Section 5-711 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 5-711. - Same; Enforcement.

The Neighborhood Services staff shall enforce the provisions of this article and are thereby authorized to make inspections on a scheduled basis or when reason exists to believe that violation of this article has been or is being committed. Inspections shall be undertaken with the consent of the lawful occupant or other person exercising control of the dwelling, or by issuance of an administrative search warrant.

SECTION 5. Existing Sections 5-704, 5-705, 5-706 and 5-711 of the Code of the City of Roeland Park, Kansas are hereby repealed.

SECTION 6. This ordinance shall take effect upon its publication in the official City newspaper.

PASSED by the City Council this 15th day of August, 2016. APPROVED by the Mayor.

Joel Marquardt, Mayor

ATTEST:

Kelley Bohon, City Clerk

APPROVED AS TO FORM

Neil R. Shortlidge, City Attorney

ARTICLE 7. - RENTAL HOUSING

Sec. 5-701. - Rental Housing; Purpose.

The purpose of this article is to protect the public health, safety and general welfare of the people of the City with regard to rental housing, including:

- (a) Protecting the character and stability of residential areas;
- (b) Correcting and preventing housing conditions that adversely affect or are likely to adversely affect the life, safety, general welfare and health, including the physical, mental and social well-being of persons occupying dwellings;
- (c) Providing minimum standards for the maintenance of existing residential buildings, thus preventing slums and blight;
- (d) Preserving the value of land and buildings throughout the City.

(Ord. No. 568, § 2; Ord. No. 925, § 5, 1-4-2016)

Sec. 5-702. - Same; Definitions.

- (a) *Owner* shall mean any person, partnership, firm or corporation who, alone, jointly or severally with others is the title holder of any property upon which a dwelling is located. For purposes of the article, owner shall include the titleholder, any employee or agent of the titleholder, a trustee serving for the benefit of any titleholder, a conservator of the estate of any titleholder, or an executor or administrator of the estate of any deceased titleholder.
- (b) *Property* shall mean the lot, tract, or parcel of real estate upon which a dwelling is located.
- (c) *Single family dwelling* is any dwelling located on property which has been zoned as Single Family Residence District pursuant to the zoning laws of the City.
- (d) *Dwelling* is any building or portion thereof, which is designed or used for residential dwelling purposes.
- (e) *Duplex* is a dwelling designed for or occupied exclusively by two families.
- (f) *Multi-family dwelling* is a dwelling or portion thereof designed for or occupied by three or more families, but which may have joint services or facilities for more than one family.
- (g) *Short-term rental* means any dwelling, dwelling unit, rooming unit, room or portion of any dwelling unit, rooming unit or room rented or leased for valuable consideration for periods of time less than 30 days, with six or fewer guests where the rental may only serve as an accessory use, but excludes boarding houses (as defined in section 5-601 of the Code).

(Ord. No. 905, §§ 1, 4, 2-16-2015; Ord. No. 925, § 6, 1-4-2016)

Editor's note— Ord. No. 905, §§ 1, 4, adopted Feb. 16, 2015, repealed the former § 5-702, and enacted a new § 5-702 as set out herein. The former § 5-702 pertained to similar subject matter and derived from Ord. No. 568, § 3.

Sec. 5-703. - Same; License Required; Application Dates and Expirations.

It shall be unlawful for the owner of a single family dwelling or duplex to rent such dwelling to any person for dwelling purposes without first obtaining a license. The procedure for the application and the issuance of the initial license shall be the procedure set forth in section 5-704 through section 5-707 of this article. The initial license may be applied for at any time, but the date of expiration of the initial license shall be determined by the location of the single-family dwelling or duplex for which the license is required as set forth below. The date of each year upon which a person is required to make application for and obtain a renewal license under the provisions of this article shall be determined by the location of the single-family dwelling or duplex for which the license is required, as follows:

Location of Property	Application Date	Expiration Date
Ward 1	March 1	February 28
Ward 2	May 1	April 30
Ward 3	July 1	June 30
Ward 4	September 1	August 31

The renewal license shall be issued for a 12-month period commencing on the initial application date and ending on the expiration date set forth above. (Ord. No. 728, § 1; Code 2007)

Sec. 5-704. - Same; License Procedure.

- (a) Any person desiring a license shall make written application to the City Clerk on a form supplied by the City and containing such information as is necessary to administer and enforce the provisions of this article. Such application shall contain as a minimum the name and address of the owner, the address of the property, a consent by the owner to receive notices as provided in this article at a specified address and a consent to the inspections provided in the article. If any rental property is offered for lease by an owner of property who is not a resident of Johnson County, Kansas, the owner shall designate a resident agent who resides in Johnson County, Kansas, who shall be responsible for the payment of all fees and penalties, receipt of notices and all other matters provided herein. The application shall be accompanied by the license fee established pursuant to ~~in~~ section 5-104(c) of this Code. The licensing fee shall be prorated for the number of months always rounded up to the next whole dollar between the commencement of the licensing period and the date of the application for those applications that are submitted for dwellings that were not subject to the requirements of this article on the initial application date set forth in section 5-703. No refund of the license fee shall be made to those discontinuing operation or who sell, transfer, give away or otherwise dispose of a licensed dwelling to another person.
- (b) Short-term rentals requirements:
- (1) The rental is of the owner's principal residence;
 - (2) The owner resides in the premises rented for a period of at least 320 days in each calendar year;

- (3) Any resident wishing to host a short-term rental must provide courtesy notices to their neighbors adjacent and across the street. Evidence of this notification must be provided to City Hall prior to approval of an application.
- (4) Any short-term rental operating within the City must include the City permit number on marketing materials and online platforms the resident is using to advertise the rental of their home.

(Ord. No. 585, § 2; Ord. No. 925, § 7, 1-4-2016)

Sec. 5-705. - Same; Temporary Certificate.

Upon receipt of a completed application and the license fee, the City Clerk shall issue a "temporary certificate" indicating that a license has been duly applied for and the City Clerk shall attach with a sample of the inspection form which will be used to inspect the property by the City Building Official or such official's designated representative, along with a copy of Article 7 of Chapter V of the Code. A temporary certificate shall authorize the occupancy or continued occupancy of the dwelling unit in its present existence and use, pending the issuance or denial of the license. Structures to be converted to rental usage shall not be occupied for human habitation prior to issuance of a temporary certificate.

(Ord. No. 568, § 7; Code 2003)

Sec. 5-706. - Same; Inspection.

- (a) *Purpose.* Upon receipt of a properly completed application and license fee, the City shall cause the dwelling and the property upon which it is located to be inspected by the City Building Official or such official's designated representative. The City Building Official or his or her designated representative shall inspect the dwelling and the property upon which it is located to determine the following:
 - (1) That the use of the property is in compliance with the applicable zoning laws.
 - (2) That based upon an inspection of the exterior of the dwelling, the dwelling meets the requirements of the applicable building codes and standards contained in Chapter IV.
 - (3) That no condition exists on the exterior of the dwelling or on the property upon which the dwelling is located which constitutes a violation of any other Code section or ordinance of the City.

If the City Building Official finds that the dwelling and the property upon which it is located meets the requirements specified herein, then he or she shall approve the application and notify the City Clerk that the property has passed the inspection.

- (b) *Single family dwellings and duplexes, including permissible short-term rentals.* Interior~~nal~~ and exterior~~nal~~ inspections of single family dwellings and duplexes may be conducted at any time upon the request of the lawful occupant~~owner or the tenant~~. Exterior~~nal~~ inspections shall be conducted annually at the time an application is submitted for a license or a renewal license. Beginning on January 1, 2016, upon any dwelling becoming vacant, the owner shall notify the City and, if consented to by the owner or the owner's representative, an interior~~nal~~ inspection shall be conducted in the presence of the owner or the owner's representative prior to the dwelling being occupied by a new tenant, unless the dwelling has been inspected within the previous 12 months. Failure of the owner to notify the City that a dwelling has become vacant within 15 days after vacation of the dwelling shall be a public offense. Interior inspections may also be conducted pursuant to an administrative search warrant.
- (c) *Multi-family dwellings.* Interior~~nal~~ and exterior~~nal~~ inspections of multi-family dwellings may be conducted at any time upon the request of the lawful occupant~~owner or the tenant~~. Beginning on January 1, 2016, interior~~nal~~ and exterior~~nal~~ inspections of each dwelling unit in a multi-family

dwelling shall also be conducted by the Neighborhood Services staff ~~without request~~ approximately once every four years; multi-family dwelling units shall be systematically selected for such inspections. Interior inspections shall only be conducted with the consent of the lawful occupant or pursuant to an administrative search warrant.

- (d) *Reinspections.* If, upon inspection of a dwelling, the Neighborhood Services staff determines that the dwelling is not in compliance with applicable City ordinances, staff will discuss a schedule and process to achieve compliance with the owner or tenant. Reinspections shall be conducted to ensure that appropriate corrective action has been completed.

(Ord. No. 905, §§ 2, 4, 2-16-2015; Ord. No. 925, § 8, 1-4-2016)

Editor's note— Ord. No. 905, §§ 2, 4, adopted Feb. 16, 2015, repealed the former § 5-706, and enacted a new § 5-706 as set out herein. The former § 5-706 pertained to similar subject matter and derived from Ord. No. 568, § 8.

Sec. 5-707. - Same; Issuance or Denial of License.

- (a) The City Clerk shall cause the license to be issued upon receipt of a properly completed application, the applicable license fee and the approval of the City Building Official. All rights granted under a temporary certificate shall expire upon the issuance of the license. Compliance with the requirements necessary to pass inspection as set forth in section 5-706 shall be a continuing condition of the license; noncompliance with any such requirements may result in a suspension of the license pursuant to section 5-709.
- (b) If the City Building Official finds that the property does not meet the requirements of this article, a written denial specifying the defects shall be mailed or personally delivered to the applicant. At such time as the applicant has cured any defects and the City Building Official has verified the correction thereof, the City Clerk shall cause the license to be issued in accordance with the provisions of this article. In the event the applicant has not cured all the defects specified by the City Building Official within 60 days of the delivery of the notice thereof, all rights granted under a temporary certificate shall expire.

(Ord. No. 568, § 9)

Sec. 5-708. - Same; Renewal of License.

Each initial license issued under the provisions of this article shall expire on the expiration date set forth in section 5-703 hereof. A license, other than an initial license, shall expire on the month and day set forth in section 5-703 following the date of its issuance. A license may be renewed upon the completion of the application described in section 5-704 hereof, the payment of the licensing fee, and the property passing the inspection as provided in section 5-706 hereof. If a proper application has been filed for the renewal of a license and the licensing fee has been paid before the expiration date or within ten days following the expiration date, the owner shall be deemed to be in compliance with the licensing requirements of this article pending the inspection being made by the City pursuant to section 5-706.

(Ord. No. 585, § 3)

Sec. 5-709. - Same; Notice of Violation; Failure to Repair.

- (a) Whenever the City Building Official or designated representative determines that any dwelling or the property surrounding such dwelling fails to meet the requirements set forth in the article, he or she

shall suspend the license previously issued and shall issue a notice that such failure must be corrected. This notice shall:

- (1) Be in writing;
 - (2) Set forth the alleged violation;
 - (3) Describe the dwelling or other property where the violation or violations are alleged to exist or have been committed;
 - (4) Provide a reasonable time, not to exceed 60 days, for the correction of any alleged violations;
 - (5) Be served on the owner of the dwelling personally, or by certified mail, addressed to the last known place of residence of the owner, or the address of the owner provided on the application for license. If upon a diligent effort to locate the owner, the owner cannot be found, notice may be posted on or near the dwelling located on the property described in the notice.
- (b) A license suspended pursuant to the provisions hereof shall be reinstated upon correction of the violation set forth in the notice within the time provided in the notice.
- (c) Whenever an owner of a dwelling neglects or refuses to make repairs or take other corrective action called for by order or notice of violation issued by the City Building Official within the time allowed by the notice, the City Building Official shall revoke the license previously issued and shall post a notice on the dwelling or other property stating the nature of the violation and that the license to rent the dwelling is revoked. It shall be unlawful and punishable as provided herein for any person to remove such notice posted by the City Building Official. The issuance of a new license shall be subject to the payment of the full application fee.

(Ord. No. 568, § 11)

Sec. 5-710. - Same; Abatement.

In addition to the remedies and penalties otherwise prescribed in this article, the City may abate any nuisance in the manner set forth in K.S.A. 12-1617e, or amendments thereto, providing for the abatement of nuisances and the assessment of costs, or may repair or remove any unsafe or dangerous structure in the manner set forth in K.S.A. 12-1750 et seq., or amendments thereto, providing for the repair or removal of unsafe or dangerous structures or may take such action as may otherwise be provided by law or the Code of the City.

(Ord. No. 568, § 12)

Sec. 5-711. - Same; Enforcement.

The Neighborhood Services staff shall enforce the provisions of this article and are thereby authorized to make inspections on a scheduled basis or when reason exists to believe that violation of this article has been or is being committed. Inspections shall be undertaken with the consent of the lawful occupantowner, ~~the tenant~~ or other person exercising control of the dwelling, or by issuance of an administrative search warrant.

(Ord. No. 905, §§ 3, 4, 2-16-2015)

Editor's note— Ord. No. 905, §§ 3, 4, adopted Feb. 16, 2015, repealed the former § 5-711, and enacted a new § 5-711 as set out herein. The former § 5-711 pertained to similar subject matter and derived from Ord. No. 568, § 13.

SENATE BILL No. 366

AN ACT concerning local governmental regulatory authority; relating to regulation of food labeling, food-related consumer incentive items, food distribution and food production; inspection of residential property; price controls on private residential or commercial property; regulation of employers with regard to employee scheduling; amending K.S.A. 12-16,120 and K.S.A. 2015 Supp. 12-16,130 and repealing the existing sections. Be it enacted by the Legislature of the State of Kansas:

New Sec. 3. (a) No city or county shall adopt, enforce or maintain a residential property licensing ordinance or resolution which includes a requirement for periodic interior inspections of privately owned residential property for city or county code violations unless the lawful occupant has consented to such interior inspections. This subsection shall not apply to inspections of mixed-use residential and commercial property. This subsection shall not prohibit a city or county from conducting plan reviews, periodic construction inspections or final occupancy inspections as required by building permits.

(b) Any lawful occupant residing in privately owned residential housing located within the corporate limits of a city may request an inspection at any time by the city or, if the property is located in the unincorporated area of the county, by the county to determine code violations.