

AGENDA
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall, 4600 W 51st Street
June 20, 2023 6:00 PM

- Michael Poppa, Mayor
- Trisha Brauer, Council Member
- Benjamin Dickens, Council Member
- Jan Faidley, Council Member
- Jennifer Hill, Council Member

- Miel Castagna-Herrera, Council Member
- Tom Madigan, Council Member
- Kate Raglow, Council Member
- Michael Rebne, Council Member

- Keith Moody, City Administrator
- Micah Rehmert, Asst. Admin.
- Kelley Nielsen, City Clerk
- John Morris, Police Chief
- Donnie Scharff, Public Works Director

Admin

Dickens

Rebne

Finance

Hill

Castagna-Herrera

Safety

Madigan

Brauer

Public Works

Faidley

Raglow

Pledge of Allegiance

- A. Instructions on Logging into Meeting Remotely

Roll Call

- A. Executive Session - I move the Governing Body recess into executive session to discuss personnel matters pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1). The open meeting to resume in the council chamber at _____.

Modification of Agenda

I. Public Comments

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

II. Consent Agenda

Consent agenda items have been studied by the Governing Body and will be acted on in a single motion. If a Council member requests a

separate discussion on an item, it can be removed from the consent agenda and placed on new business for further consideration.

- A. Appropriations Ordinance #1022
- B. City Council Meeting Minutes June 5, 2023

III. Business From the Floor

- A. **Applications / Presentations**

IV. Mayor's Report

V. Workshop and Committee Reports

VI. Reports of City Liaisons

VII. Unfinished Business

VIII. New Business

- A. Approve Adding Workplace Gender Transition Policy to Employee Handbook (15 min)
- B. Appoint Aiden Ellis to the Sustainability Committee (5 min)
- C. Entertain a Motion to Take from the Table the Tree Preservation Policy Ordinance (5 min)

IX. Ordinances and Resolutions:

- A. Ordinance 1046 - Establishing a Tree Preservation Policy – tabled from the December 19, 2022 Council Meeting (10 min)

X. Workshop Items:

XI. 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: Pledge of Allegiance- -A.
Committee 6/20/2023
Meeting Date:



City of Roeland Park

Action Item Summary

Date:

Submitted By:

Committee/Department:

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

Item Type:

Recommendation:

See instructions to log in below.

Details:

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

Kelley Nielsen is inviting you to a scheduled Zoom meeting.

Topic: City Council and Governing Body Workshop Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://zoom.us/j/97767592270?pwd=VWNXbjNkejlVb0JBaStWMDF5WXpoZz09>

Meeting ID: 977 6759 2270

Passcode: council

One tap mobile

+16699006833,,97767592270# US (San Jose)

+12532158782,,97767592270# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 977 6759 2270

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

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

What are the implications to intersectionality?

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

Financial Impact

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	6/9/2023 - 9:35 AM

Goals/Objectives & Terms

Item Number: Roll Call- -A.
Committee 6/20/2023
Meeting Date:



City of Roeland Park

Action Item Summary

Date:

Submitted By:

Committee/Department:

Title:

Executive Session - I move the Governing Body recess into executive session to discuss personnel matters pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b) (1). The open meeting to resume in the council chamber at _____.

Item Type:

Recommendation:

Details:

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

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

Financial Impact

Amount of Request:

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	6/20/2023 - 6:14 PM

Goals/Objectives & Terms

Item Number: Consent Agenda- II.-A.
Committee 6/20/2023
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Appropriations Ordinance #1022**
Item Type:

Recommendation:

Details:

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

What are the implications to intersectionality?

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

Financial Impact

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	6/15/2023 - 2:32 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Appropriations Ordinance #1022	Cover Memo

Appropriation Ordinance - 6/20/2023 - #1022

4600 West Fifty-First Street

Roeland Park, Kansas 66205

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

Tuesday, June 20, 2023

Appropriation Ordinance - 6/20/2023 - #1022

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 June 20, 2023.

Attest:

City Clerk

Mayor

Total Appropriation Ordinance	\$	206,925.56
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Appropriation Ordinance - 6/20/2023 - #1022

						Check / EFT		
Vendor	Dept	Acct #	Description	Invoice Description	Date	Amount	Chk #	Check Amount
Vendor	Dept	Account	Account Description	Reference	Date	Distribution Amount	Check #	Check Amount
Advance Auto Parts	106	5306.106	Materials	5128315135914	06/14/23	6.82	75071	6.82
Automated Information Mapping S	101	5305.101	Dues, Subscriptions, & Books	38553/38554	06/14/23	1,094.84	75072	1,094.84
Airgas USA, LLC	106	5318.106	Tools	9996942104	06/14/23	22.70	75073	45.96
Airgas USA, LLC	106	5318.106	Tools	9997674872	06/14/23	23.26		
All City Management Services, Inc.	102	5214.102	Other Contracted Services	85872	06/14/23	488.20	75074	488.20
Aqua Products K.C.	220	5311.220	Pool Equipment	29724	06/14/23	110.00	75075	110.00
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	107159	06/14/23	420.00	75076	420.00
Armor Equipment	106	5211.106	Maintenace & Repair Equipment	4819IN	06/14/23	3,084.46	75077	3,084.46
Arthur J. Gallagher Risk Managem	101	5250.101	Insurance & Surety Bonds	6/9/23 Ck Req	06/14/23	7,400.00	75078	7,400.00
AT&T	101	5202.101	Telephone	3241 5/21/23	06/07/23	423.23	75064	423.23
Black & McDonald	101	5220.101	Street Light Repair & Maintenance	761487622	06/14/23	2,135.66	75079	3,444.66
Black & McDonald	101	5222.101	Traffic Signal Expense	761487622	06/14/23	1,309.00		
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	1079609	06/14/23	745.20	75080	745.20
Kansas City Board of Public Utiliti	101	5222.101	Traffic Signal Expense	2834 5/25/23	06/07/23	35.20	75065	35.20
Commercial Aquatic Services, Inc.	220	5442.220	Building Improvement	464681	06/14/23	10,300.50	75082	10,300.50
C & C Group	101	5210.101	Maintenance & Repair Building	57295	06/14/23	384.00	75083	384.00
Civic Plus	101	5266.101	Computer Software	263653	06/14/23	4,789.19	75085	4,789.19
Occupational Health Centers of the	102	5207.102	Medical Expense & Drug Testing	1014759566	06/14/23	162.00	75086	162.00
Corporate Health - KU Midwest	105	5207.105	Medical Expense & Drug Testing	32151600	06/14/23	50.00	75087	165.00
Corporate Health - KU Midwest	106	5207.106	Medical Expense & Drug Testing	32128700	06/14/23	115.00		
Corporate Health - Medical Pavilio	106	5207.106	Medical Expense & Drug Testing	32083300	06/14/23	50.00	75088	165.00
Corporate Health - Medical Pavilio	106	5207.106	Medical Expense & Drug Testing	32144200	06/14/23	115.00		
Dog Waste Depot	110	5262.110	Grounds Maintenance	550237	06/14/23	1,165.76	75089	1,165.76
Edwards Chemicals	220	5326.220	Chemicals	IN116001	06/14/23	2,596.33	75090	2,596.33
E. Edwards, Inc.	106	5308.106	Clothing & Uniforms	6012312052	06/14/23	11.92	75091	177.52
E. Edwards, Inc.	106	5308.106	Clothing & Uniforms	6012312052A	06/14/23	165.60		
Electronic Contracting Company	101	5214.101	Other Contracted Services	22354	06/14/23	300.00	75092	300.00
Fabric Print Inc.	106	5308.106	Clothing & Uniforms	2538662	06/14/23	283.50	75093	283.50
Galls, LLC	102	5308.102	Clothing & Uniforms	24590932	06/14/23	9.99	75094	9.99
Gather Media and Communication	101	5203.101	Printing & Advertising	1016	06/14/23	950.00	75095	3,780.00
Gather Media and Communication	101	5203.101	Printing & Advertising	1016	06/14/23	1,100.00		
Gather Media and Communication	101	5209.101	Professional Services	1016	06/14/23	1,250.00		
Gather Media and Communication	101	5209.101	Professional Services	1016	06/14/23	480.00		
Green For Life Environmental	115	5272.115	Solid Waste Contract	AS0001161452	06/14/23	45,742.50	75096	45,742.50
David Grant	101	5237.101	Community Events	6/14/23 Ck Req	06/14/23	60.00	75097	97.15
David Grant	101	5237.101	Community Events	6/14/23 Ck Req	06/14/23	37.15		
Hometown Lawn, LLC	106	5214.106	Other Contracted Services	887	06/14/23	930.00	75098	930.00
Institute for Building Technology	104	5214.104	Other Contracted Services	R730RLP0423	06/14/23	80.00	75099	80.00

IPMA-HR Greater KC Chapter	105	5206.105	Travel Expense & Training	23-24 Renewal	06/14/23	175.00	75084	175.00
Johnson County Wastewater	101	5288.101	Waste Water	6/1/23 Multi	06/14/23	45.16	75100	6,128.10
Johnson County Wastewater	106	5288.106	Waste Water	6/1/23 Multi	06/14/23	69.74		
Johnson County Wastewater	220	5288.220	Waste Water	6/1/23 Multi	06/14/23	5,843.07		
Johnson County Wastewater	290	5288.290	Waste Water	6/1/23 Multi	06/14/23	170.13		
Johnson County Aging & Human S	101	5212.101	Utility & Rental Assistance	2/20/23 Ck Req	06/14/23	2,933.58	75101	2,933.58
Johnson County Park & Recreation	290	5289.290	Natural Gas	1/1-3/31/23	06/14/23	2,620.22	75102	2,620.22
Joe Smith Company	220	5325.220	Concessions food and supplies	324785	06/14/23	438.64	75103	438.64
Mike Judd	101	5239.101	Public Art Maintenance	67890	06/14/23	200.00	75104	200.00
Kansas Gas Service	220	5289.220	Natural Gas	06/09/2023 CkReq	06/14/23	81.52	75105	81.52
Adolph Kiefer & Associates, LLC	220	5308.220	Clothing & Uniforms	1306996	06/14/23	981.10	75106	1,650.28
Adolph Kiefer & Associates, LLC	220	5311.220	Pool Equipment	1301361	06/14/23	669.18		
Kansas One-Call System, Inc.	101	5220.101	Street Light Repair & Maintenance	3050455	06/14/23	213.60	75107	213.60
Amy Kuhnlein	115	5271.115	Composte Bin Rebate Program	06/01/2023 Exp	06/14/23	75.00	75108	75.00
The Legal Record	101	5204.101	Legal Printing	L12821	06/14/23	8.04	75109	8.04
Lexington Plumbing & Heating Co.	290	5209.290	Professional Services	141836	06/14/23	175.00	75110	315.00
Lexington Plumbing & Heating Co.	110	5262.110	Grounds Maintenance	142903	06/14/23	140.00		
Lowe's Business Acct./GEMB	220	5210.220	Maintenance & Repair Building	1760 6/12/23	06/05/23	131.07	32843	827.91
Lowe's Business Acct./GEMB	220	5210.220	Maintenance & Repair Building	1760 6/12/23	06/05/23	166.12		
Lowe's Business Acct./GEMB	220	5210.220	Maintenance & Repair Building	1760 6/12/23	06/05/23	163.40		
Lowe's Business Acct./GEMB	220	5210.220	Maintenance & Repair Building	1760 6/12/23	06/05/23	89.46		
Lowe's Business Acct./GEMB	220	5210.220	Maintenance & Repair Building	1760 6/12/23	06/05/23	(50.33)		
Lowe's Business Acct./GEMB	220	5210.220	Maintenance & Repair Building	1760 6/12/23	06/05/23	(15.07)		
Lowe's Business Acct./GEMB	220	5210.220	Maintenance & Repair Building	1760 6/12/23	06/05/23	(163.40)		
Lowe's Business Acct./GEMB	106	5259.106	Traffic Control Signs	1760 6/12/23	06/05/23	40.00		
Lowe's Business Acct./GEMB	110	5262.110	Grounds Maintenance	1760 6/12/23	06/05/23	47.44		
Lowe's Business Acct./GEMB	110	5262.110	Grounds Maintenance	1760 6/12/23	06/05/23	19.44		
Lowe's Business Acct./GEMB	290	5264.290	Grounds Improvements	1760 6/12/23	06/05/23	85.44		
Lowe's Business Acct./GEMB	106	5304.106	Janitorial Supplies	1760 6/12/23	06/05/23	31.49		
Lowe's Business Acct./GEMB	106	5306.106	Materials	1760 6/12/23	06/05/23	14.23		
Lowe's Business Acct./GEMB	106	5306.106	Materials	1760 6/12/23	06/05/23	26.55		
Lowe's Business Acct./GEMB	106	5306.106	Materials	1760 6/12/23	06/05/23	73.42		
Lowe's Business Acct./GEMB	106	5306.106	Materials	1760 6/12/23	06/05/23	(6.66)		
Lowe's Business Acct./GEMB	290	5306.290	Materials	1760 6/12/23	06/05/23	140.48		
Lowe's Business Acct./GEMB	106	5421.106	Street Maintenance	1760 6/12/23	06/05/23	23.22		
Lowe's Business Acct./GEMB	300	5421.300	Street Maintenance	1760 6/12/23	06/05/23	11.61		
Manning NavComp, Inc.	106	5214.106	Other Contracted Services	47238	06/14/23	34.95	75111	34.95
MARC	101	5214.101	Other Contracted Services	15412	06/14/23	1,000.00	75112	1,000.00
MEI Total Elevator Solutions	101	5210.101	Maintenance & Repair Building	1020978	06/14/23	259.56	75113	259.56
M & H Gas, LLC	220	5240.220	Equipment Rental	9009	06/14/23	114.35	75114	138.35
M & H Gas, LLC	220	5240.220	Equipment Rental	191546	06/14/23	24.00		
Midwest Public Risk	107	5126.107	Health/Dental/Vision Insurance	5/24/23	06/07/23	34,734.00	75066	34,734.00
Midtown Signs LLC	300	5470.300	Park Maintenance	16155	06/14/23	1,339.83	75115	1,339.83
Mission Electronics, Inc.	220	5442.220	Building Improvement	51407	06/14/23	244.00	75116	244.00

Moss Printing	110	5262.110	Grounds Maintenance	16863	06/14/23	96.00	75117	96.00
NAPA Auto Parts	106	5260.106	Vehicle Maintenance	2138180792	06/14/23	41.28	75118	41.28
Nathan S. Pierce	101	5217.101	Public Art	06/12/2023 CkReq	06/14/23	40,000.00	75119	40,000.00
Pitney Bowes Global Financial Ser	101	5205.101	Postage & Mailing Permits	3317528973	06/07/23	174.24	75067	174.24
Michael Poppa	108	5206.108	Travel Expense & Training	05/19/2023 CkReq	06/14/23	35.00	75120	95.00
Michael Poppa	108	5206.108	Travel Expense & Training	06/01/2023 CkReq	06/14/23	60.00		
Pro Circuit, Inc.	999	9999	Undistributed	1005360	06/14/23	1,299.64	75121	1,299.64
Purchase Power	101	5205.101	Postage & Mailing Permits	7903 5/21/23	06/07/23	446.89	75068	446.89
Pur-O-Zone, Inc.	220	5304.220	Janitorial Supplies	06/05/2023 CkReq	06/14/23	550.28	75122	962.28
Pur-O-Zone, Inc.	290	5304.290	Janitorial Supplies	874674	06/14/23	412.00		
Ripple Glass, LLC	115	5272.115	Solid Waste Contract	6956	06/14/23	220.00	75123	220.00
Roeland Park Police Dept	102	5214.102	Other Contracted Services	152202301	06/14/23	2,234.05	75124	2,234.05
SFS Architecture	220	5442.220	Building Improvement	15335	06/14/23	746.75	75125	3,116.19
SFS Architecture	300	5476.300	Community Center Improvement	15340	06/14/23	2,369.44		
Staples	101	5301.101	Office Supplies	3510518722	06/14/23	100.45	75126	933.50
Staples	101	5301.101	Office Supplies	3510518723	06/14/23	31.39		
Staples	101	5301.101	Office Supplies	3510953220	06/14/23	94.52		
Staples	101	5301.101	Office Supplies	3537880663	06/14/23	197.60		
Staples	101	5301.101	Office Supplies	3537880665	06/14/23	9.60		
Staples	101	5301.101	Office Supplies	3539654852	06/14/23	237.85		
Staples	101	5304.101	Janitorial Supplies	3537880666	06/14/23	71.83		
Staples	101	5304.101	Janitorial Supplies	3539654852	06/14/23	190.26		
Strasser True Value	106	5306.106	Materials	431549	06/14/23	26.70	75127	26.70
Suburban Lawn & Garden	106	5263.106	Tree Maintenance	544306	06/14/23	12.91	75128	12.91
Sysco Kansas City, Inc.	220	5325.220	Concessions food and supplies	557468787	06/14/23	701.65	75129	1,855.88
Sysco Kansas City, Inc.	220	5325.220	Concessions food and supplies	557490421	06/14/23	554.16		
Sysco Kansas City, Inc.	220	5325.220	Concessions food and supplies	557506843	06/14/23	348.54		
Sysco Kansas City, Inc.	220	5325.220	Concessions food and supplies	557521509	06/14/23	251.53		
Terminix Processing Center	101	5214.101	Other Contracted Services	433923240	06/14/23	76.00	75130	76.00
Town & Country Building Services	101	5214.101	Other Contracted Services	06/01/2023 CkReq	06/14/23	745.00	75131	745.00
Redacted	101	5273.101	Neighbors Helping Neighbors	04/17/2023	06/14/23	1,300.00	75132	1,300.00
USIC Locating Services, LLC	101	5220.101	Street Light Repair & Maintenance	588642	06/14/23	2,631.36	75133	2,767.56
USIC Locating Services, LLC	370	5457.370	CARS 2020 - Roe	588642	06/14/23	136.20		
US Postal Service	101	5208.101	Newsletter	6/12/23	06/13/23	750.04	32845	750.04
Validity Screening Solutions	105	5207.105	Medical Expense & Drug Testing	231980	06/14/23	34.00	75134	178.00
Validity Screening Solutions	106	5207.106	Medical Expense & Drug Testing	231980	06/14/23	110.00		
Validity Screening Solutions	290	5207.290	Medical Expense & Drug Testing	231980	06/14/23	34.00		
Verizon Wireless	106	5202.106	Telephone	9935622855	06/07/23	40.01	75069	40.01
Capital One	109	5316.109	K9 Expenses	7511 6/13/23	06/14/23	111.61	75081	111.61
Watchmen Security Services, LLC	106	5210.106	Maintenace & Repair Building	78831	06/14/23	29.16	75135	29.16
Water District No 1 of Johnson Co	101	5287.101	Water	5/24/23 Multi	06/07/23	62.79	75070	4,696.24
Water District No 1 of Johnson Co	106	5287.106	Water	5/24/23 Multi	06/07/23	283.34		
Water District No 1 of Johnson Co	220	5287.220	Water	5/24/23 Multi	06/07/23	4,207.27		
Water District No 1 of Johnson Co	290	5287.290	Water	5/24/23 Multi	06/07/23	142.84		

The Work Zone, Inc.	106	5259.106	Traffic Control Signs	65574	06/14/23	<u>233.80</u>	75136	<u>233.80</u>
Wex Bank	102	5302.102	Motor Fuels & Lubricants	6429 6/5/23	06/05/23	<u>2,638.99</u>	EFT	<u>2,638.99</u>
						\$	206,925.56	

Item Number: Consent Agenda- II.-B.
Committee 6/20/2023
Meeting Date:



City of Roeland Park
Action Item Summary

Date:

Submitted By:

Committee/Department:

Title: **City Council Meeting Minutes June 5, 2023**

Item Type:

Recommendation:

Details:

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

What are the implications to intersectionality?

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

Financial Impact

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	6/15/2023 - 2:34 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▯ City Council Meeting Minutes June 5, 2023	Cover Memo

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, June 5, 2023, 6:00 P.M.

- | | | |
|---|--|--|
| <ul style="list-style-type: none">○ Michael Poppa, Mayor○ Trisha Brauer, Council Member○ Benjamin Dickens, Council Member○ Jan Faidley, Council Member○ Jennifer Hill, Council Member | <ul style="list-style-type: none">○ Tom Madigan, Council Member○ Castagna-Herrera, Council Member○ Michael Rebne, Council Member○ Kate Raglow, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Micah Rehmert, Asst. City Administrator○ Kelley Nielsen, City Clerk○ John Morris, Police Chief○ Donnie Scharff, Public Works Director |
|---|--|--|

Admin
Dickens
Rebne

Finance
Hill
Castagna-Herrera

Safety
Madigan
Brauer

Public Works
Faidley
Raglow

(Roeland Park Council Meeting Called to Order at 6:00 p.m.)

Pledge of Allegiance

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

Roll Call

City Clerk Nielsen called the roll. All Governing Body members were present. Staff members present were City Administrator Moody, City Attorney Felzien, Finance Director/Asst. City Administrator Rehmert, Public Works Director Scharff, Police Chief Morris, Parks and Rec Superintendent Marshall, and City Clerk Nielsen. The meeting was held virtually.

Modification of Agenda

There were no modifications to the agenda.

I. PUBLIC COMMENTS

No public comments were made.

II. Consent Agenda

- A. Appropriations Ordinance #1021**
- B. Council Meeting Minutes May 15, 2023**

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO APPROVE THE CONSENT AGENDA ITEMS AS PRESENTED. (MOTION CARRIED 8-0.)

III. Business from the Floor - Proclamations/Applications/Presentations

- A. Presentation from MARC on Housing Data Hub - Frank Lenk**

Mr. Lenk said at MARC they have been working hard on a variety of fronts with local governments to address housing issues in the region. He provided background information and data that can be found on the Housing Data Hub on MARC's homepage. The hub provides historical information as well as

current data. Their research shows that in the metro area Johnson County has the highest gap in housing between units and available and being affordable to the people that need them. There are not enough rental units to match the incomes of the people looking for them. Their data research shows there is a shortage of about 45,000 affordable units in Johnson County alone followed by Jackson County in Missouri. This problem largely affects people of color, households with children, the elderly and disabled.

CMBR Dickens said the information is alarming. He asked if the 30 percent monthly income for housing is based on net or gross income. Mr. Lenk said it is gross income and 30 percent is the average of what people can afford to spend on housing.

CMBR Rebne said looking at data was very troubling but not a surprise. He said as a Governing Body, they have had conversations about affordable housing and development. He asked how as a municipality they might internalize the data and where do they go from here when their data in Roeland Park might show different numbers than their data. He asked what they might do to help take ownership of this crisis metro wide. Mr. Lenk said that in an increase of housing, to think more towards workforce housing, mixed use development, and providing varying styles and sizes to meet the diversity of those seeking housing. He suggested more housing be on transit lines while also improving public transit itself. He suggested a relaxation in zoning to accommodate more units and also a community/public investment in housing through a community land trust or providing housing funds to subsidize production or home ownership.

CMBR Faidley said she heard Mr. Lenk's presentation at the First Suburbs meeting and found it very fascinating. She said another component would be coming out shortly and asked what that would include. Mr. Lenk said by looking at their blog, they can see where crowding occurs in cities, and it provides a better feel for where people are going.

Mayor Poppa expressed his thanks for what Mr. Lenk and those at MARC do to support the local municipalities.

B. Project RISE Update from the Chamber - Rebecca Galati

Ms. Galati provided an update on Project RISE noting that their website went live on May 1 during Small Business Awareness Week. She and Deb Settle, President of the Northeast Johnson County Chamber, have been working on launching this project for the City. Ms. Galati said she appreciates the support she has received from the City and Ms. Garcia, the City's PIO. They will next begin working on a sustainability plan. They have seen a good rollout to area businesses and a push for a media presence adding that several outlets including the *Shawnee Mission Post*, picked up what they are doing.

Ms. Galati went over the deliverables, which first was to develop a strategy to promote redevelopment and tenanting of underutilized and vacant commercial and residential sites, and to share that with the community. They have also developed and are implementing a City specific small business retention toolkit for how to start, plan, and grow the business. The toolkit is diverse for all the needs they have. She is continuing to develop and foster relationships within the commercial and retail development communities and will continue with those meetings as they develop best practices.

Ms. Galati was asked to provide website analytics, but they would really like to have three months of data to better provide that information. She did say, however, that in their first month they had 798 visits since launch.

In closing, Ms. Galati asked the Governing Body for direction on whether to maintain the project or expand it.

Mayor Poppa thanked Ms. Galati for her presentation, adding that it is amazing what she has accomplished in building this from the ground up. He said they are looking forward to seeing what they can do with Project RISE and small business in the city.

CMBR Castagna-Herrera asked if Ms. Galati has been contacted by anyone wanting to join the Chamber as a result of the interest expressed in Project RISE. Ms. Galati did say there has been curiosity as to what it is, and she has also been contacted by other cities who want to know what Project RISE is.

CMBR Faidley said that we want to make sure they continue those conversations. Ms. Galati said she is excited about all the potential they have with this project.

Mayor Poppa told Ms. Galati to contact them if they need anything, and she said to send her any information or events that might help further the project.

IV. Mayor's Report

A. Pride Month Proclamation

Mayor Poppa said June Pride month is a time to celebrate diversity and to commemorate the Stonewall Riots to honor the time for those fighting for LGBTQ rights. He said they are looking into what they can do legally to protect the LGBTQ community in Roeland Park.

CMBR Dickens noted that Roeland Park is one of the first cities to pass a non-discrimination ordinance, ban conversion therapy, and is a leader in protecting its citizens. He said in Roeland Park they walk the walk and representation matters. In the City, their residents have an ally in their Governing Body and staff, which makes them feel valued and seen. He added that the LGBTQ community has been an object of violence and they are seeing a renewed assault. Roeland Park is a safe place for those who need support and shelter, which is something they all can be proud of. In Roeland Park, they do not celebrate Pride month just in June but all year long. He thanked all of their allies and told them to keep fighting. He said that history bends towards the inclusive.

Mayor Poppa read the proclamation for Pride Month during June 2023 and invited all to respect the diversity of their community and for everyone to develop a culture of acceptance. The Governing Body expressed their support to the proclamation.

B. World Elder Abuse Awareness Day Proclamation

Mayor Poppa spoke of the fact that many older residents want to remain in their homes for a longer time and it is important for the community to support them by helping them by creating a place where they can be active and stay engaged as long as possible. After reading the proclamation into the record, June 15th, 2023, was named World Elder Abuse Awareness Day and Mayor Poppa encouraged

the community to recognize and celebrate older adults in their city. All Governing Body members expressed their support.

C. Review League of Kansas Municipalities Code of Procedures for Kansas Cities

Mayor Poppa reviewed the taking of motions during their meetings. He said that Roeland Park does not use Robert's Rules of Order, but that most area municipalities have adopted the Kansas Municipalities Code of Procedures, which are easier and not as parliamentary.

He said going forward, he will not ask for a vote on a proclamation, but would ask the Council to weigh in on whether they will support them. He also added that if there were an issue, they would like to submit for a proclamation to let him know.

Also, for the sake of efficiency, a motion will be taken after the item has been thoroughly discussed. This allows for the Council to be able to vote on a clean motion.

CMBR Faidley asked in the event a motion happens before the chair considers the discussion closed would they take a second before continuing the discussion.

City Attorney Felzien said in his work with other municipalities, they typically do not take a motion before the end of the discussion.

CMBR Madigan asked at what point they would be able to table or un-table a motion. Mayor Poppa said that would be an alternate motion and he would likely expect that coming out of their discussion and would call for what he best understands the motion to be.

V. Reports of City Liaisons and Committees

A. Aquatic Center Advisory Committee

Parks and Recreation Superintendent Marshall said they will need to adjust their schedule with fewer days and shorter times so they can have the pool staffed with 12 lifeguards each day. They would need 25 lifeguards to be open five days a week.

CMBR Raglow asked if they have any feedback as to why someone signing up to be a lifeguard did not commit to the end of the process. Mr. Marshall said he does not know whether they do not want to be a lifeguard in general or whether it's Roeland Park specifically.

Mr. Marshall said that lifeguards have decreased considerably over the metro area and provided comparisons of other cities noting that Overland Park did not open two of their pools and some in Kansas City, Kansas are closed.

CMBR Hill asked about staffing for Fairway, Prairie Village, and Mission. Mr. Marshall said he has not heard of any shortages, but normally at the end of the season is when they get information, and they meet and discuss how the season went. He said those pools are open every day, so he assumes they have enough staff.

Mr. Marshall noted that there are 18 pools within a 10-mile radius of Roeland Park with several of them being open year-round. A few also have swim teams. Most of them have an Aquatics Director with over four years' experience and Roeland Park does have the lowest pay scale.

CMBR Raglow asked if Mr. Marshall has tried to get lifeguards from other cities that might want to pick up extra shifts, especially if they have to work inside. Mr. Marshall said that Merriam and Mission do have year-round pools, but they also have outdoor in the summertime as well.

Mr. Marshall showed the Governing Body a comparison of lifeguard hourly rates with Roeland Park as the lowest at \$12.50 an hour and Overland Park as the highest at an hourly rate of \$15.

CMBR Madigan asked if they changed the rate, would it help. Mr. Marshall said it may help but all the factors play equally into the problem.

CMBR Dickens asked if they have continued the referral bonus. Mr. Marshall said they have, but the youth are more impressed with the hourly wage up front than getting something on the back end.

CMBR Castagna-Herrera asked if they could increase the rate now, or do they have to wait until budget discussions. She said in her business, kids are only looking at the hourly rate and not any perks. Mayor Poppa said they will be discussing a rate change later in the meeting that would take effect immediately.

CMBR Faidley agreed with Mr. Marshall that kids don't care about bonuses, and they should take that into consideration.

Mr. Marshall said he wants them to keep working at this and to continue trying and not give up. He said it will not be like this forever and he does see a light at the end of the tunnel. He added that there are ways to get in a better situation for future years to come.

B. MARC - Bike & Pedestrian (Jan Faidley)

CMBR Faidley noted that there is a lot of information included in the packet that came out of their long meeting.

City Administrator Moody added that he sent out information on the Regional Bikeway Plan. He said there is good information about what has happened in Roeland Park and the info will get everyone up to speed.

VI. Unfinished Business

A. Approve Gateway Art Agreement with Nathan Pierce

96,000 - power to the base, build the base.

CMBR Hill asked for clarification for where the funds are coming from for the art installation. City Administrator Moody said a majority of the funds are from the Embrey 1 percent for art contribution. The Arts Committee has set aside a portion of their allotment to the Community Foundation, and a portion of this year's art annual allocation is going towards the project. There is \$114,000 set aside to

cover the artist fee and extend electric to the site. The City will be responsible for the installation of the base.

CMBR Faidley asked if a final site had been chosen and City Administrator Moody said it is up to the Arts Committee which site they prefer.

MOTION: CMBR MADIGAN MOVED AND CMBR HILL SECONDED TO APPROVE THE GATEWAY ART AGREEMENT WITH NATHAN PIERCE. (THE MOTION CARRIED 8-0)

VII. New Business

A. Approve Starting Wages for Lifeguards

City Administrator Moody stated there is a lag in the current starting pay for lifeguards. With the Aquatics Center operating less hours there will certainly be an offset with an increase in pay. As of right now, he can only say now what the impact will be for an increased pay, but will not know the net offset until after the close of the season.

He also said this is not a request to raise the pay scale or range.

CMBR Hill noted that each year a lifeguard returns they receive a raise. City Administrator Moody said it is their intent to apply the increase of 50 cents per year if they return.

CMBR Madigan said he hears from constituents that they are not open every day and close early. He said they are lagging behind and they need to keep up.

CMBR Faidley asked if they do the \$15 per hour would they need to amend the 2023 pay scale. City Administrator Moody said that is not required those people being paid would not be outside the pay range for lifeguards.

CMBR Raglow asked what the difference would be between \$14 and \$15 an hour. City Administrator Moody said it would be about \$6,000.

CMBR Castagna-Herrera would like to see them start at \$15 and receive increases. She said that kids can get jobs anywhere paying that. And they in turn will have more people coming to the pool if it is fully staffed and open all the time.

Mr. Marshall did say to keep in mind if they have low numbers, they might be closed or have limited hours on a Saturday or Sunday. It is always safety first. He also said that his college bound lifeguards usually start school by the end of July or beginning of August. But he added that they will be open as much as they can.

CMBR Brauer said an increase in pay could be considered an unforeseen expense. She noted that as a community they have invested a lot of money and time to improve the pool and the area and not to staff it to save a few thousand dollars contradicts the work they have done to get it to a place that's an asset to their community.

CMBR Raglow said the difference to be able to pay \$15 an hour is a benefit to the community and agreed with CMBR Brauer's comments on the remodeling done at the Aquatics Center.

Mayor Poppa said it is an important step to try to get the pool open seven days a week.

MOTION: CMBR DICKENS MOVED AND CMBR HILL SECONDED TO APPROVE THE STARTING PAY FOR LIFEGUARDS TO BE \$15 AN HOUR. (MOTION CARRIED 7-1 WITH CMBR MADIGAN VOTING NO.)

VIII. Ordinances and Resolutions

A. Resolution 703 Expressing Intent to Issue GO Bonds

Mayor Poppa said this resolution is only precautionary if we do not close on The Rocks site. If there comes a point where they need to issue debt, then the Governing Body would have to pass a separate ordinance. This resolution preserves the opportunity to borrow the \$1.7 million for the Public Works facility should there become an issue.

CMBR Faidley asked if funds from the sale of land for The Rocks purchase was also for work at the Public Works site. City Administrator Moody said they are anticipating using the proceeds from The Rocks towards the investment of the Public Works facility.

MOTION: CMBR RAGLOW MOVED AND CMBR HILL SECONDED TO APPROVE RESOLUTION 703 EXPRESSING INTENT TO ISSUE GO BONDS. (MOTION CARRIED 7-1 WITH CMBR MADIGAN VOTING NO.)

B. Ordinance 1045 Changing the Name of the Racial Equity Committee to the Diversity, Equity and Inclusion Committee.

CMBR Raglow said this has been on her mind as they as a Governing Body have talked about diversity, equity, and inclusion at basically all of their Council meetings. She brought this suggestion to Haile Sims and CMBR Castagna-Herrera, and they were agreeable. It was also brought before the Racial Equity Committee and many of them were thinking the same thing but did not know the avenue to take to bring up the suggestion. She said from her perspective it does not diminish race but brings more light to more of their community and residents.

CMBR Castagna-Herrera said she spoke with one of the Councilmembers who felt that by omitting race it kind of generalizes it. She their intent as a community of equity, they are still talking about race as well as other areas of disability and sexual orientation. She said they will continue talking about race, but they can add to the mix inclusion and diversity issues.

CMBR Faidley said she agrees with the committee's recommendation, but drew attention to how the committee came into existence following the death of George Floyd, and it was agreed that race is the most egregious of the discriminations and they should start there. She said it is important to keep that fact in mind.

MOTION: CMBR RAGLOW MOVED AND CMBR CASTAGNA-HERRERA SECONDED TO APPROVE ORDINANCE 1045, CHANGING THE NAME OF THE RACIAL EQUITY COMMITTEE TO DIVERSITY, EQUITY AND INCLUSION COMMITTEE. (MOTION CARRIED 8-0.)

IX. Reports of City Officials

A. City Administrator Report

City Administrator Moody said that progress has begun on the Canterbury Street project, and they are also putting back some curbing. Work is progressing at the Public Works facility and the Community Center. They are anticipating the Community Center building work to be completed at the beginning of July, but they have not started renting out any of the spaces.

Adjourn:

MOTION: CMBR MADIGAN MOVED AND CMBR DICKENS SECONDED TO ADJOURN. (MOTION CARRIED 8-0.)

(Roeland Park City Council Meeting Adjourned at 8:03 p.m.)

Kelley Nielsen, City Clerk

Michael Poppa, Mayor

Item Number: New Business- VIII.-A.
Committee 6/20/2023
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 6/15/2023
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Approve Adding Workplace Gender Transition Policy to Employee Handbook (15 min)**
Item Type: Other

Recommendation:

Attached is a sample Workplace Gender Transition Policy for discussion.

- Does this item benefit all racial groups? Yes. Individuals from all racial groups identify as transgender. Specifically, black transgender women experience higher rates of discrimination and therefore poorer health and socioeconomic outcomes.
- Does this item benefit Community for All Ages? Yes. Individuals from all ages identify as transgender. Older transgender adults are at a significantly higher risk of poor health outcomes, including disability and depression.
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why? No
- What (if any) social determinants of health are impacted by this item?
 - Economic Stability
 - Opportunities for steady employment
 - Social & Community Context
 - Social supports within the community
 - Civic participation
 - Discrimination
 - Workplace conditions
- What (if any) are the unintended economic and environmental impacts of this item? n/a
- How has the impacted community been involved?
 - This policy was developed by and with transgender individuals, specifically for government entities
- How will the program be communicated to all stakeholders?
 - Incorporated into the city's Employee Handbook & possibly listed in job postings w/

our statement of inclusion.

o

Details:

The sample policy provides direction to Roeland Park staff on Gender Transitioning in the workplace. The policy provides clarity on a variety of questions that may arise when an employee is transitioning or identifying as a new gender. The City Attorney has formatted the sample as new section B.10 (page 16) in the Employee Handbook.

Changes to the Employee Handbook are approved through a simple majority vote of the Council.

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

What are the implications to intersectionality?

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

Financial Impact

Amount of Request: \$0	
Budgeted Item?	Budgeted Amount: N/A
Line Item Code/Description: N/A	

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Moody, Keith	Approved	6/15/2023 - 4:16 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
□ Draft- Employee Handbook with Gender Transition Section	Cover Memo



*City of Roeland Park
Employee Handbook
Adopted 10/18/2021
Last Revision Adopted 08/18/2021*



The City of Roeland Park, Kansas

R.I.C.T.E.R. Scale

- **Respect:** We show consideration for all persons with whom we have contact; both our customers and fellow employees.
- **Integrity:** We have the courage to consistently do what is right and fair.
- **Creativity:** We find better ways to do things. We are innovative in achieving excellence.
- **Team Work:** We support and encourage others as we work toward a common goal.
- **Excellence:** We strive to exceed expectations for the results we produce, the quality of our services and the interactions with our customers.
- **Responsibilities:** We embrace the opportunity to do the right thing in carrying out commitments and obligations.

Management Team Leadership Philosophy

We believe that the employees are the most valuable assets. We are an organization of diverse individuals with integrity who trust each other to make right decisions. We value all staff and recognize that improvements derive from the people providing the services. We work together to produce excellent results. To this end we foster an environment that maximizes talent, skills and creativity.

Employee Mission Statement

Staff members work with elected leaders and citizens to make our community the best it can be.

Realizing the balance between diverse interests and desires, we, as employees, pledge to provide outstanding services for the residents and customers of the community every time.

We are an organization committed to provide the necessary support and opportunities for each staff member to honor this pledge.



City of Roeland Park - Employee Handbook

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A. GENERAL GUIDELINES

1. Policies Established-

The following policies, guidelines, and other provisions for personnel administration in the City of Roeland Park are established to:

- a) Promote and increase the efficiency and effectiveness of City service;
- b) Develop a program of recruitment and advancement which will make City service attractive as an employment opportunity; and
- c) Establish and maintain a uniform plan of performance evaluation and compensation based upon the relative duties and responsibilities of each position to assure a fair and equitable wage or salary to all employees.

2. City Employment and Personnel Policies-

The policies in this Employee Handbook are not intended to cover every situation or question that might arise during the course of your employment, but rather, serve as general information and guidelines to provide a framework for day-to-day practices. While this Employee Handbook describes certain policies, procedures, and benefits, it is subject to change from time to time, with or without notice to employees, and at the sole discretion of the City.

This Employee Handbook supersedes any and all past handbooks, policies, procedures, understandings and standards, written or verbal, express or implied.

3. At-Will Employment-

This Employee Handbook does not create express or implied contractual employment rights to continued employment or employment benefits. Employment at the City is at will, which means that either the employee or employer may terminate the employment at any time, for any reason not prohibited by law, with or without notice. All employees are considered to be at-will employees for the purposes of City employment, and no supervisor or other management personnel has the authority to change, either orally or in writing, the at-will status of any employee or create an employment contract. Only the Governing Body has the authority to create an employment contract and such contract must be in writing.

4. Application of Policies-

The policies and guidelines in this Employee Handbook shall apply to all employees in the service of the City except elected and appointed officials.

5. Departmental Guidelines-

The head of any City department may formulate, in writing, reasonable guidelines for the conduct of the operations of his or her department, such as those relating to safety or operational procedures, which shall be available to all departmental employees. Such department guidelines shall not be less stringent than, in violation of, or in conflict with this Employee Handbook. When a conflict exists between this Employee Handbook and guidelines set by a department, the Employee Handbook shall govern.

6. Amendment of Policies-

These policies may be amended from time-to-time in the same manner as they were adopted. Any such amendment shall become effective upon adoption by the Governing Body. The most recent version of this policy can be located online or by contacting the City Clerk.

B. WORKPLACE GUIDELINES

1. Equal Opportunity Statement-

It shall be the policy of the City to provide fair and equal employment opportunity to all qualified applicants and employees, and not discriminate on the basis of race, color, gender identity and sexual orientation, disability, religion, age, national origin, military and/or veteran status, citizenship status, genetic information or any other characteristic protected by applicable federal, state or local laws. Our management team is dedicated to this policy with respect to all terms and conditions of employment, including but not limited to: recruitment, hiring, placement, promotion, transfer, demotion, layoff, termination, training, recruitment, advertising, compensation, benefits, employee activities, all other terms and conditions, and general treatment during employment. In most cases, vacant positions shall be advertised, except those that fall under the internal promotion policy and those exempted by the Governing Body on an emergency basis.

The City Administrator has overall responsibility for this policy and maintains any required reporting and monitoring procedures. Employees' questions or concerns should be referred to the City Administrator.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the City Administrator. The City will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. To ensure our workplace is free of artificial barriers, violation of this policy may lead to discipline, up to and including discharge.

2. Non-Discrimination and Anti-Harassment Policy-

The City is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the City expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice, and harassment.

a) Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under the law. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; repeated requests for social engagement or interactions when prior social invitations have been refused or when the employee has otherwise indicated such invitations are unwelcome; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment that is, harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

b) Other Prohibited Harassment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, national origin, religion, age, disability, creed, marital status, ancestry, sexual orientation or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the

workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

c) Individuals and Conduct Covered

These policies apply to all applicants and employees, and prohibit harassment, discrimination, and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the City (e.g., an outside vendor, consultant or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

d) Retaliation is Prohibited

The City prohibits retaliation against any individual who reports discrimination or harassment, or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, may be subject to disciplinary action up to and including discharge.

e) Complaint Procedure

Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure.

The Employer strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to the City's policy or who have concerns about such matters should immediately file their complaints with their immediate supervisor or the City Clerk or the City Administrator. Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of the City Clerk, especially if the employee believes the supervisor is the offending party.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the City strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The City will make every effort to stop alleged harassment, discrimination, or retaliation, but can only do so with the cooperation of its staff/employees.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to unwelcome or unlawful conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly, thoroughly, and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action, or legal processes.

Misconduct constituting harassment, discrimination, or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay or termination, as the City believes appropriate under the circumstances.

If an employee making a complaint does not agree with its resolution, the employee may appeal to the City Administrator .

Individuals who have questions or concerns about these policies should talk with the City Administrator.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of any protected class or characteristic from participating in business or work-related social activities or discussions in order to avoid allegations of discrimination, harassment, retaliation. The law and the policies of the City prohibit disparate treatment on the basis of any protected class or characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination, and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

f) Policy Relating to Persons with Disabilities

It is the City's policy not to discriminate against any qualified employee or applicant who can perform the essential functions of the job because of such individual's disability or perceived. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, as defined under applicable law, who has made the City aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the City.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact their supervisor then the City Administrator. The City encourages individuals with disabilities to come forward and request reasonable accommodation.

On receipt of an accommodation request, the City Administrator and your supervisor, if other than the City Administrator, will meet with you to discuss and identify the precise limitations resulting from the disability and the potential accommodation that the City might make to help overcome those limitations.

The City will work with the employee to determine the feasibility of the requested accommodation, or other potential accommodations. In doing so, the City will consider various factors, including, but not limited to the nature, effects, and cost of the accommodation.

The City will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, employees will be advised of their right to appeal the decision to the Governing Body by submitting a written request within ten business days of the decision explaining the reasons for the request. If the request on appeal is denied, that decision is final.

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify the City Administrator, or, if necessary, the Mayor. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

3. Drug, Alcohol and Controlled Substance Abuse Policy-

a) General Rules

- i. The Alcohol and Controlled Substance Abuse Policy applies to all City Employees.
- ii. The Federal Department of Transportation (DOT) and various other Federal Programs specifically require additional prohibitions, notices, testing and training for employees involved with the operations of mass transit, aviation and commercial motor vehicles. Each agency of the DOT issues regulations specific to their industry. The City Administrator or designee is responsible for developing and implementing procedures for compliance with such regulations and shall issue copies of the procedures to covered employees as appendices of this Employee Handbook. In the event of any conflict between rules and regulations, the stricter rule or regulation shall govern.
- iii. The City has an obligation to its employees to take reasonable steps to ensure a drug-free and safe place to work. The City also has an obligation to the citizens of Roeland Park and the public at large to provide quality and safe services through a policy and program prohibiting alcohol, illegal drugs, and controlled substances in the workplace.
- iv. The City prohibits the unlawful manufacture, distribution, dispensing, possession or use of alcohol/intoxicants, illegal drugs, and illegal controlled substances in the workplace. Any employee who violates this policy may be subject to disciplinary action including termination.
- v. The Mayor, City Council and City Administrator of the City affirm the City's policy that, as a condition of employment, all employees will abide by the policy for a drug-free workplace and adhere to the following prohibitions:
- vi. No employee shall report to work under the influence of alcohol/intoxicants, illegal drugs, or illegal controlled substances.
- vii. Employees shall not unlawfully manufacture, distribute, dispense, possess, or use illegal drugs or controlled substances in any manner (1) on City premises or in City vehicles at any time, whether or not performing City business, or (2) while performing City business

at any location. An employee convicted of violating any criminal drug statute on or off City property may be subject to disciplinary action, including termination.

- viii. Employees shall not use City property or their position with the City in any way to make or traffic alcohol/intoxicants, illegal drugs, or illegal controlled substances for their own purposes.
- ix. Employees shall not engage in any other illegal use, possession, or trafficking of alcohol/intoxicants, illegal drugs, or controlled substances in a manner which is detrimental to the interest of the City.

b) Notice of Conviction-

Any employee convicted of a criminal drug statute violation occurring in the workplace will notify the City Administrator of such conviction no later than five days after conviction.

c) Notice of Legal Drugs or Medications-

Employees taking medication that result in impairment must inform his or her supervisor if they believe they will be impaired or need a reasonable accommodation. Employees shall not commence or continue work if they are uncertain whether they can perform their duties safely.

d) City's Right to Search-

Employees will have no expectation of privacy in any City property, including desks, city issued cell phones, devices, and other electronics. As a result, the City shall have the right and ability to search City-owned property at any time and for any reason. Further, when the City has reason to believe an employee is violating any aspect of this policy, the City may ask the employee to submit immediately to a search of any locker, lunch box, briefcase, purse, wallet, personal belongings, desk, vehicles, or other receptacle the employee uses or has access to. Entry on City premises constitutes consent to searches and inspections. Refusal to consent to a search or inspection when requested by the City constitutes insubordination and is a violation of City policy which may result in disciplinary action, including termination.

e) City's Right to Test-

- i. An individual may not be hired to perform a safety sensitive function unless the individual passes a drug test of urine for evidence of all illicit Schedule 1 drugs including marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines. .
- ii. All new hires and re-hires of full-time, part-time, or temporary/ seasonal employees may be required to take urine or other medical test, so long as directly related to the employee's ability to perform his or her job responsibilities, and to agree in writing to allow the results of those tests to be furnished to and used by the City.
- iii. Those persons who do not pass such test(s) shall not be employed.

- iv. An employee performing a safety sensitive function who is reasonably suspected of using alcohol or a prohibited drug, may be required to take a drug or alcohol test(s) or both. A supervisor's reasonable suspicion must be based on specific contemporaneous, articulated observations concerning the appearance, behavior, speech or body odors of the employee. Alcohol testing may also be performed at any time prior, during or following an employee's work shift.
- v. An employee who performs a safety-sensitive function that either contributed to an accident, or cannot be completely discounted as a contributing factor to an accident, may be required to take a drug test(s).
- vi. Employees who perform safety sensitive functions are subject to drug testing on an unannounced and random basis.
- vii. Except as otherwise required by law, all information from an employee's drug or alcohol test shall be treated as confidential. All information related to the drug or alcohol test of an employee will be maintained in his restricted file. Anyone disclosing drug test results, in violation of this policy, will be subject to disciplinary action. Drug and alcohol testing is not genetic testing and no genetic testing will be performed on any blood, urine, or other samples provided for drug and/or alcohol testing.

f) Disciplinary Action for Violation of the Policy-

Any employee who violates any aspect of this policy, including refusal to submit to any of the above described searches, inspections, or testing when requested by the City, may be subject to disciplinary action up to and including discharge. Failure to provide adequate breath or urine may constitute a refusal to test if a medical evaluation determines there is no medical condition preventing the employee from providing the sample. When the City has reason to believe the employee is violating this policy, the employee may be suspended immediately pending investigation.

g) Response to Questions about the Policy-

The City Administrator has been designated as the person responsible to answer questions about the alcohol and drug testing program.

4. Nepotism-

In order to avoid favoritism or the appearance of favoritism based on family relationships, no one shall be employed in a department where the supervisor or department head is a member of their immediate family. "Immediate family" is defined to include only an employee's:

- a) Parents or stepparents;
- b) Spouse or children;
- c) Sister or brother;

- d) Grandparents or grandchildren;
- e) Mother or father-in-law; or
- f) Brothers or sisters-in-law.

In addition to the above, no person shall usually be employed in a position in any department if that person is a member of the immediate family of another employee within that department. However, members of immediate families may be employed within the same department if one or more family members are employed only as a part-time, temporary or seasonal employee for not to exceed six months in any 12 consecutive month period.

If two employees within the same department marry or otherwise obtain a relationship whereby they become members of each other's immediate family, one of the employees shall usually be transferred to another department, if possible, without loss of pay or other benefits. However, in most cases, the establishment of such a relationship alone shall not be the basis for termination of employment.

5. Employment Eligibility-

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

On your first day of work, new employees must complete Section 1 of the Federal Form I-9 and, within three business days of commencement of employment, you must show acceptable documentation, pursuant to those listed in the Form I-9, proving that you are eligible to work in the United States. This is required by federal law.

6. Political Activity-

It is the right of every employee to register and vote on all political issues. Employees are permitted to join political organizations, civic associations or groups, and become involved in political activities subject to the following restrictions:

- a) As private citizens, employees may participate in all political activities, including holding public office. Employees may not engage in any activity regarding the election of candidates for any City office.
- b) City employees are not prohibited from supporting candidates for office or from contributing labor to candidates and organizations that endorse candidates. Employees are not permitted to be candidates for City elective office in Roeland Park.
- c) Political activity must not interfere with job attendance or performance. Employees are not permitted to solicit or handle political contributions in City elections. They are not permitted to wear or display political badges, buttons or signs on their person or on City property while working.
- d) No supervisor or other person in authority shall solicit any City employee for contributions of money or labor for any candidate for elective office, or otherwise compel, or attempt to

compel, any employee to support a candidate for elective office or to engage in any political activity.

The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any City employee. City employees are neither appointed to, nor retained in, the City's service on the basis of their political affiliations or activities.

7. Residency-

Residency requirements, if any, are determined by the Governing Body.

8. Outside Employment-

Full-time City employees shall not be employed in outside employment without the approval of his or her department head and the City Administrator. This applies to any significant form of non-City employment activity, whether part-time, temporary or permanent, for which the employee receives money, goods, services or other forms of compensation. Employees interested in securing outside employment shall provide their department head a request for outside employment containing full disclosure of the employer's name and address, the nature of work to be performed and the approximate hours per week that the employee will engage in outside employment. Outside employment by a full-time employee shall only be permitted when such outside employment:

- a) Is considered secondary to service with the City;
- b) Does not interfere with the performance of duties for the City; and
- c) No legal, financial or ethical conflict of interest results from such dual employment.

Approval to perform continuous outside employment must be renewed and re-authorized annually by the department head and City Administrator.

9. Gift Restriction –

There will be a general prohibition against gifts, services or things of value to City staff with the following exceptions: (A) An occasional non-pecuniary gift, service or thing of value, insignificant in value (\$50.00 or less); (B) An award publicly presented in recognition of public services.

10. Gender Transition Guidelines –

The City of Roeland Park is committed to diversity and equal employment opportunities for all employees and qualified applicants. We do not discriminate on the basis of gender identity or expression in any aspect of the employment relationship, including hiring, promotions, training, working conditions, compensation, and benefits.

We believe that providing a work environment based on respect, trust, and collaboration creates an exceptional employee experience where employees can bring their whole selves to work and thrive in their careers. These guidelines are intended to address the needs of the City's transgender and gender non-conforming employees who may be undergoing a gender transition and to answer questions that may arise about how to protect their rights, as well as to provide

guidance to their co-workers, managers, human resource professionals, and others in the workplace.

Definitions

The following definitions apply to the City's gender transition guidelines:

Cisgender is an adjective describing a person who identifies as the same gender that they were assigned at birth.

Gender identity refers to a person's inner sense of gender (being male, female, both male and female, or neither male nor female, or something else), regardless of the sex assigned to that person at birth.

Gender expression refers to a person's gender-related behavior or appearance, whether or not it conforms to traditional gender stereotypes or to the sex assigned to that person at birth. It can include manner of dress, grooming, mannerisms, and speech patterns.

Nonbinary is an adjective describing a person who does not identify exclusively as a man or a woman.

Sexual orientation typically refers to a person's physical, romantic, or emotional attraction to people of the same and/or opposite sex. Transgender people, like cisgender people, can identify as having any sexual orientation (such as heterosexual, gay, lesbian, bisexual, or asexual).

Transgender is an adjective describing a person whose gender identity or gender expression is different from that typically associated with the sex assigned to that person at birth.

Transition is a series of processes that some transgender or nonbinary people may undergo in order to live more fully as their true gender. It may include using a different name or pronoun, using different facilities (such as restrooms or locker rooms), undergoing medical treatment or procedures (such as hormone therapy or surgery), and changing their name and sex on documents. The process varies for each person, and while some people might choose to undergo medical treatment or procedures, these steps aren't necessary for a person to transition their gender.

Nondiscrimination

The City of Roeland Park strives to create a workplace where employees who are transgender can be their full selves without fear of discrimination, harassment, or retaliation. We are supportive of transgender employees who are considering or undergoing gender transition. Any discriminatory, harassing, or retaliatory actions taken against employees based on their gender identity, gender expression, or gender transition are considered violations of the State's Equal Employment Opportunity and Affirmative Action policy (EEO Policy) and are subject to the State's disciplinary policy.

Confidentiality

Transgender employees have the right to discuss their gender identity or expression openly or to keep that information private. The employee has the right to decide when, with whom, and how

much to share their private information. Information that may reveal an employee's transgender status should only be shared with another employee where it is necessary for the employee to do their job (e.g., human resources staff) or with the consent of the transgender employee.

Questions from coworkers or others regarding an employee's transition should be referred to the employee or to a person whom both the employee and their manager agree to designate this responsibility. It should be emphasized in the workplace that questions regarding an employee's medical procedures, body, and sexuality are inappropriate.

Managers may not single out transgender employees for intrusive requirements, such as psychological or medical examinations based on their transgender status.

The transgender status of any former employee shall not be disclosed to subsequent employers when responding to a reference request or background check.

Transition Planning

The City of Roeland Park recognizes that there are specific workplace issues to be addressed throughout the gender transition process. Transitioning employees are encouraged to discuss their needs and expectations with their manager before, during, and after their transition. The City addresses each employee's needs and expectations on an individualized basis. The City may offer benefits – such as medical benefits and Employee Assistance Program services – that might assist transgender employees who are considering or undergoing gender transition.

No employee is required to utilize a workplace transition plan or to give advance notice of an intended gender transition to the City. If a transitioning employee chooses to work with the City, it is recommended that a transitioning employee, together with their manager and the HR representative, develop a workplace transition plan outlining the steps to be taken to provide a successful transition.

- A transition plan can include any or all of the following considerations:
- A list of employees who need to be advised of the transition in order to implement requested workplace changes (for example, HR personnel, the transitioning employee's manager) or as requested by the transitioning employee (including other managers, coworkers, or others).
- A plan for when and how those employees should be informed of the transition (through a staff meeting, email, or otherwise) and who will inform them (the transitioning employee, the employee's manager, or someone else).
- The date on which the employee will begin to present in a manner consistent with their gender identity (which might be immediately), including the date(s) when the employee will begin using a different name or pronoun and different facilities (restrooms and locker rooms).
- A list of the employee's records that will need to be changed to reflect their gender identity and new name (if applicable), and the expected date(s) on which these records will be changed.
- Any anticipated leave that the employee will take for transition-related medical treatment and any relevant benefits available to the employee during the transition.

The City recognizes that employees' needs may change during their gender transition and will work with employees to adapt their transition plan to accommodate additional requests that might arise.

Implementing Transition Plan

Access to facilities. Employees are permitted to use facilities (restrooms, locker rooms, etc.) that correspond with their gender identity. Each employee makes the decision of which facilities are appropriate for them. No documentation is required to access facilities. Any employee who has a need or desire for additional privacy, regardless of the underlying reason, can make use of alternative arrangements, such as single-occupancy restrooms, private areas for changing, a different time to use the locker rooms, or other alternatives, where possible. It is a violation of the EEO Policy to prevent transgender or transitioning employees from using facilities that correspond with their gender identity, or to ask or require employees to use facilities that don't correspond with their gender identity, or to ask or require transgender employees to use unisex/single-occupant restrooms instead of common restrooms designated for employees of one sex.

Travel policies. If employees are required to share rooms while on work travel, employees are permitted to share rooms in accordance with their gender identity. Each employee makes the decision of which rooming assignment is appropriate for them. Any employee who has a need or desire for additional privacy, regardless of the underlying reason, can make use of alternative arrangements such as single-occupancy rooms.

Dress and grooming standards. The City should not maintain a dress code or appearance standard that limits or defines appropriate attire or appearance on the basis of gender. Subject to such gender-neutral departmental dress codes or appearance standards (where applicable), transitioning employees have the right to dress and present themselves in a manner consistent with their gender identity or gender expression.

Employee records. The City will update HR records as needed to accurately reflect a transitioning employee's gender identity and new name (if applicable) when they choose to begin identifying with that gender and name. The City also will update the employee's ID badge, nameplate, email address, business cards, staff directory entry, nametag, and any other records or places bearing their name. Any photographs of the employee should also be updated, if necessary, to reflect the gender identity and expression of the employee.

For certain types of records, such as payroll and retirement records, the City can't make updates until employees provide official documentation of their gender and/or name change. The City will coordinate with employees to determine what documentation is needed to make these changes. Employees are not required to provide documentation to change their name on records or in places where supporting documentation isn't necessary (for example, their nameplate).

Name and pronouns. Employees can choose to be addressed and referred to by the name and pronoun of their choice (including "they" or "them"), both verbally and in writing. A court-ordered name or gender change is not required.

Employees are encouraged to take reasonable steps to inform their coworkers of their chosen name and pronoun. If a coworker is unsure of the name or pronoun to use in reference to a transgender or transitioning employee, the coworker can respectfully ask the employee how he or she wants to be addressed. Any intentional or persistent misuse of a transgender or transitioning employee's name or pronoun is considered a violation of the EEO Policy.

Hiring Practices

Applicants may use the name and gender consistent with their gender identity in an application, regardless of whether they have undergone a legal name change or changed the gender marker on their identification. Hiring practices shall not require disclosure of an applicant's transgender status or sex assigned at birth.

During the hiring process, hiring managers should be sensitive to the possibility that applicants have transitioned. The name and gender on the application may correspond with the person's gender expression; however, background or suitability checks may disclose a previous name that indicates a gender different from the applicant's current gender expression. In such cases, hiring managers should respectfully ask whether the applicant was previously known by a different name for background check purposes only, and confirm with the applicant the name and gender that should be used throughout the hiring process. Any information in a background check that indicates a previous name or gender change cannot be disclosed without the applicant's consent or used against an applicant.

Additional Resources

The following resources may offer additional guidance to support an employee's transition:

Books

- *Transgender Explained for Those Who Are Not* by Joanne Herman
- *Transgender 101: A Simple Guide to a Complex Issue* by Nicholas Teich

Websites and Videos

- *An Introduction to Transgender People*, National Center for Transgender Equality,
<https://www.facebook.com/TransEqualityNow/videos/vb.40078161989/10153582088701990/>
- *Trans 101*, Sylvia Rivera Law Project, <http://srlp.org/resources/trans-101>
- *Transgender Basics*, Gender ID Project, <https://youtu.be/UXI9w0PbBXY>
- *Gender Inclusive Initiatives*, Northwestern University,
<https://www.northwestern.edu/diversity/initiatives/gender-inclusive-initiatives/>
- Out and Equal Workplace Advocates, <https://outandequal.org/>
- Human Rights Campaign (HRC), <https://www.hrc.org/news/transgender-visibility-in-the-workplace>

C. COMPENSATION AND PAY PRACTICES

1. Position classification-

Position classification is a system of identifying and describing different kinds of work in the organization. In most cases, each City position shall, on the basis of the duties, responsibilities, skills, experience, education and training required of the position, be allocated to an appropriate class, which may include either a single position or two or more positions.

2. Pay Range Plan-

The Governing Body shall adopt a pay plan, with minimum and maximum amounts of pay for each class of positions. The pay ranges assigned to each class of positions shall be periodically reviewed and revised by the Governing Body.

3. Maintenance of the Classification Plan-

It shall be the duty of each department head to report to the City Administrator any and all organization changes which will significantly alter or affect changes in existing positions or proposed positions. The Governing Body shall approve all new or revised job descriptions and pay ranges for such positions.

4. Categories of Employment-

Full-Time Employee-

One employed to regularly work at least 40 hours per work week who was not hired on a short-term or temporary basis. The work week is any consecutive seven-day period, except as otherwise provided in Section E-1.

Part-Time Employee-

One employed to regularly work less than 40 hours per work week on a regular and continuing basis.

Seasonal or Temporary Employee-

One employed to work on a regular and/or recurring basis during a specific season or portion of a year.

Volunteer-

Is a non-paid individual in the position he or she holds. When acting as a volunteer an individual is not an employee. City employees may volunteer for tasks that they would not be engaged in as part of their regular employment.

5. Pay Periods and Paydays-

The City shall pay all employees on a bi-weekly basis, every other week, for work performed for the previous two-week period. Should the regular payday fall on a City holiday, pay shall be distributed on the working day immediately preceding that day.

6. Hours of Work-

The work week is a period of seven consecutive days beginning at the nearest shift change on Sunday (or 12:01 a.m. on Sunday) and ending at the nearest shift change on the following Saturday (or 12:00 midnight on the following Saturday).

General Employees-

The normal work period for general employees, which includes all employees other than police officers, is 40 hours of work during a seven-day period.

Police Officers-

The normal work period for full-time police officers shall average 80 hours over a fourteen-day period.

Normal Work Hours-

No employee shall be permitted to work in excess of their normal work period except when so directed by the employee's department head. Work in excess of 40 hours per week for non-law enforcement employees, without prior written permission, constitutes insubordination which may result in discipline, up to and including termination.

Employees should see their supervisor for information regarding their meal break.

7. Employment Classification-

Positions are classified according to the responsibilities of the job, the number of hours worked each week and length of service. Employees may be eligible for different benefits and governed by different regulations dependent upon their job classification. The following definitions have been established in order to standardize terminology purposes of federal and state wage and hour laws:

a) **Exempt-**

Employees whose positions are exempt from the Fair Labor Standards Act and do not receive overtime pay and/or compensatory time. Exempt employees are paid on a salary basis and generally receive the same weekly salary regardless of hours worked, subject to certain, limited and legally permitted deductions.

b) **Non-Exempt-**

Non-Exempt Employees are employees who are paid on an hourly basis and who are subject to overtime/compensatory pay and minimum wage provisions of the Fair Labor Standards Act (FLSA). Non-exempt employees will be paid overtime at the rate of one and one-half times their regular rate of pay for all hours worked in excess of 40 hours in a work week, unless otherwise specified by state law.

You will be informed of your classifications upon hire and informed of any subsequent changes to your classification.

8. Overtime Work-

- a) Compensation for authorized overtime work shall be paid at the rate of one and one-half times the employee's regular rate of pay for all hours worked over 40 per work week for non-emergency service employees.
- b) A work period for police and firefighters has been established under the Fair Labor Standards Act. Full-time police officers shall be eligible to receive overtime compensation only for work hours in a work period which exceed 80 hours per 14-day work period.
- c) Overtime compensation shall usually be paid not later than the first payday following the work week in which it was earned. However, an employee may be given compensatory time off in lieu of cash payments for the overtime worked. Any compensatory time off shall be at the rate of one and one-half times the hours of overtime worked and is accruable up to 80 hours (53.3 actual hours worked) for all employees.
- d) All overtime work must have prior authorization by the employee's department head. At the time of authorization, the department head shall advise the employee whether the overtime compensation shall be in the form of additional wages or compensatory time off. The department head shall maintain records of any overtime worked.
- e) Seasonal or temporary employees working at the Roeland Park aquatic center shall not be eligible for overtime compensation, pursuant to Fair Labor Standards Act Section 13(a)(3) and K.S.A. § 44-1202(e)(6) and 44-1202(h).
- f) For purposes of calculating overtime, hours worked include holiday, scheduled vacation (defined as vacation scheduled at least two (2) weeks prior to the first day of vacation leave) and actual hours worked.

9. Call Back Time-

- a) A Department Head may call an employee in to work on a regular day off or may call an employee back to work after a regular work schedule.
- b) All employees who are eligible to receive overtime, and who are called in to work on a regular day off or are called back to work after a regular work schedule shall be paid at the appropriate rate of pay for the hours worked, except such employee shall be paid a minimum of two hours at their overtime rate. The employee may choose to add these hours as compensatory time off.
- c) The minimum of two hours shall not apply if the employee was called in or called back during the two-hour period immediately prior to the beginning of the employee's next regularly scheduled work shift. Pay for call back begins at the time the employee reports for duty.

10. Pay Plan-

The salary of each employee of the City, except those appointed officers whose salary is specifically set by ordinance, shall usually be set, at least annually, at an amount within the pay range of the position class the employee is assigned as determined by the Governing Body, with the advice of the City Administrator.

Employees working on a part-time basis shall receive that portion of the salary assigned to their position to be determined by the actual time they work. The hourly wage for persons employed on a monthly salary basis is computed as follows: Monthly wage times 12 divided by (hours worked per week times 52) equals wage per hour for full-time employees.

11. Pay Increases-

- a) In most cases, pay increases shall not be automatic and such increases are subject to approval by the City Administrator.
- b) Annual cost-of-living pay increases may be given as approved by the Governing Body. Subject to the approval of the City Administrator, a department head may award a pay increase to an employee based on an annual performance evaluation submitted by the employee's immediate supervisor.
- c) Annual longevity pay may be given at the discretion of the Governing Body.
- d) Annual bonuses may be given at the discretion of the Governing Body.

D. PERFORMANCE MANAGEMENT

1. Performance Evaluations-

An evaluation of the performance of each full-time and part-time employee based on his or her duties and responsibilities shall usually be prepared by the employee's immediate supervisor at least annually.

2. Qualifications of Employment-

Applications for any open position with the City shall usually be accepted from applicants who meet the stated minimum qualifications established for that position, subject to the following conditions:

- a) Each applicant shall complete a job application form.
- b) A medical examination or other testing, including drug testing, may be required only after an offer of employment has been made contingent upon the applicant passing the drug test, provided that, such exams or testing are required of all such applicants who are offered employment in similar positions or position classifications.

3. Promotion-

All employees seeking promotion shall usually be expected to meet the minimum qualifications for the position to which they seek promotion.

A medical examination or other testing, including drug testing, may be required only after an offer of promotion has been made contingent upon the applicant passing the drug test, provided that, such exams or testing are required of all such employees who are offered promotions in similar positions or position classifications.

E. TIME OFF POLICIES

1. Holidays-

The following will be the fixed holidays:

1. New Year's Day - always January 1. When January 1 falls on a Saturday, then Friday, December 31 of the previous year is observed. When January 1 falls on a Sunday, then Monday January 2 is observed.
2. Martin Luther King, Jr. Day – always the third Monday in January
3. Memorial Day Monday – always the last Monday in May
4. Juneteenth – always the 19th day in June. When June 19th falls on a Saturday, then Friday, June 18th is observed. When June 19th falls on a Sunday, June 20 is observed.
5. Independence Day– always July 4. When July 4 falls on a Saturday, then Friday, July 3 is observed. When July 4 falls on a Sunday, then Monday, July 5 is observed.
6. Labor Day Monday – always the first Monday in September
7. Indigenous Peoples Day – always the 2nd Monday in October
8. Veterans' Day – always November 11. When November 11 falls on a Saturday, then Friday, November 10 is observed. When November 11 falls on a Sunday, then Monday, November 12 is observed.
9. Thanksgiving Day – always the fourth Thursday in November
10. Day after Thanksgiving – always the Friday immediately following the fourth Thursday in November.
11. Christmas Day – always December 25. When December 25 falls on a Saturday, then Friday, December 24 is observed. When December 25 falls on a Sunday, then Monday, December 26 is observed.

And in some years:

12. When December 25 falls on a Tuesday then, Monday, December 24 is observed as a holiday. When December 25 falls on a Thursday, then Friday, December 26 is observed as a holiday.

Employees required to work on a City observed holiday will receive 8 hours holiday pay or an alternative day off.

To be eligible to receive pay for a City holiday, an employee must not have been absent without approved leave either on the workday before or the workday after the holiday.

2. Vacation Leave-

Vacation leave shall be earned beginning with the date of employment under the conditions hereinafter stated. An employee who works fewer than 12 days in any month shall not accrue vacation credit for such month of service; provided that this restriction of 12 days shall not apply where the employee has worked fewer than 12 days due to authorized paid leave. No employee shall be permitted to use vacation time for any period spent on unauthorized leave.

a) Full-Time Employees-

Full-time employees are entitled to paid vacation leave time according to the following schedule, provided no paid vacation leave time may be taken during the first six months of employment.

Years of Continuous Employment	0-4	5-9	10-15	15+
Hours Earned Per Month	8	10.67	12	16
Equivalent Work Days	12	16	18	24
Maximum Hours Accumulation	240	240	240	240
Maximum Hours for One Time Leave	80	120	120	120

Employees on Medical leave are not subject to the maximum hours for one time leave.

Training Period-

Employees-in-training during their initial employment shall be credited with vacation leave for each month of employment but shall not be permitted to use any vacation credit prior to the completion of their training period. Training employees terminated during the training period shall be paid for any accrued vacation leave.

Scheduling-

The dates for the taking of vacation leave shall be scheduled in consultation with the employee's supervisor and department head.

Holiday During Vacation-

City holidays which occur during the taking of an employee's authorized vacation leave will not be counted as a day of vacation.

b) Minimum Hours-

Exempt employees may use vacation leave in full day increments and non-exempt employees may sue vacation leave in half-hour increments, subject to the approval of their supervisor.

c) Termination –

Upon termination, an employee shall be compensated for all earned but unused vacation leave at their final rate of pay, subject to the maximum hours of accumulation authorized in the schedule with the exception outlined in the separation of service section.

3. Sick Leave-

Full-time employees who are employed to work at least 40 hours or more per work period, shall be entitled to sick leave with pay for absences resulting from illness, injuries, accidents, or other physical incapacity, occurring either on or off the job. Sick leave with pay may also be used for absences resulting from illness, injuries, accidents, or other physical incapacity of the employee's spouse, child, or parent. A spouse is defined as a husband or wife as defined by the state of residence of the employee, as well as domestic partner. A child is a son or daughter, in addition to a biological child, adopted, foster or step-child. The definition of son or daughter also includes a legal ward or child of someone standing in loco parentis. A qualifying daughter or son must be under the age of 18, unless the daughter or son has a physical or mental disability that makes self-care impossible. In such cases, there is no age limit. A parent is defined as a biological, foster, adoptive or step-parent, or any person who served in loco parentis (served as a parent) to an employee. It does not include a parent-in-law.

No employee shall be permitted to use sick leave for any period spent on unauthorized leave. Full-time employees are entitled to sick leave with pay for physical examinations and dental work if they have provided at least one day's notice to their immediate supervisor.

a) Amount of Sick Leave-

Full-time employees shall earn eight hours of sick leave for each full month of service. Part-time employees who are employed to work not less than 40 hours per work week shall receive four hours of sick leave for each month of employment.

b) Accumulation of Sick Leave-

An employee hired prior to March 1, 2013, may accrue no more than 960 hours of sick leave. An employee hired after March 1, 2013, may accrue no more than 480 hours of sick leave.

c) Computing Sick Leave-

Any absence for a fraction or part of a day which is chargeable to sick leave shall be charged in increments of not less than one hour.

d) Doctor's Certificate-

For sick leave in excess of three consecutive work days, a department head may require a signed statement from a health care provider verifying the employee's inability to perform his or her assigned duties because of illness and/or his or her ability to return to work.

e) Notification-

To be eligible for paid sick leave, an employee, or his or her representative, shall notify his or her immediate supervisor and give the reason for the absence at least two hours before the beginning of the first work day for which sick leave is taken unless the cause is an emergency in which case notice shall be provided as soon as practical under the circumstances.

f) **Termination of Employment-**

An employee shall not be paid for any unused sick leave upon termination of his or her employment with the City with the exception outlined in the separation of service section.

4. Paid Parental Leave-

The Paid Parental Leave Policy will apply to eligible employees due to the birth of an employee's child or the placement within an employee's home of an adopted or foster child. The policy is in effect for childbirth, foster placements or adoptions occurring on or after the effective date of this policy.

a) Purpose

To establish uniform guidelines for how paid parental leave policy will work for all eligible employees, establishing eligibility criteria, and terms of leave for which someone can receive paid benefits. The goal of the policy is to give parents additional flexibility and time to bond with their new child, adjust to their new family situation and balance their work obligations. The City of Roeland Park prides itself on being a flexible, family friendly workplace and this policy, adopted as part of the 2020 Budget Objectives, is another step toward giving our employees the additional flexibility they need when adding a new family member. These policies will help the City of Roeland Park attract and retain quality employees, as well as work toward increasing diversity.

b) Policy

1. Eligibility

- i. Paid parental leave is available to full-time regular and appointed employees who have worked for the City of Roeland Park for at least twelve (12) months, at least 2,080 hours.
- ii. Surrogate mothers and sperm donors are excluded from coverage under this policy.
- iii. The adoption of a child by a new spouse is excluded from this policy.
- iv. Respite placement, or when one foster family temporarily cares for the foster children of another family, is not eligible for paid parental leave under this policy.
- v. The child being fostered or adopted must be age 17 or younger.

2. Term of leave – Eligible employees will receive six continuous weeks of pay. Paid parental leave is in addition to, and not a replacement for, any other leave for which an employee is eligible.

3. Employees can utilize paid parental leave only once in a twelve-month period and only once per child.

4. Paid leave will be based on the employee's certified normal rate of pay.

5. Eligible employees must apply for short-term disability benefits as a condition of receiving the salary continuation as addressed under this policy. Short-term disability benefits will offset, and not be in addition to, the salary continuation provided under this policy. Short-term disability benefits are provided to mothers who give birth to a child and provides 60% of the employee's salary with a maximum of \$500/week. These benefits provide six (6) weeks for vaginal births and twelve (12) weeks for a caesarian birth.
6. Employees receiving paid parental leave are expected to return to work for at least six (6) weeks following the conclusion of their paid parental leave. If the employee fails to return to work, they will be required to reimburse the City for the paid parental leave funds received from the City, excluding any short-term disability pay received. By accepting the paid parental leave, the employee agrees to these terms.
7. Vacation and sick leave benefits will continue to accrue during the period of paid parental leave. The City will continue to pay its share of the cost of an eligible employee's group health insurance during a paid parental leave. The employee's share of premiums and benefits will continue to be deducted as usual.
8. Paid parental leave must be used within twelve (12) weeks following the birth, foster placement or adoption of a child. If paid parental leave is paired with other forms of paid leave, such as sick, vacation and holiday, the paid parental leave shall be administered first followed by other forms of paid time off. Paid parental leave will not reduce eligibility for other types of paid and unpaid leaves such as sick leave, vacation, personal leave, and holidays.
9. If a holiday observed by the City of Roeland Park occurs during the eligible employee's paid parental leave, the eligible employee will receive holiday pay in lieu of a paid parental day. Use of holiday pay during a paid parental leave will not extend the length of the leave.
10. Multiple births or adoptions (birth or adoption of twins, for example) does not increase the length of paid parental leave granted for that event. If both parents are eligible employees, each will be able to use the appropriate provisions of this policy.

c) Procedures

1. An eligible employee must submit a completed Leave Request form requesting the Paid Parental Leave at least thirty days (30) prior to the anticipated date of the leave. To the extent that 30-day notice is not possible, a leave request should be made as soon as possible. The form will also indicate the employee's statement that they will return to work for at least six weeks following the conclusion of their paid parental leave.
2. For those eligible for short-term disability, the appropriate form will need to be completed by your healthcare provider.
3. An eligible employee will be required to furnish appropriate adoption or foster placement documentation, such as a letter from an adoption agency or state, or from the attorney in cases of private adoptions.
4. A fraudulent request for Paid Parental Leave is grounds for dismissal.

5. Funeral Leave-

In the case of death of a member of an employee's immediate family (to include only the spouse, children, mother, father, brother, sister, grandparents or same by marriage of the employee or employee's spouse), full-time employees may request funeral leave not to exceed three consecutive working days. If an employee needs additional time off to attend to details of the funeral, it may be arranged with their supervisor. Leave in excess of three days may be charged against any unused sick or vacation leave, unless the employee elects to take leave without pay. Employees should notify their department head as far in advance as possible regarding a need for leave.

6. Family and Medical Leave-

If ever required by federal law, the City will administer leave that qualifies for Family and Medical Leave Act (FMLA) protection in accordance with federal law. This policy is intended for guidance and shall not be interpreted to expand the City's responsibilities beyond the requirements of the law. For employees who are not eligible for FMLA leave, including employees who have exhausted available FMLA-protected leave (if available under the law), requests for leave shall proceed according to the City's established policies. Any questions regarding available Family and Medical Leave should be directed to the City Clerk.

7. Injury Leave-

- a) All injuries occurring on the job shall be reported immediately to the employee's immediate supervisor.
- b) Any employee injured on the job shall usually be eligible to receive injury leave with pay during the seven-day waiting period for workers' compensation claims.
- c) When an employee receives compensation under the Workers' Compensation Act, the pay he or she receives from the City, while an employee of the City, shall be the difference between his or her regular rate of pay and the amount he or she receives from workers' compensation and shall be charged against sick leave.

8. Military Leave-

- a) Employees will be granted leaves of absence for military service, training or other obligations in compliance with Uniformed Services Employment and Reemployment Rights Act requirements and related federal and state military leave laws. Any employee so engaged in military or other uniformed services shall not be denied employment, reemployment, retention, promotion, or any benefit of employment on the basis of their active uniformed service. The City will not discriminate in employment against, or take any adverse employment action against, any person because he/she exercised these rights.
- b) As with other leaves, employees must provide advance notice to his/her supervisor of the intent to take military leave as well as appropriate documentation, as far in advance as possible, unless giving such notice is impossible, unreasonable or precluded by military necessity.

- c) Pursuant with the Uniformed Services Employment and Reemployment Rights Act (USERRA), employees are provided with broad protection in terms of their reemployment upon completion of military service, as well as specific time frames in which employees must return to work upon completion of service. Employees returning from military leave will (with limited exceptions) be returned to their position in accordance with current law then pertaining.
- d) Employees will not continue to receive pay during a military leave unless required by law. However, an employee may request to use earned but unused vacation time and sick time during military leave. Benefit coverage will continue for 30 days, provided employees pay their normal portion of the premiums.

9. Civil Leave-

a) **Civil Leave With Pay-**

An employee shall be given necessary time off with pay:

- i. When performing jury duty;
- ii. When appearing in court as a witness in answer to a subpoena or as an expert witness when acting in an official capacity in connection with the City;
- iii. When performing emergency civilian duty in connection with national defense; or
- iv. For the purpose of voting when the polls are not open at least two hours before or after the employee's scheduled hours of work.

However, an employee shall reimburse the City for juror or witness fees received while on civil leave.

b) **Civil Leave Without Pay-**

If an employee is involved in a personal lawsuit either as plaintiff or as defendant in an action not related to his or her duties with the City, the employee may take leave without pay unless he or she elects to utilize any accumulated vacation leave.

10. Other Leave-

a) **Educational Leave-**

An employee, upon written request, may be granted leave without pay for a period up to one year to further his or her education or seek specialized training, upon recommendation of the employee's department head and approval by the City Administrator and Governing Body. An employee may request leave with pay for a class related to their current work on a case by case basis which will need to be approved by his or her department head and the City Administrator.

b) **Leave of Absence-**

An employee, upon written request, and with the recommendation of his or her department head, may be granted a leave of absence without pay for a period of up to six months, subject to the approval of the Governing Body.

c) **Compensatory Time-**

Compensatory time off that is accrued by a non-exempt employee for overtime worked shall be taken within 13 pay periods following the pay period in which it was earned.

d) Request for Leave-

Except for sick leave, all leave must be authorized by the employee's department head prior to leave time being taken.

e) Credits for Paid Leave-

An employee, while on paid sick leave, vacation leave or other leave with pay, shall continue to earn credit for sick leave and vacation leave, but no leave credit shall be earned by any employee while on leave without pay.

F. OTHER EMPLOYEE BENEFITS

1. Health Care Program-

- a) All employees meeting the Affordable Care Act definition of full-time (working an average of at least 30 hours per week in a permanent position) shall be eligible for the City's group health care insurance program beginning on the first day of the month following the initial date of employment. A part-time employee who becomes a full-time employee shall be eligible for group health care insurance as of the date of change in employment status.
- b) When an individual employee is required to contribute because of participation in the City's group health care program the amount of such contribution shall be a payroll deduction.
- c) All costs for health care insurance shall be paid by the employee during any period the employee:
 - i. Is on a leave without pay (excluding Family and Medical Leave Act provisions);
 - ii. Is on suspension without pay;
 - iii. Is on unauthorized leave; or
 - iv. Is participating in any unlawful work stoppage.
- d) No employee shall be entitled to a cash payment in lieu of health care insurance coverage.
- e) Each employee should refer to the specific plan document, benefit booklet, or policy provided for each benefit to determine eligibility. A benefit plan document always supersedes all other information provided about a benefit. Summary Plan Descriptions (SPDs) can be found in City Clerk's Office and employees should see the City Clerk to request a copy.

The City reserves the right to amend or terminate benefits at any time.

2. Retirement - OASDI Benefits-

All eligible employees of the City are under the federal OASDI social security system, and receive the benefits thereof in accordance with federal laws and guidelines. The cost of this benefit is

paid equally by the City and the employee, with the employee contribution subject to payroll deduction.

3. Retirement - KPERS/KP&F Benefits-

All eligible employees of the City are members of the Kansas Public Employees Retirement System (KPERS) and/or Kansas Police & Firefighter Retirement System (KP&F) and receive the benefits thereof in accordance with state laws and guidelines. Under current law, KPERS members contribute six percent of salary, by payroll deduction. The employer's share is determined by KPERS, and varies annually.

4. Workers' Compensation Benefits-

All employees of the City receive the benefits of the Kansas Workers' Compensation Act, in accordance with such laws and guidelines. The cost of this benefit is paid entirely by the employer.

5. KPERS/KP&F Death and Disability Benefits-

All employees who are contributing members of KPERS/KP&F are eligible for the insured death and disability benefits provided by KPERS/KP&F, which is supplemental to the regular KPERS/KP&F benefits. The cost of this benefit is paid entirely by the employer. This insured death and disability benefit begins on the first day of employment, whether or not the employee is a contributing member of KPERS/KP&F.

6. Unemployment Compensation-

All employees receive the benefits of the Kansas Employment Security (unemployment compensation) Act, in accordance with such laws and guidelines. The cost of this benefit is paid entirely by the employer.

7. Life Insurance-

In addition to the death benefits provided under OASDI, KPERS and KP&F, the City makes available to each employee the option of purchasing group life insurance, administered by KPERS/KP&F, on a payroll deduction basis. The cost of this additional life insurance is paid by the employee and varies with the options selected by the employee.

8. Deferred Compensation-

All City employees may participate in any deferred compensation plan offered by the City, for which they are eligible.

G. AUTHORITY TO DISCIPLINE

Department heads and/or the City Administrator shall have the authority and the responsibility to discipline employees for violations of the City's personnel policies and any departmental guidelines.

1. General Policy-

The purpose of discipline is to ensure high standards of performance and efficiency, to maintain good working relationships among employees, and to provide the citizens of the City with the highest possible level of courteous and professional public service. Discipline in the City organization is for the most part “self” discipline. It is the duty of employees to make a conscientious effort to work and behave in accordance with the values, service standards, policies and guidelines of the City and the department in which they work. Each employee is expected to be self-disciplined and to work hard at being the best at what he or she does and to help the City provide a high level of public service. When an employee does not exercise adequate self-discipline or is not successful in meeting the requirements of their job, it may be necessary for his or her department head or supervisor to consider disciplinary actions to correct the problem.

It is not possible to list every possible instance in which an employee may be subject to discipline, up to and including termination. However, the following list (which is not all-inclusive) provides instances in which an employee may be subject to discipline, up to and including termination:

- a) The employee violates the provisions contained in this Employee Handbook, or any other written guidelines or procedures applicable to the department in which the employee works;
- b) The employee’s conduct reflects discredit to the City or hinders the effectiveness or efficiency of City operations; and/or
- c) The employee has performed an act of misconduct or has failed to perform an act which results in misconduct.
- d) The City Administrator believes discipline or termination would be for the good of the service of the City.

2. Disciplinary Actions-

The following types of disciplinary actions are possible:

a) **Verbal Warning-**

A verbal warning is an oral reprimand given to an employee by his or her supervisor or department head. A record of the warning shall be recorded in the employee’s file.

b) **Reprimand-**

A reprimand is a written censure to an employee by his or her supervisor or department head, a copy of which shall be recorded in the employee’s file.

c) **Probation-**

Probation is a trial period of a specific length of time during which an employee is required to fulfill a set of conditions, to improve work performance, or to improve on the employee’s job

behavior. Failure to meet the probationary requirements may result in additional disciplinary actions.

d) **Salary Reduction-**

A salary reduction is the lowering of an employee's rate of pay within the pay range to which the employee's position is assigned.

e) **Demotion-**

A demotion is the placement of an employee into a position of a lower pay range.

f) **Suspension-**

A suspension is the removal of an employee from service, with or without pay, for a specific period of time.

g) **Termination-**

Termination is the removal of an employee from City employment.

There is no requirement that the discipline of an employee involve all, or any, of the above-referenced actions. For instance, if warranted, an employee may be suspended or terminated without any prior disciplinary actions.

3. Procedure for Disciplinary Action-

Whenever in the judgment of the employee's supervisor or department head justifies the application of disciplinary action other than a verbal warning, the supervisor or department head might, in appropriate circumstances:

- a) Document the misconduct in writing;
- b) Determine the appropriate disciplinary action to correct the problem;
- c) Meet with the employee to review the problem and the proposed disciplinary action. The meeting should be private and include only the employee, supervisor, department head or other persons requested to be present by the department head;
- d) Give the employee an opportunity to refute the facts or argue against the proposed disciplinary action. The employee may submit comments in writing to be attached to the record of the disciplinary action;
- e) Make a final decision as to the disciplinary action; and/or
- f) Notify the employee of the disciplinary action in writing, except for verbal warnings. A copy of the documentation of misconduct and a note as to the form of disciplinary action taken shall be provided to the City Clerk for insertion in the employee's personnel file.

The procedure noted above is discretionary and may or may not be utilized given the particular circumstances.

4. Misconduct Subject to Disciplinary Action-

The following is a list of misconduct which may subject an employee to disciplinary action, up to and including termination of employment. The list is not exclusive; it is only representative of the types of misconduct which may subject an employee to disciplinary action. This list is provided for general guidance to employees and does not alter the at-will nature of an employee's employment relationship with the City.

- a) Conviction of a violation of any state or federal criminal law.
- b) Conviction of a violation of any City law.
- c) Failure to follow prescribed City or departmental safety policies and procedures, including failure to notify his or her supervisor of unsafe working conditions and negligent or willful creation of unsafe conditions in the workplace.
- d) Violation of personnel policies and guidelines or departmental policies and guidelines.
- e) Inattention to duty, carelessness, breakage or loss of public property or funds or willful or negligent damage to public property or waste of public supplies or equipment.
- f) Incompetency or inefficiency in the performance of the duties of his or her position or failure to render satisfactory service.
- g) Insubordination or other breach of discipline.
- h) Discourteous or disruptive conduct or other offensive behavior in public, to the public or to employees and officers of the City.
- i) Abuse of leave, excessive absenteeism or tardiness or absence without leave.
- j) Temporarily leaving the workplace without the approval of his or her supervisor.
- k) Failure to give proper notice of absence.
- l) Sleeping on the job.
- m) Use of alcohol or drugs, off the job, to the extent that the employee's job performance or effectiveness as a City employee is impaired.
- n) Inducing or attempting to induce any officer or employee of the City to commit an unlawful act or to act in violation of any lawful or official order or regulation.
- o) Unauthorized possession of firearms or other weapons on the job.

- p) Taking or using any funds or property of the City for personal use or for sale or gift to others or the making of any false claim against the City.
- q) Refusal to abide by any lawful official regulation or order, failure to obey any proper direction made by a supervisor or department head or knowingly making a false statement to any employee or officer of the City.
- r) Claiming leave time under false pretenses or falsifying attendance records for oneself or another employee.
- s) Possession or use of alcohol or drugs, except where prescribed by a physician, after being afforded the opportunity to seek professional attention, or use of alcohol or drugs, except where prescribed by a physician, while on duty. Sale of or offering for sale or giving away alcohol or drugs while on duty or at the workplace.
- t) Illegal harassment of any kind, including sexual harassment.
- u) Disclosing confidential records or information unless directed to do so by his or her department head or supervisor.
- v) Revocation or suspension of a certification or license, including a driver's license, when such is required as a condition of City employment.
- w) Material falsification of application for City employment or making a false statement or report in regard to any test, certification or appointment or any attempt to commit any fraud that violates the merit principles of personnel administration.
- x) Giving or attempting to give any monetary consideration or the delivery of undeserved service to or from any person or organization for, or in connection with, any test or appointment.
- y) Taking or offering to take from any person for the employee's personal use any fee, gift or other thing or service of value, in the course of his or her work or in connection with it, when such gift or other valuable thing or service is given in the hope or expectation of receiving a favor or better treatment than that accorded any other person; accepting a bribe, gift, money or other thing of service or value intended to encourage the employee to perform or refrain from performing any official act; engaging in any act of extortion or other means of obtaining money or other things or service of value through his or her position in the service of the City.

In an appropriate case, an employee may be suspended, with or without pay, pending an investigation and review of the matter.

H. SAFETY

1. General Safety-

All employees are required to wear appropriate safety equipment and follow appropriate safety precautions according to City and/or departmental policy at all times. Failure to comply with safety policies may result in disciplinary action.

2. Smoking Policy-

Smoking shall not be permitted in any enclosed City facility. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, cafeterias, employee lounges, stairs, restrooms, vehicles and all other enclosed facilities. This policy applies to all officers and employees of the City, contractors, and visitors. Smoking shall be permitted only at a reasonable distance of ten (10) feet outside entrances, operable windows and ventilation systems of enclosed areas where smoking is prohibited, so as to ensure that tobacco smoke does not enter those areas.

No Smoking signs shall be posted in all City facilities.

Those employees who smoke and would like to take this opportunity to quit are invited to call the free Kansas Tobacco Quitline (1-800-QUIT-NOW) for telephone cessation counseling and support.

3. Conceal Carry of Firearms-

Employees and officials, who are not otherwise prohibited by state or federal law, may carry a concealed handgun, consistent with the Kansas Personal and Family Protection Act, as amended, into City buildings, where the carrying of a concealed handgun is allowed under the provisions of state law.

- a) Any employee carrying a concealed handgun within a City building pursuant to the provisions of state law must keep said handgun completely concealed, in a proper holster or similar product, with all safety features in place.
- b) Storage of Concealed/Carry Firearms: It is the sole responsibility of the employee to maintain control of his/her concealed firearm and ammunition by ensuring that such firearm is on his or her person and attended to at all times.
- c) Employees are also permitted while on City owned property to store a firearm within their own vehicle provided that such storage is outside of plain view from the exterior of the vehicle and that the vehicle is locked when the employee is not in the vehicle.
- d) Other than certified law enforcement officers, it is outside of the course and scope of employment for any City employee or contractor to brandish, intentionally display, use,

discharge, point or threaten any person with the use of a weapon in the workplace or in the exercise of his or her duties.

- e) An employee's failure to maintain a firearm in a concealed manner or locked as described herein could result in discipline, up to and including termination.
- f) In the event that a City employee or official discharges a firearm while on duty, the Roeland Park Police Department shall investigate the discharge and file a report of investigation with the City Administrator. Based on such report, the City Administrator, or designee, will determine whether it constitutes grounds for disciplinary action, up to and including termination. The discharge of a firearm while on duty may also result in criminal charges.

Subject to other policies and procedures of the City of Roeland Park and Kansas law, law enforcement officers are the only individuals authorized to use deadly force while acting for and on behalf of the City of Roeland Park. Employees who are not authorized to use deadly force do not have the immunities and are not entitled to the same indemnity afforded law enforcement and other employees authorized to carry firearms within the scope of their employment. The City will not provide for, reimburse, or pay attorney fees or other costs in defense of any employee who uses deadly force if the use of deadly force is not a function of said employee's job.

4. Uniform Policy-

The purpose of this policy is to establish a policy concerning the proper wearing of City apparel for non-public safety employees and to identify those items that are "safety equipment" and not uniforms. Items will be replaced, as needed, based on budgetary considerations. Each employee, upon being hired shall be issued the following uniform items:

a) Public Works Department

- i. Five shirts with City logo.
- ii. Three heavy sweatshirts with City logo.
- iii. One winter jacket with City logo.
- iv. One pair of coveralls with City logo.
- v. \$150 to be paid each year (at the beginning of the year) through payroll for the purchase of work pants.

b) Administrative

- vi. Five shirts with City logo.
- vii. Two sweatshirts with City logo.

c) Code Enforcement

- viii. Five shirts with City logo.

- ix. Two heavy sweatshirts with City logo.
- x. One winter jacket with City logo.
- xi. One Khaki pants.

5. Specifics-

- a) Uniforms (excluding work pants) will be purchased only three times per year (usually March, June and September).
- b) All uniforms (excluding work pants) are the property of the City and must be exchanged when receiving new items or returned when leaving employment with the City.
- c) Uniforms now in the possession of City employees must be exchanged prior to receiving new uniforms.
- d) It is assumed that employees who wear uniforms while not on duty do so to bring credit to the City and will not engage in conduct that is disgraceful or an embarrassment to the City.
- e) All new uniforms, with a City logo, shall be approved by the City Administrator.
- f) It shall be the responsibility of the employee to wash, clean and maintain any City uniforms.
- g) Appropriate non-uniform clothing may be worn when attending training, schools, meetings, luncheons, workshops, etc.
- h) The employee is responsible for any loss or damage of City uniforms due to neglect.
- i) The City Administrator may authorize exceptions to the Uniform Policy.

6. Non-Uniform Safety Items-

The following items are considered Safety Equipment and shall be provided to necessary employees. These will be replaced as needed due to normal wear and tear or when damaged. The old items shall be returned prior to issuing new items.

- a) One pair of steel toed (ANSI approved) boots (Paid by City up to \$160.00).
- b) One pair of leather gloves.
- c) One pair of safety glasses.
- d) One pair of full eye goggles.

I. TRAVEL POLICY

The City pays business-related travel expenses of its elected officials, employees and other with the approval of the department head and City Administrator, as long as the departmental travel seminar and education line-item budget would not be exceeded.

a) Approved Travel-

- i. Any function of the League of Kansas Municipalities if held within the State of Kansas.
- ii. Any function of the Mid-America Regional Council (MARC) if held within the member counties of MARC.
- iii. Any function of the Northeast Johnson County Chamber of Commerce.

b) **Reimbursement Rates-**

- i. Travel by personal car at the IRS-approved rate. In-state mileage shall be calculated by the City Administrator using the shortest distance method, plus five (5) miles per each day, or part thereof, that the person is engaged in City business. Out-of-state travel will be at actual odometer readings.
- ii. Other transportation, lodging and miscellaneous expenses at actual cost upon the submission of proper vouchers/receipts.

c) **Meals-**

- i. At actual cost upon the submission of proper vouchers/receipts for expenses not associated with travel requiring an overnight trip.
- ii. For travel requiring an overnight trip, the following per-diem (no receipts necessary) shall apply, or pro-rata based on the following:

In State		Out of State	
Breakfast	\$5.00	Breakfast	\$10.00
Lunch	\$10.00	Lunch	\$20.00
Dinner	\$15.00	Dinner	\$30.00

- iii. Banquets, lunches and other meals included in the registration fee or prepaid with the conference will be deducted from the per diem rate.

Individuals who are pre-registered for any event and not able to attend should make every effort to find another City official to go in their place.

J. EMPLOYMENT RECORDS

1. Personnel Records-

- a) Information contained in an employee's personnel file is highly confidential and is maintained by the City Clerk. The City Clerk shall keep adequate records of all persons employed, their pay scale, time worked, accrued vacation and sick leave, all absences for vacation, sick or other leave, accrued overtime, and all other records directed to be made and maintained under these policies and guidelines or under applicable state or federal law. Employee medical related records shall be kept in a separate file in accordance with these same provisions. All employee files remain the property of the City and contain only items that have direct bearing on the employee/employer relationship. This includes any documents that relate to the employee's recruitment, selection and retention; the employee's job

responsibilities and his/her ability to perform those duties; and the employee's present or future ability to perform work assignments.

- b) Employee files will be maintained by the City Clerk and must remain in the Administration Department at all times. Only authorized individuals have access to the information in these records.
- c) Managers should provide, to the City Administrator for review and approval, written notification of any corrective action or changes in the status for his or her employees. The City Clerk will maintain a record of all changes in the employees' personnel files.
- d) Current employees may request to review their personnel file. An employee's personnel file shall be available during office hours for inspection by that employee upon reasonable notice. Such request should be submitted to the City Clerk.

2. Access to Employee Files and Verification of Employee Records-

Information contained in an employee's personnel file is highly confidential and will be released only to authorized individuals within the City, upon receipt of a court ordered subpoena or to individuals with written authorization from the current employee. It is the City's policy to provide only limited information regarding a former employee in response to requests for references.

This policy shall be applied in accordance with the requirements of federal and state laws.

3. Release of Employee Files-

When an outside party requests information about a current or former employee, only the City Administrator or City Clerk is authorized to respond. Reference requests should be referred to the City Administrator or City Clerk.

All telephone or written inquiries for employment references must be referred to the City Administrator or appropriate manager. It is the general policy of the City that the City Administrator or City Clerk will release only the employee's dates of employment and job title; salary may only be verified in writing.

K. TECHNOLOGY AND ELECTRONIC COMMUNICATIONS

The purpose of this policy is to establish guidelines for use of the City's computer, communication, and related systems to ensure that this equipment is used in a manner consistent with its intended purpose and the mission of the City and to discourage or eliminate inappropriate use of the equipment.

1. Definitions-

- a) **Technology Equipment-**

Includes all computers and related hardware and software, voicemail, electronic mail, internet access, internet e-mail, phone systems, network systems, voice and data communications, printers, copy and fax machines, video cassette recorders, cameras, pagers, radios, and electronic equipment in general which is owned by the City, licensed to the City, or otherwise provided for use by the City through the use of public funds.

b) **Management Staff-**

Department heads, their designees, or other City staff in supervisory positions.

c) **Network-**

Any City owned or operated computer, telephone, or electronic system.

2. General Computing and Network Policy-

- a) Violations to this Policy are subject to disciplinary action, including termination.
- b) All users of the City's technology equipment must adhere to City, state, federal, and international laws governing the use of such equipment. All users of the City's technology equipment should strive to use such equipment in an efficient and effective manner consistent with the City's mission, and must avoid unethical, unauthorized, or any other use of such equipment in a manner inconsistent with good stewardship of public resources.
- c) Any provision or provisions of this policy may be waived only for unusual circumstances, and only with the concurrence of an individual's supervisor and the City Administrator or his/her designated representative.
- d) Users of the City's network services shall promote efficient use of the networks to minimize, and avoid if possible, congestion of the networks and interference with the work of other users of the network.
- e) Encryption of communications will be allowed only if it is determined to be necessary for the protection of citizens or employees, or is determined to be an integral part of an employee's performance of their assigned work.

3. Prohibited Uses-

- a) Use of the City's technology equipment for threats, harassment, slander, defamation, obscene or suggestive messages and images, political endorsements, commercial activities, or for the production or dissemination of any material which is discriminatory with regard to race, sex, religion, ethnicity, disability, sexual orientation, gender identity, and/or age is prohibited.
- b) "BIOS" (basic in and out system) passwords, unless approved by the City Administrator or his/her designated representative.
- c) Intentionally disrupting or damaging any of the City's network services or any components of the system.

- d) Deletion, examination, copying, or modification of files and/or data belonging to other users without their prior consent.
- e) Any unauthorized access or attempts to gain unauthorized access to data, system resources and passwords.
- f) Any attempt to secure system access privileges other than those assigned by the System Administrator or his/her designated representative.
- g) Decryption of system or user passwords.
- h) The copying or deleting of any software without the authorization of the City Administrator.
- i) Infringement on software licenses and copyrights.
- j) Loading of software onto the City's network, or any component of the network, without the advance approval of the City Administrator or his/her designated representative.
- k) The intentional introduction of computer viruses or other disruptive programs into the City's system.
- l) Sharing of passwords with other users.

4. Privacy Policy-

- a) No individual or group utilizing the City's technology equipment should have any expectation of a guarantee of privacy in their use of the City's technology equipment. The equipment is managed by the City for the purpose of City business, and authorized representatives of the City may access any aspect of the City's technology equipment at any time for work related non-investigatory or investigatory purposes. Authorized representatives of the City may, without advance notice, access any portion of the City's technology equipment for purposes related to claims of misconduct by City staff.
- b) Management reserves the right to monitor the use of any or all portions of the City's technology equipment, including electronic messages either sent or received, electronic files stored on the City's network, and internet sites visited.
- c) Management reserves the right to access, without notice, data or text caches, pager memory banks, e-mail, voicemail boxes or accounts, and other employer provided electronic storage systems.
- d) All data, information, electronic mail, and other documents contained on the City's network, or any component of the City's network, is City property, and may be accessed by authorized representatives of the City.

5. Electronic Mail Systems-

- a) **Privacy, Confidentiality and Public Records Considerations**

- i. The City will make reasonable efforts to maintain the integrity and effective operation of its electronic mail systems, but users are advised that those systems should in no way be regarded as a secure medium for the communication of sensitive or confidential information. Because of the nature and technology of electronic communication, the City can assure neither the privacy of an individual user's use of the City's electronic mail resources nor the confidentiality of particular messages that may be created, transmitted, received, or stored thereby.
- ii. All electronic files and messages on the City's systems are periodically backed up and generally available for re-creation, even if erased.
- iii. In all electronic mail communications, be polite and use appropriate language.
- iv. Delete all messages from the electronic mail system when they are no longer needed to help efficiently manage network storage resources.

b) Permissible Uses of Electronic Mail

a. Authorized Users-

Only City employees and other persons who have received permission under the appropriate authority are authorized users of the City's electronic mail systems and resources.

b. Purpose of Use-

The use of any City resources for electronic mail must be related to City business. Incidental and occasional personal use of electronic mail may occur when such use does not generate a direct cost for the City. Any such incidental and occasional use of City's electronic mail resources for personal purposes is subject to the provisions of this policy.

c. Prohibited Purposes

- i. Personal use that creates a direct cost for the City.
- ii. The City's electronic mail resources shall not be used for personal monetary gain or for commercial purposes that are not directly related to City business.

d. Prohibited Uses

Prohibited uses of electronic mail includes, but is not limited to the following:

- i. Do not use the City's electronic mail system for sending "junk mail" or "chain letters."
- ii. Never send electronic mail from someone else's account or electronic mail address.
- iii. Sending copies of documents in violation of copyright laws.
- iv. Inclusion of the work of others into electronic mail communications in violation of copyright laws.

- v. Capture and “opening” of other employees’ electronic mail except as required in order for authorized employees to diagnose and correct delivery problems.
- vi. Use of electronic mail for personal political use.
- vii. Use of electronic mail to harass or intimidate or to interfere with the ability of others to conduct City business. This prohibition specifically includes any communication which violates the City’s policies against illegal harassment and discrimination.
- viii. Use of electronic mail systems for any purpose restricted or prohibited by laws or regulations.
- ix. “Spoofing,” i.e., constructing an electronic mail communication so it appears to be from someone else.
- x. “Snooping,” i.e., obtaining access to the files or electronic mail of others for the purpose of satisfying idle curiosity, with no substantial City business purpose.
- xi. Attempting unauthorized access to electronic mail or attempting to breach any security measures on any electronic mail system, or attempting to intercept any electronic mail transmissions without proper authorization.
- xii. To distribute defamatory, fraudulent or harassing messages, or otherwise engage in any illegal or wrongful conduct.

e. City Access and Disclosure

By accepting and continuing employment, employees of the City are consenting to the City’s monitoring of their e-mail communications on City equipment and/or on City premises and/or on City paid time.

f. General Provisions

To the extent permitted by law, the City reserves the right to access and disclose the contents of employee and other users’ electronic mail without the specific consent of the user beyond the general consent provided as a condition of employment. The City will do so when it believes it has a legitimate business need including, but not limited to, those listed in Section (g) below.

Employees and other users are advised that the City’s electronic mail systems should be treated like a shared filing system, i.e., with the expectation that communications sent or received regarding City business or with the use of City resources may be made available for review by any authorized City official for purposes related to City business.

Any user of the City’s electronic mail resources who makes use of an encryption device to restrict or inhibit access to his or her electronic mail must provide access to such encrypted communications when requested to do so under appropriate City authority.

g. Monitoring of Communications

The City will not monitor electronic mail as a routine matter but it may do so to the extent permitted by law as the City deems necessary for any valid business purposes, including employee supervision.

h. Inspection and Disclosure of Communications:

The City reserves the right to inspect and disclose the contents of electronic mail:

- i. In the course of an investigation triggered by indications of misconduct or misuse;
- ii. As needed to protect health and safety;
- iii. As needed to protect the rights or property of the City;
- iv. As needed to prevent interference with the business mission of the City;
- v. To detect employee wrongdoing; or
- vi. As required for employee supervision or performance management.

The City will inspect and disclose the contents of electronic mail when such action is necessary to respond to legal processes and/or to fulfill the City's obligations to third parties.

i. Limitations on Disclosure and Use of Information Obtained by Means of Access or Monitoring

The contents of electronic mail communications, properly obtained for City purposes, may be disclosed without permission of the user. The City will attempt to refrain from disclosure of particular communications if disclosure appears likely to create personal embarrassment, unless such disclosure is required to serve a business purpose or satisfy a legal obligation.

j. Special Procedures to Approve Access to and Disclosure of Use of Electronic Mail Communications

Individuals needing to access the electronic mail communications of others, to use information gained from such access, and/or to disclose information from such access and who do not have the prior consent of the user must obtain approval in advance of such activity from the appropriate City authority. Any employee accessing the electronic mail communications of others without permission will be subject to disciplinary action, up to and including termination.

6. Definition of City Authority-

For the purposes of this policy, City Authority is defined as having approval of the Governing Body or by the City Administrator.

7. Internet Access-

a) Authorized Users:

Internet access is provided to City staff only by approval of department heads, and with the concurrence of the City Administrator or his/her designated representative.

b) Purpose of Use-

The use of any City resources for internet access must be related to City business. Incidental and occasional personal use of internet access may occur when such use does not generate a direct cost for the City. Any such incidental and occasional use of internet access resources for personal purposes is subject to the provisions of this policy.

c) Prohibited Purposes-

- i. Accessing adult entertainment, pornography, illegal, suggestive or other inappropriate material via the internet at any time from any City facility using either privately-owned or City technology equipment.
- ii. Personal use that creates a direct cost for the City.
- iii. The City's internet access resources shall not be used for personal monetary gain (i.e. engage in e-commerce, investment banking activities or gambling activities, legal or illegal) or for commercial purposes that are not directly related to City business.

8. Social Media/Blogging-

The City respects the right of any employee to maintain a blog and other types of self-published online journals, social media sites and collaborative web-based discussion forums. However, to protect the City's interests and ensure employees focus on their job duties, employees are expected to follow the guidelines and policies set forth to provide a clear distinction between you as an individual and you as an employee.

a) Purpose-

This policy outlines the protocol and procedures for use of social media to publicize official City services and events. In addition, this policy addresses the responsibilities of individual employees and City officials with regard to social media and the use of City resources (time/equipment), as well as responsibilities related to public records and open meeting laws.

b) Definitions-

i. Social Media-

Various forms of discussion and information sharing, including blogs, wikis, social networks, virtual worlds, video posts, podcasts, message boards and online forums. Technologies include: picture sharing, wall postings, fan pages, e-mail, instant messaging and music sharing.

ii. Social Networking-

The practice of expanding business and/or social contacts by making connections through web-based applications. This policy focuses on social networking as it relates to the use of the internet to promote such connections for official City business for employees, elected and appointed officials who are using this medium in the conduct of official City

business.

c) **Policies and Procedures-**

All official City presences on social media sites or services are considered an extension of the City's information networks and are governed by the Technology and Electronic Communications Policy contained in the City Personnel Manual and used for the limited purpose of informing the public about City business, services and events.

- i. All City social media sites must comply with applicable federal, state and City laws, regulations and policies. This includes adherence with established laws and policies regarding copyrights, records retention, Freedom of Information Act (FOIA), First Amendment, privacy laws and information technology, web standards, brand standards and media policies established by the City.
- ii. Each social media site used by the City will include an introductory statement that clearly specifies the purpose of the site and directs users to the City's website. In addition, wherever possible, links to information should direct users back to the City's official website for more information, forms, documents or online services necessary to conduct business with the City.
- iii. Purpose-To provide information to the users in a timely manner and to direct users to the website for additional information.

Employees representing the City via social media outlets must conduct themselves at all times as representatives of the City and in accordance with all human resource policies. Employees shall not disclose information about confidential City business on either the City's social media sites or their personal social media sites.

- iv. The City encourages the posting of comments by individuals; however, current elected officials are not to post on the City's official social media sites.
- v. The City's social networking content and comments containing any of the following forms of content shall not be allowed for posting:
 - Comments not topically related to the particular site or blog article being commented upon;
 - Profane language or content;
 - Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation or gender identify;
 - Sexual content or links to sexual content;
 - Solicitations of commerce;
 - Conduct or encouragement of illegal activity;

- Information that may tend to compromise the safety or security of the public or public systems; and/or
- Content that violates a legal ownership interest of any party. The City reserves the right to remove content that is deemed in violation of this policy or any applicable law. Any participants on the City's official social media sites who are in continual violation of the posting/commenting guidelines may be permanently removed from the City's site.

The City reserves the right to temporarily or permanently suspend access to official City social media sites at any time.

L. CELL PHONE COMMUNICATIONS POLICY

It is the policy of the City to provide cellular telephones and/or wireless personal communications devices to designated employees in order to improve productivity, enhance customer service to our citizens, and/or to enhance public safety services.

It is also the policy of the City to maintain the right of access to and disclose of any and all messages communicated through electronic means when City-owned equipment is used. Regardless of the intent of the message (business or personal), any employee involved has no right to privacy, or to the expectation of privacy, concerning the content of any message or the intended destination of any message.

Decisions regarding the use of City cellular telephones and wireless personal communications devices, which are not explicitly stated herein, will be left to the discretion of the City Administrator. Department heads are authorized to administer, provide guidance on, and assure compliance with the features of this policy.

It is the policy of the City to provide reimbursement for cellular telephones and wireless personal communications devices to designated employees who can be recalled in order to improve productivity, enhance customer service to our citizens, and/or to enhance public safety services. At the City Administrator's discretion eligible personnel may obtain a personal cellular telephone, and/or wireless personal communications device. The City will reimburse the employee at a monthly rate of \$15.00. Department heads will be reimbursed at a rate of \$30 per month.

1. Applicability-

This policy and procedure applies to all City employees, departments, and organizations. Departments which use a pool system for cellular telephones, or which have cellular telephones assigned to vehicles or positions instead of to individuals, may develop departmental policies and procedures and/or regulations which provide greater direction to their employees, as long as that direction is consistent with this policy.

This policy includes City-owned cellular telephones and other wireless personal communications devices, which are not directly connected to a telephone line. It does not apply to direct-wired landline telephones.

2. Authorized Usage-

City-owned cellular telephones and other wireless personal communications devices are intended only for City business. No personal use of City-owned cell phones is allowed. In the event of an emergency personal call, the employee shall reimburse the City of the proportional share of the current monthly fee and service charges, as well as the direct cost of the minutes used (i.e. roaming, long distance, rate plan minutes, etc.).

Employees should not use cellular telephones to discuss confidential or sensitive information, as cellular telephone conversations are not secured.

3. Eligibility Criteria-

Employees eligible for assignment of City-owned cellular telephones, and other wireless personal communication devices are those designated by the City Administrator, including but not limited to:

- a) Employees who are frequently in a vehicle, if the individual must conduct City business by telephone while in the field, and it can be shown that cost savings and customer service efficiency will be realized through use of such devices;
- b) Employees who have a critical need to maintain accessibility with other department heads, City management staff and public officials in order to ensure uninterrupted customer services and/or the integrity of the organizations;
- c) Public safety positions as necessary to provide immediate and direct telephone communications with citizens, outside agencies cooperating in operations or other resource entities outside of City government, and to provide for communications which may be inappropriate for mobile radios;
- d) Designated employees involved in the City's emergency response plan; and
- e) Department heads and employees who have a responsibility for responding to public safety incidents in the field.

4. Responsibilities of Department Heads-

The department heads are responsible for:

- a) Recommending requests for cellular telephones, and other wireless personal communications devices from their respective subordinates;
- b) Ensuring that requests are in conformance with the procedures outlined herein, or that exceptions are justified;

- c) Ensuring that all persons assigned a City-owned cellular telephone, and/or other wireless personal communications device are provided access to a copy of this policy, and that the individual is in compliance with it;
- d) Conducting annual reviews of assigned devices to determine if such assignments continue to be justified; and
- e) Informing appropriate employees responsible for City communications of all reassignments of cellular telephones, electronic paging devices and other wireless personal communications devices.

5. Responsibilities of Employees-

Employees who are assigned the use of City-owned cellular telephones, and other wireless personal communications devices are responsible for the following:

- a) Ensuring the physical security of such devices;
- b) Ensuring that all communications on such devices are kept to the briefest duration possible;
- c) Keeping personal communications to a minimum;
- d) Ensuring that any personal use does not detract from the employee's availability for completion of assigned duties; and
- e) Reimbursing the City for any personal calls sent or received at the rate established by the City Administrator.

6. Use of Electronic Communications Devices and Safe Driving-

All City employees are expected to drive with safety as the first consideration. This includes driving safely while operating cellular telephones and other wireless personal communications devices. Recommendations for safe handling of vehicle-based calling from the wireless communications industry include the following:

- a) When driving, use voice-activated dialing or have frequently called numbers pre-programmed into the device, or consider pulling off the road to dial (or ask passenger to dial);
- b) Do not use the wireless communications devices at all if there are hazardous road or traffic conditions; and
- c) Avoid multiple tasks when driving, such as trying to take notes while using a wireless communications device.

Employees are responsible for, and will be held accountable for, safe driving at all times.

7. General Statements on Use of Wireless Communications Devices-

- a) Use of a log-on or password does not imply any right to employee privacy of communication.

- b) Use of a deletion keystroke or process does not mean a message/document has been eliminated from a wireless communications device, e.g. pager.
- c) On City-owned wireless communications devices, the City or department reserves the right to monitor and record communications traffic at any time, without notice to any employee.
- d) Any abuse or inordinate use of those devices will be considered misconduct and indifference to work, resulting in possible disciplinary action, up to and including termination. Any employee responsible for inordinate use of wireless communications devices may also be held responsible for the resulting costs to the City.

8. Monitoring of Wireless Communications by City Supervisors-

Supervisory reviews of wireless communications may be conducted for business reasons. Supervisors may review the communications of their employees to determine if there have been:

- a) Breaches of security;
- b) Violations of City policy; and/or
- c) Misuse by an employee.

9. Disclosure of Information-

The City will disclose the contents of retrievable wireless communications messages, upon receipt of a valid court order or legal request, including Public Information (open records) requests. The City may disclose the contents of retrievable wireless communication messages if the information will assist in official internal or criminal investigations.

M. SEPARATION OF SERVICES

1. Resignation-

An employee who terminates his or her employment voluntarily shall be terminated in good standing, providing the employee gives a minimum of two weeks written notice to his or her immediate supervisor or department head. Under appropriate circumstances, a shorter period of notice may be approved by the employee's department head and the City Administrator.

2. Payment upon Termination-

An employee whose employment with the City has been terminated shall receive his or her final paycheck on the first regularly scheduled payday following his or her termination.

- a) Employees who terminate shall be eligible to receive pay for any accrued unused vacation.
- b) Employees who have worked for the city in a full-time capacity for 5 years or more and who terminate with proper notice, may convert unused sick leave up to a maximum of 480 hours to vacation time at the rate of eight (8) hours sick leave to one (1) hour of vacation.

‘Termination with proper notice’ is defined as giving prior notice: four (4) weeks for exempt employees and two (2) weeks for non-exempt employees. No conversion is allowed when there is an involuntary separation due to poor performance or misconduct, or other violations of City policies and/or procedures.

- Example: Maximum sick accrual of 480 hours converts to a maximum of 60 hours vacation.

N. EDUCATION REIMBURSEMENT

This policy is applicable to any regular, full-time City employee who has completed his/her required initial probationary period.

1. Policy-

The City will only consider applications for assistance with tuition and book expenses for degree programs (Associate, Bachelor, Master or Doctorate) according to the following criteria:

- a) Before beginning a course of study, an employee must receive approval from employee’s department head and the City Administration prior to any request for tuition reimbursement; and
- b) An employee may be reimbursed only for courses of study which the City determines are directly related to the employee’s present job or which will enhance the employee’s potential for advancement to other jobs within the City; and
- c) Subject to budget availability, upon successful completion, as defined below, of any approved course, an employee may be reimbursed only the actual cost of the tuition for classes taken and any required course materials, but the City will reimburse up to a maximum of \$2,500 per calendar year; and,
- d) Eligible schools must be accredited by one of the six regional organizations recognized by the U.S. Department of Education; and
- e) On-line courses are permitted if offered through an eligible school and reviewed and approved through the regular tuition reimbursement process; and
- f) Tuition reimbursement must be approved by the employee’s department head and the City Administration, at least ten (10) business days prior to the first day of class; and
- g) All documentation regarding tuition reimbursement must be submitted for reimbursement within thirty (30) calendar days of the completion of the final class or payment will not be rendered; and
- h) Reimbursement will only be considered for courses that are successfully completed with a grade of “C” or better for undergraduate courses, or with a grade of “B” or better for

graduate-level courses. If an incomplete grade ("I") is received at the end of the term, the class must be successfully completed and documentation submitted for reimbursement within thirty (30) calendar days after completion. The date that the incomplete grade is officially replaced with another grade is the date that will govern with respect to tuition repayment; and

- i) The Education Reimbursement Policy will not duplicate other financial aid programs such as Pell Grants, Veteran's Administration Benefits, scholarships, etc. Any financial aid received will be deducted from the tuition and book fees reimbursed by the City; and
- j) If an employee's request for reimbursement under this policy is approved, he/she will be required to certify in writing, and agrees to re-pay the City all reimbursements he/she received if employee voluntarily separates from City employment within one year after receiving the reimbursement; and
- k) Any employee separated involuntarily within one year of reimbursement shall be required to make full repayment if the separation was for unsatisfactory performance/conduct.

2. Time Off For Class Attendance and Study Assignments-

Employees are expected to schedule class attendance and the completion of study assignments outside of their regular working hours. Employees will not be given paid time off, other than vacation and/or bonus days, to attend educational classes or to complete study assignments. In cases where productivity and proper supervision of employees are not adversely affected, management may approve changes in the work schedule to accommodate the pursuit of educational opportunities, however it is expected that educational activities will not interfere with employees' work. Any unsatisfactory job performance during class enrollment may result in forfeiture of educational assistance and/or disciplinary action up to and including termination of employment.

O. CITY SPONSORED MEMBERSHIP DUES POLICY

The City believes it is important for the members of the Governing Body and City employees to participate in professional organizations. While at the same time it is recognized that difficult economic times have caused strains on the City's budget. Therefore, in the future, the following represent the only types of membership dues that will be approved:

a) **Professional association membership dues.**

A professional association is usually a nonprofit organization seeking to further the interests of individuals engaged in that profession. The professional association will directly relate to the member(s) job.

b) **Civic association membership dues.**

A civic association is usually a nonprofit organization seeking to further the interests of individuals engaged in a community and the public interest. The City will cover the first \$100 of a civic association membership fee and match 50/50 the next \$100. Any amount over \$200 will be the responsibility of the individual.

c) **Multi-individual memberships and dues.**

Multi-individual memberships and dues for organizations, such as the Northeast Johnson County Chamber, Mid-America Regional Council, League of Kansas Municipalities or National League of Cities under which one membership dues covers all members of the Governing Body and City employees. Multi-individual memberships/dues are subject to Governing Body annual review for value to the City.

City of Roeland Park
Employee Handbook
Receipt

I acknowledge receipt of a copy of the City of Roeland Park Employee Handbook adopted _____ . I also acknowledge that its provisions are guidelines, subject to revision by the Governing Body at any time, and are not a contract of any kind between me and the City of Roeland Park.

Dated: _____

Employee’s Signature: _____

Employee’s Printed Name: _____

Item Number: New Business- VIII.-B.
Committee 6/20/2023
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 6/14/2023
Submitted By: Sustainability Committee
Committee/Department: Sustainability Committee
Title: **Appoint Aiden Ellis to the Sustainability Committee (5 min)**
Item Type: Other

Recommendation:

To appoint Aiden Ellis to the sustainability committee.

Details:

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

What are the implications to intersectionality?

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

Financial Impact

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	6/14/2023 - 10:40 AM

Goals/Objectives & Terms

ATTACHMENTS:

Description		Type
▣	Aiden Ellis	Cover Memo

Online Form Submittal: Committee Volunteer Form

noreply@civicplus.com <noreply@civicplus.com>

Fri 4/7/2023 9:09 AM

To:Nielsen, Kelley <knielsen@roelandpark.org>;RP Intern <intern@roelandpark.org>

Committee Volunteer Form

Date	4/7/2023
First Name	Aiden Conrad
Last Name	Ellis
Address	5646 Birch Street
City	Roeland Park
State	KS
Zip	66205
Email	
Phone	
Place of Employment	Environmental Protection Agency (EPA)
How long have you been a resident of Roeland Park?	Since July of 2020
How much time do you have to devote per month?	2 hours
Board & Committee Interest	Hi,

My name is Aiden Ellis. I have been a resident of Roeland Park since July of 2020 and would love to join the sustainability committee. I adore Roeland Park, and want to contribute to the sustainability efforts in whatever capacity possible. I have a background in chemical engineering and public health, and currently work in the environmental field. I have received official approval to participate in this committee if I am selected. All views and participation are my own and are not a representation of the EPA or federal government.

Please let me know if there is anything I can do to follow up, and thank you for your consideration.

Best,

Aiden Ellis, MPH

Select a Board or Committee	Sustainability
-----------------------------	----------------

Are you a high school student between the ages of 14 and 18?	No
--	----

Additional Comments	<i>Field not completed.</i>
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Resume	<u>CV_AidenEllis_03.23.2023.pdf</u>
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Email not displaying correctly? [View it in your browser.](#)

Item Number: New Business- VIII.-C.
Committee 6/20/2023
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 6/15/2023
Submitted By: Keith Moody
Committee/Department:
Title: Entertain a Motion to Take from the Table the Tree Preservation Policy Ordinance (5 min)
Item Type: Other

Recommendation:

A previously table item requires a formal motion, second and majority vote to remove the item from the table.

Details:

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

What are the implications to intersectionality?

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

Financial Impact

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Moody, Keith	Approved	6/13/2023 - 2:02 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ LKM Code of Procedures	Cover Memo

ARTICLE 2. GOVERNING BODY

Sec. 1-201. Governing Body.

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

(Code 1986)

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

The Mayor shall:

- (a) Preside at all meetings of the Governing Body, except as set forth in subsection 1-203(b)(2);
- (b) Have the tie-breaking vote on all questions when the members present are equally divided, except as set forth in subsection 1-203(a);
- (c) Promote good conduct and cause to be remedied any neglect, carelessness, or other violation of duty of all elected officers;
- (d) Sign the commissions and appointments of all officers elected or appointed;
- (e) Endorse the approval of the Governing Body on all official bonds;
- (f) From time to time communicate to the City Council such information and recommend such measures as he or she may deem advisable;
- (g) Have the power to approve or veto any ordinance as the laws of the state shall prescribe; and
- (h) Sign all orders and drafts drawn upon the City Treasurer for money.

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

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

Sec. 1-203. President of the Council.

- (a) There shall be a President of the Council who shall serve a one-year term and who shall be selected in accordance with the following procedure. At the first Council meeting in January of each year or the Council meeting following the resignation of the acting Council President, nominations shall be made 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 a majority of the Councilmembers present, the President of the Council shall be elected for the next term. The Mayor does not have a tie-breaking vote in the selection of the President of the Council. If a majority vote of Councilmembers present cannot be met, the following procedure shall be followed. If there are more than two nominations, the number of nominations shall be narrowed down to two and the process repeated. The top two vote getters shall move on. If there is a tie between the second or more vote getters, a coin flip shall decide who is in the top two. If there is a tie in the vote of the final two, a coin shall be flipped to determine the President of the Council. This process will be repeated annually each January.

(b) The President of the Council shall have the following duties:

- (1) Preside at meetings of the City Council in the absence of the Mayor while retaining all the privileges of a Councilmember;
- (2) Preside at all Governing Body Workshops, given that Co-Chairs may present items specific to their assigned service area (i.e. Administration, Public Works, Public Safety or Finance);
- (3) Participate in meetings or events on behalf of the Mayor when the Mayor cannot attend due to a schedule conflict; and
- (4) Advise and consult with City staff when an urgent issue arises and the Mayor cannot be reached in a reasonable period of time after attempts to reach the Mayor have been made.

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

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

Sec. 1-203.1 Acting President of the Council.

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

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

Sec. 1-204. Administrative Powers.

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

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

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

- (a) *Purpose.* Public officials are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and to carry out impartially the laws of the City and thus to foster respect for all government. They are bound to observe in their official acts the highest standards of ethics and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the long-term public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach. The Council is responsible for setting policy and community direction.
- (b) *Powers and Duties.* The Council has the duty to meet and consider policy and community direction issues and the authority to adopt said policy. All powers exercised by cities of the second class or which shall hereafter be conferred upon them shall be exercised by the Governing Body, subject to such limitations as prescribed by law. All legislative authority granted or limited by law shall be vested in the Mayor and City Council as the

Governing Body to the City. No member of the Council shall directly interfere with the conduct of any department, except at the express direction of the Council.

(Ord. No. 931, § 7, 9-19-2016)

Sec. 1-205. Meetings.

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

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

Sec. 1-206. Special Meetings.

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

(Ord. 786, § 1; Code 2007)

State law reference(s)—K.S.A. 14-111.

Sec. 1-207. Workshops.

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

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

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

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

Sec. 1-208. Quorum.

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

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

State law reference(s)—K.S.A. 14-111.

Sec. 1-209. Compensation.

- (a) The Mayor shall receive a salary of \$510.00 per month for his or her services. Each Councilmember shall receive a salary of \$425.00 per month for his or her services.
- (b) The Mayor or any Councilmember may elect to receive monthly compensation in amounts less than the amounts set forth in this section. Such election may be made by the Mayor or any Councilmember irrespective of any election made by any other member of the Governing Body.
- (c) Any election made pursuant to subsection (b) shall be effective beginning the pay period following the submission of a written request therefore, and shall remain in effect for a period of one year or the end of that Governing Body member's term of office, whichever occurs first. If, at the expiration of any such period, the Governing Body member does not renew such election in writing, the Governing Body member shall automatically be compensated in the monthly amount specified in this section.

(Ord. No. 852, §§ 1—4)

Sec. 1-210. Expenses.

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

(Code 1986)

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

There is hereby incorporated by reference for the purpose of regulating Governing Body procedures, that certain standard code known as the "Code of Procedure for Kansas Cities, Second Edition," prepared and published in pamphlet form by the League of Kansas Municipalities, Topeka, Kansas, save and except such sections as are hereafter modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, and K.S.A. 12-3301 and 12-3302, as amended. At least one copy of said Code of Procedure for Kansas Cities shall be marked or stamped "Official Copy as Adopted by Ordinance No. 899," with all sections or portions thereof intended to be changed clearly marked to show any such change, and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The City Attorney, Police Department, Municipal Judge and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Code of Procedure for Kansas Cities similarly marked, as may be deemed expedient.

(Ord. No. 899, § 1, 9-22-2014)

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

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

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

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

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

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

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

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

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(Ord. No. 899, § 3, 9-22-2014)

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

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

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

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(Ord. No. 899, § 4, 9-22-2014)

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

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

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

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(Ord. No. 899, § 5, 9-22-2014)

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

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

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

(Ord. No. 899, § 6, 9-22-2014)

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

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

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

- Administrative (1)
- Finance (2)
- Safety (3)
- Public Works (4)

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

Ward	Term Expiring	Position
1	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).

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

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

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

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

(Ord. No. 899, § 8, 9-22-2014)

~~Section 36. Same; Ordinary Ordinance; Commission City.~~

~~Section 38. Same; Charter Ordinance; Commission City.~~

~~Section 41. Same; Commission City.~~

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

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

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

(Ord. No. 900, § 2, 11-17-2014)

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

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

Form of Vote. All votes shall be by voice vote, a "show of hands," or a roll call vote. ~~All votes shall be by voice vote or, in the alternative, the mayor may request that a vote be by "show of hands."~~ No vote shall be by secret ballot.

(Ord. No. 900, § 3, 11-17-2014)

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

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

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

(Ord. No. 900, § 4, 11-17-2014)

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

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

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

(Ord. No. 900, § 5, 11-17-2014)

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Item Number: **Ordinances and Resolutions:- IX.-**
 A.
Committee **6/20/2023**
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 6/15/2023
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Ordinance 1046 - Establishing a Tree Preservation Policy –**
 tabled from the December 19, 2022 Council Meeting (10 min)
Item Type: Ordinance

Recommendation:

Per direction from Council at the 12/5/22 workshop two versions of Ordinance 1046 is attached. Version 1 provides for the policy to go into effect 90 days following passage. Version 2 provides for the policy to go into effect 180 days following passage.

Details:

6/20/23 Update

At the 12/19/22 Council meeting the Tree Preservation Ordinance agenda item was tabled. Minutes from that meeting are attached for reference. A tabled item can be removed from the table via a motion, second and majority vote in support. The 2023 Resident Survey includes two questions developed by Council to gain insight concerning policy on the preservation of trees. The results of that survey will be presented to Council on 7/24/23.

12/5/22 Update

Councils' direction was for staff to develop two versions of the sample tree preservation policy which covers publicly owned trees as well as trees in the front yards on private property, version 1 goes into effect 90 days passage, version 2 goes into effect 180 days after passage.

11/28/2022 Update

Staff presented a review of the completed tree inventory at the 9/6/2022 workshop(attached). 3,700 trees were identified in a front yard or in the right way fronting a property with 68% of the trees located on private property and 32% located in the public right of way.

Minutes from the 1/3/22 Council meeting where this topic was last discussed are attached for reference. The

direction from that meeting was for further discussion. A preferred ordinance has yet to be identified.

The sample ordinances attached would add section 13-506 to Article 5. Trees Shrubs and Growths in the City Code. The language was initially based upon an existing Fairway policy (see link below). Feedback from the Sustainability Committee, Parks and Trees Committee, Citizen Survey (attached) and discussions with City Council has brought about a number of iterations of the policy. The most recent reflects direction provided by Council at the 11/15/21 workshop. Specific changes incorporated in the policy following that workshop include:

1. A cap to the fee
2. Fee based upon number of replacement trees planted
3. Consideration extended to sites with an abundance of existing mature trees.
4. Clarified that the fee is not applicable to trees removed due to disease or posing a safety concern.
5. Clarified that the tree manager can establish a tree species list.

The difference between the two sample ordinances attached is that one only applies to public trees (trees in the right of way) and the other applies to public trees and private trees (located in a front yard).

Implementation of a new ordinance requires a simple majority of Council approval followed by publication. Significant public education on either ordinance will be necessary.

Both versions provide a penalty for removing regulated trees without approval.

The fee concept was an element that received little support in the citizen survey. Removing the fee element eliminates the motivation for a person to leave mature trees in place. An application process is necessary for staff to track the removal and replacement process, eliminating this element would make administering the policy very difficult. The City has completed an inventory of the trees that would be subject to regulation so that the policy can be effectively administered.

The Parks and Trees Committee reviewed a version of the policy on 7/14/21. The Committee was supportive of a policy applying to trees on public property but most members expressed concerns with a policy that applies to trees on private property. It was suggested that public input be sought out through a community forum or some other such engagement method prior to action on a policy applied to private trees. A member suggested holding removal of invasive species exempt from the policy.

The Sustainability Committee reviewed the draft policies at their 10/4/21 meetings. Their recommendation is to regulate all trees on both public and private property.

The EPC Small Survey results reflect feedback from 100 households, which is a strong response from the 200 households who registered to participate in the Small Survey program when they completed the 2021 Citizen Satisfaction Survey. Please review the attached Small Survey report in detail.

The example which includes front yard trees as those regulated along with trees on public property is similar to the approach taken by Prairie Village recently (see link below). Most of the trees in the community are located on private property (front yard, side yard and back yard) and thus expanding the regulation so that trees on private property are also covered creates significant control by the City over the tree canopy. Such control will have supporters; those who find that trees make Roeland Park unique and enhance quality of life, those who recognize the environmental and ecological benefits of trees, and those who enjoy the appearance of trees. But will also have opponents; those who view the regulation as an infringement on property rights, those who want to expand solar energy generation, and those who view trees as a potential hazard to their safety and property (if they fall). These differing views can create conflict in the administration/enforcement of the policy. It is important to weigh these views as you consider the scope of the policy. The written responses

included in the Small Survey report reflect these as well as other concerns.

Chris Brewster with Gould Evans has assisted staff on this effort and made the attached presentation to Council at a prior workshop. Chris was involved with the tree preservation regulations recently adopted by Prairie Village and Gould Evans provides assistance to Prairie Village in administration of the regulation. His shared insights were valuable as the policy was developed.

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

What are the implications to intersectionality?

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

Financial Impact

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

Additional Information

Link to Roeland Park's Current Tree Policies:

https://library.municode.com/ks/roeland_park/codes/code_of_ordinances?nodeId=CHXIIIISTSI_ART5TRSHGR

Link to Fairway Tree Policy:

https://library.municode.com/ks/fairway/codes/code_of_ordinances?nodeId=CH11TR

Link to Prairie Village Tree Policy:

https://library.municode.com/ks/prairie_village/codes/code_of_ordinances?nodeId=CHXIXZORE_CH19.47LAST

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Moody, Keith	Approved	6/13/2023 - 2:03 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Ordinance 1046 Tree Preservation -Version 1 90 Day Implementation 12-15-22	Cover Memo
▣ Ordinance 1046 Tree Preservation -Version 2 180 Day Implementation 12-15-22	Cover Memo
▣ City Council Meeting Minutes December 19, 2022	Cover Memo
▣ January 3, 2022 Council Minutes Section Regarding Tree Preservation Policy	Cover Memo
▣ Review of Tree Preservation Sample Ordinances by Gould Evans	Cover Memo
▣ Tree Preservation Survey Results	Cover Memo
▣ Economics of Urban Forestry by the Arbor Day Foundation	Cover Memo
▣ Tree Inventory Presentation	Cover Memo

ORDINANCE NO. 1046 - Effective in 90 days

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF ROELAND PARK,
KANSAS AMENDING MUNICIPAL CODE CHAPTER 13, ARTICLE 5 “TREES
SHRUBS AND GROWTH”**

WHEREAS, the City of Roeland Park desires to promote and preserve the general welfare of Roeland Park citizens and visitors by ensuring trees on the City’s property are protected.

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

Section 1. Chapter 13, Article 5 of the Roeland Park Municipal Code is hereby amended to read as follows:

“Sec. 13-501. Maintenance.

The City shall have the right to plant, maintain, treat and remove trees and shrubbery within the right-of-way abutting streets, alleys, avenues and boulevards within the City. It shall be the duty of the owners of property abutting any sidewalk, street, avenue, alley or parking to cut and trim the branches and limits of any trees or shrubbery as provided in section 8-904 of this Code. It shall also be the duty of the owner or occupant of any property abutting any street, avenue, alley or parking to cut and remove any dead tree, dead branches, dead limbs or dead shrubbery upon their property which extends over any street, avenue or alley.

Sec. 13-502. Traffic Hazard.

If the Chief of Police, Public Works Director, or their designee, determines that any tree or shrubbery located on any private property abutting any sidewalk, street, avenue, alley or parking constitutes a traffic or pedestrian hazard, by dangerously obstructing the view of drivers of vehicles or traffic entering a street from an intersecting street, he or she shall notify the owner of such abutting property to remove the same, and it shall be the duty of the owner to remove the same.

Sec. 13-503. Trimming or Removal by City.

If the Governing Body determines that the owner of property abutting any sidewalk, street, avenue, alley or parking has failed to comply with the requirements of Sections 13-501 and 13-502, the City may proceed to order abatement of the nuisance in accordance with Article 3 of Chapter 8 of the Code.

Sec. 13-504. Diseased or Infected Trees Upon Private Property.

It shall be unlawful to harbor any tree or plant or shrubs infected or infested with disease or insect pest or larvae. It shall also be unlawful to store or otherwise harbor on any property in the City, the material from any diseased or infected trees. Upon failure of the owner to remove such infected, infested or diseased trees, shrubs or other growth, the City may order abatement of the nuisance in accordance with Article 3 of Chapter 8 of the Code.

Sec. 13-505. Saving Clause.

Nothing contained in this chapter shall prevent the trimming, cutting or removal of any tree, shrub or growth which endangers persons or property and nothing herein contained shall interfere with the suppression of pests or disease, including the Dutch Elm disease.

Sec. 13-506. Public and Private Tree Protection Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in Section 13-506 *et seq.*, except where the context clearly indicates a different meaning:

Tree Manager means the Director of Public Works or his designee.

Covered property means the front yard of privately owned lots or parcels as well as all right of ways, parkland, green space and City owned property within the incorporated boundaries of the City.

Diameter at breast height (DBH) means the diameter in inches of a tree as measured through the main trunk at a point four and one-half feet (4.5') above the natural grade level.

Drip line means a vertical line run through the outermost portion of the canopy of a tree and extending down to the ground.

Front Yard means the portion of privately owned land running the full width of a lot or parcel between the public street right of way line and the exterior elevation of the main building.

Owner means the person who has the legal title to the property or lessee, agent or other person acting on behalf of the titleholder with authorization to do so.

Protected tree means any tree that has a DBH of twelve inches (12") or more located on Covered Property. Trees that have received special care provided by the City for the treatment or prevention of disease or infestation may also be considered protected.

Protective/temporary fencing means a snow fence, chain-link fence, orange vinyl construction fence or other similar fencing with a minimum four-foot (4') height.

Replacement tree means a tree from the replacement tree list with a preferred caliper size of two and one-half inches (2.5") but a minimum of two inches (2"), measured twelve inches (12") from the ground and having a total height of not less than seven feet (7') when planted.

Tree removal authorization means permission granted by the City to remove a protected tree.

Sec. 13-507. Enforcement and Penalty.

The Public Works Director or their designee shall serve as Tree Manager and have the authority to enforce the terms and conditions of this article. Any person, firm, corporation, agent, or employee thereof who violates any provision of this article shall be assessed an administrative fine of not more than five hundred dollars (\$500.00) for each incident. The unlawful injury, destruction or removal of each protected tree shall be considered a separate incident. In addition, all violations shall be required to meet the requirements outlined under tree replacement provisions of this Section, or the Roeland Park Tree Fund. If any administrative fine or assessment to the Roeland Park Tree Fund shall remain unpaid thirty (30) days after receipt of notice of the imposition or assessment, the City may use any and all reasonable means available to collect the funds, including, but limited to, imposing a lien on the property for the amount of the fine or assessment.

Sec. 13-508. Appeal Process.

Any person, firm, corporation, agent, or employee thereof may submit a written appeal of a decision of the Tree Manager or designee to the Roeland Park Municipal Judge via the City Administrator's Office within ten (10) days of receipt of notice of the imposition or assessment. The appellant shall appear at a hearing before the Roeland Park Municipal Judge at the next regularly scheduled municipal court date. Any imposition or assessment affirmed or amended shall be paid to the City within fourteen (14) days to prevent the City from taking any and all reasonable means available to collect the funds, including, but not limited to, stop work orders or imposing a lien on the property for the unpaid portion of the fine or assessment.

Sec. 13-509. Applicability of Section.

The terms and provisions of this Section shall apply to all Covered Property.

Sec. 13-510. Roeland Park Tree Fund.

There is established a Roeland Park Tree Fund, which shall be a special account administered by the City. The Roeland Park Tree Fund shall be used only for purchasing, planting and maintaining of trees on covered property. The amount of payment for the required Mitigation fee shall be calculated based on the following:

1. A property having 3 or more "Protected trees" combined in the front yard or in the public right of way adjacent to the front yard may remove a "Protected tree" and replace it with a "Replacement tree" without need to contribute to the tree fund.
2. A property having fewer than 3 "Protected trees" combined in the front yard or in the public right of way adjacent to the front yard may remove a "Protected tree" and replace it with:
 - a. One "Replacement tree" and pay \$500 to the tree fund
 - b. Two "Replacement trees" and pay \$250 into the tree fund
 - c. Three "Replacement trees" and pay no fee

If approved by the Tree Manager, an applicant or owner may make a \$1,000.00 payment into the Roeland Park Tree Fund in lieu of planting replacement trees, this would be an exception to the norm as the intent of the policy is to encourage the preservation of the tree canopy within the City by adding Replacement trees when mature trees are removed.

Any tree that is authorized for removal due to disease or health of the tree, or other public safety reason(s), may have the Mitigation fee waived provided at least one replacement tree is planted; the property owner may request reimbursement of the cost of removing said tree from the City

Council. The decision to use Tree Fund resources to cover the removal costs of said tree shall be based upon the property owner's ability to pay.

Sec. 13-511. Tree Protection.

Prior to demolition or construction, the following procedures shall be followed on all types of construction projects. It is the responsibility of the developer and/or contractor and his or her subcontractors to take appropriate action to preserve all protected trees and feature trees during all phases of construction.

(1) *Protective/temporary fencing.* Protective/temporary fencing shall be required for all protected trees and feature trees to prevent infringement on the root system from any construction-related activities. The protective fencing shall be installed according to tree diameter at breast height (DBH) as follows:

(a) Trees greater than twenty-eight-inch (28") DBH must have a fence to encompass a perimeter twenty feet (20') from center or seventy-five percent (75%) of drip line (whichever is lesser);

(b) Trees between twenty-inch (20") and twenty-eight-inch (28") inch DBH must have a fence to encompass a perimeter fifteen feet (15') from center of tree or seventy-five percent (75%) of drip line (whichever is lesser);

(c) Trees less than twenty-inch (20") DBH must have a fence to encompass a perimeter ten feet (10') from the center of the tree or seventy-five percent (75%) of the drip line (whichever is lesser).

Fencing shall exclude any preexisting structures, foundations, slabs, roadways, highways, and driveways. The fencing is to be installed along the edge of the driveways/roadways encompassing the tree to restrict access from the street side. All fencing must appear on construction documents and shall be installed prior to any other construction-related activity. The fencing shall remain in place at all times until all other construction-related activity has been completed or final grade achieved.

(2) *Prohibited activities.* Prohibited activities adjacent to trees shall include the following:

(a) *Material storage.* No materials for construction or waste accumulated due to excavation, demolition, or construction shall be placed under the canopy of any protected tree or feature tree.

(b) *Equipment cleaning/liquid disposal.* No equipment shall be cleaned or other materials or liquids deposited or allowed to flow over land within the limits of the canopy of a protected tree or a feature tree. This includes, without limitation, paint, old solvents, asphalt, concrete, mortar or similar materials.

(c) *Tree attachments.* No signs, wires or other attachments other than those of a protective nature shall be attached to any protected tree or feature tree.

(d) *Vehicular traffic.* No vehicular and/or construction equipment traffic or parking shall take place within the limits of the protective fencing.

(e) *Grade changes.* No grade changes in excess of two inches (2") (cut or fill) shall be allowed within the limits of the drip line of any protected tree or feature tree.

(f) *New impervious paving.* No new paving with asphalt, concrete or other impervious materials in a manner which may, in the reasonable discretion of the Tree Manager, reasonably be expected to severely damage or kill a tree shall be placed within the limits of the drip line of a protected tree or a feature tree.

(g) *Exceptions.* Notwithstanding anything contained in this Section shall not prohibit work that is necessary to install, maintain, repair, replace or remove utility lines or activity that merely disrupts the surface of the ground.

Sec. 13-512. Tree Removal.

Authorization. No person, directly or indirectly, shall cut down, destroy, move or remove, or effectively destroy, any protected tree located on covered property without first obtaining tree removal authorization. Generally, if a tree removal authorization is granted, the applicant shall replace each protected tree removed with a replacement tree unless an exception is afforded in Section 13-510 above. If, for whatever reason, planting replacement trees is deemed infeasible, the owner shall make payment to the Roeland Park Tree Fund subject to the provisions of Section 13-510.

Process. Owners must request tree removal authorization in writing to the Tree Manager. If the removal is in conjunction with a construction project, the written request must be submitted at the same time as the building permit application.

Authority to review; approval. The Tree Manager shall be responsible for the review and approval of all requests for tree removal authorizations submitted in accordance with the requirements specified in this article. Upon receipt of a completed application, the Tree Manager may take one (1) of the following actions:

(1) *Deferral of decision.* The Tree Manager may defer the approval of a tree removal authorization to the Board of Zoning Appeals for any reason. All decisions made by the Board of Zoning Appeals shall be final.

(2) *Approval.* The Tree Manager shall issue tree removal authorization provided the owner has agreed in writing to either meet the tree replacement criteria or make payment to the Roeland Park Tree Fund.

(3) *Replacement Tree List.* The Tree Manager shall determine which species are eligible as replacement trees based on size at maturity, appropriateness for this region, and the context of a specific site. The Tree Manager may maintain a list of required or preferred species based on any reputable or professional tree resources applicable to this region.

Authorization expiration. Tree removal authorization issued in connection with an approved building permit or site plan shall be valid for the period of that building permit's or site plan's validity. A tree removal authorization not issued in connection with an approved building permit or site plan shall become void after one hundred and eighty (180) days after the date of approval.

Authorization for removal of a protected tree with DBH > 30". A protected tree with a DBH > 30" may only be removed with approval from the City Council provided that at least one (1) of the following criteria is met. The burden of proof that a criteria has been met falls upon the applicant:

(1) The tree is dead. Commonly an expert such as a licensed arborist would provide confirmation to satisfy these criteria.

(2) The tree is diseased or dying and constitutes a threat to healthy trees, to property, or to public safety. Commonly an expert such as a licensed arborist would provide confirmation to satisfy these criteria.

(3) Removal of the tree is necessary for construction, development, or redevelopment, and:

(a) All reasonable efforts have been made to avoid removing the tree for construction/development and removal cannot be avoided.

(b) The presence of the tree places undue financial burden on the applicant.

(c) No other reasonable accommodations can be made to preserve the tree."

Section 2. This Ordinance shall become effective 90 days following the date of approval and after publication in the City's newspaper.

Passed by the Governing Body of the City of Roeland Park, Kansas this 20th day of June 2023.

Michael Poppa, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney

ORDINANCE NO. 1046 - Effective in 180 days

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF ROELAND PARK,
KANSAS AMENDING MUNICIPAL CODE CHAPTER 13, ARTICLE 5 “TREES
SHRUBS AND GROWTH”**

WHEREAS, the City of Roeland Park desires to promote and preserve the general welfare of Roeland Park citizens and visitors by ensuring trees on the City’s property are protected.

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Sec. 13-502. Traffic Hazard.

If the Chief of Police, Public Works Director, or their designee, determines that any tree or shrubbery located on any private property abutting any sidewalk, street, avenue, alley or parking constitutes a traffic or pedestrian hazard, by dangerously obstructing the view of drivers of vehicles or traffic entering a street from an intersecting street, he or she shall notify the owner of such abutting property to remove the same, and it shall be the duty of the owner to remove the same.

Sec. 13-503. Trimming or Removal by City.

If the Governing Body determines that the owner of property abutting any sidewalk, street, avenue, alley or parking has failed to comply with the requirements of Sections 13-501 and 13-502, the City may proceed to order abatement of the nuisance in accordance with Article 3 of Chapter 8 of the Code.

Sec. 13-504. Diseased or Infected Trees Upon Private Property.

It shall be unlawful to harbor any tree or plant or shrubs infected or infested with disease or insect pest or larvae. It shall also be unlawful to store or otherwise harbor on any property in the City, the material from any diseased or infected trees. Upon failure of the owner to remove such infected, infested or diseased trees, shrubs or other growth, the City may order abatement of the nuisance in accordance with Article 3 of Chapter 8 of the Code.

Sec. 13-505. Saving Clause.

Nothing contained in this chapter shall prevent the trimming, cutting or removal of any tree, shrub or growth which endangers persons or property and nothing herein contained shall interfere with the suppression of pests or disease, including the Dutch Elm disease.

Sec. 13-506. Public and Private Tree Protection Definitions.

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Sec. 13-508. Appeal Process.

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Council. The decision to use Tree Fund resources to cover the removal costs of said tree shall be based upon the property owner's ability to pay.

Sec. 13-511. Tree Protection.

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(1) *Protective/temporary fencing.* Protective/temporary fencing shall be required for all protected trees and feature trees to prevent infringement on the root system from any construction-related activities. The protective fencing shall be installed according to tree diameter at breast height (DBH) as follows:

(a) Trees greater than twenty-eight-inch (28") DBH must have a fence to encompass a perimeter twenty feet (20') from center or seventy-five percent (75%) of drip line (whichever is lesser);

(b) Trees between twenty-inch (20") and twenty-eight-inch (28") inch DBH must have a fence to encompass a perimeter fifteen feet (15') from center of tree or seventy-five percent (75%) of drip line (whichever is lesser);

(c) Trees less than twenty-inch (20") DBH must have a fence to encompass a perimeter ten feet (10') from the center of the tree or seventy-five percent (75%) of the drip line (whichever is lesser).

Fencing shall exclude any preexisting structures, foundations, slabs, roadways, highways, and driveways. The fencing is to be installed along the edge of the driveways/roadways encompassing the tree to restrict access from the street side. All fencing must appear on construction documents and shall be installed prior to any other construction-related activity. The fencing shall remain in place at all times until all other construction-related activity has been completed or final grade achieved.

(2) *Prohibited activities.* Prohibited activities adjacent to trees shall include the following:

(a) *Material storage.* No materials for construction or waste accumulated due to excavation, demolition, or construction shall be placed under the canopy of any protected tree or feature tree.

(b) *Equipment cleaning/liquid disposal.* No equipment shall be cleaned or other materials or liquids deposited or allowed to flow over land within the limits of the canopy of a protected tree or a feature tree. This includes, without limitation, paint, old solvents, asphalt, concrete, mortar or similar materials.

(c) *Tree attachments.* No signs, wires or other attachments other than those of a protective nature shall be attached to any protected tree or feature tree.

(d) *Vehicular traffic.* No vehicular and/or construction equipment traffic or parking shall take place within the limits of the protective fencing.

(e) *Grade changes.* No grade changes in excess of two inches (2") (cut or fill) shall be allowed within the limits of the drip line of any protected tree or feature tree.

(f) *New impervious paving.* No new paving with asphalt, concrete or other impervious materials in a manner which may, in the reasonable discretion of the Tree Manager, reasonably be expected to severely damage or kill a tree shall be placed within the limits of the drip line of a protected tree or a feature tree.

(g) *Exceptions.* Notwithstanding anything contained in this Section shall not prohibit work that is necessary to install, maintain, repair, replace or remove utility lines or activity that merely disrupts the surface of the ground.

Sec. 13-512. Tree Removal.

Authorization. No person, directly or indirectly, shall cut down, destroy, move or remove, or effectively destroy, any protected tree located on covered property without first obtaining tree removal authorization. Generally, if a tree removal authorization is granted, the applicant shall replace each protected tree removed with a replacement tree unless an exception is afforded in Section 13-510 above. If, for whatever reason, planting replacement trees is deemed infeasible, the owner shall make payment to the Roeland Park Tree Fund subject to the provisions of Section 13-510.

Process. Owners must request tree removal authorization in writing to the Tree Manager. If the removal is in conjunction with a construction project, the written request must be submitted at the same time as the building permit application.

Authority to review; approval. The Tree Manager shall be responsible for the review and approval of all requests for tree removal authorizations submitted in accordance with the requirements specified in this article. Upon receipt of a completed application, the Tree Manager may take one (1) of the following actions:

(1) *Deferral of decision.* The Tree Manager may defer the approval of a tree removal authorization to the Board of Zoning Appeals for any reason. All decisions made by the Board of Zoning Appeals shall be final.

(2) *Approval.* The Tree Manager shall issue tree removal authorization provided the owner has agreed in writing to either meet the tree replacement criteria or make payment to the Roeland Park Tree Fund.

(3) *Replacement Tree List.* The Tree Manager shall determine which species are eligible as replacement trees based on size at maturity, appropriateness for this region, and the context of a specific site. The Tree Manager may maintain a list of required or preferred species based on any reputable or professional tree resources applicable to this region.

Authorization expiration. Tree removal authorization issued in connection with an approved building permit or site plan shall be valid for the period of that building permit's or site plan's validity. A tree removal authorization not issued in connection with an approved building permit or site plan shall become void after one hundred and eighty (180) days after the date of approval.

Authorization for removal of a protected tree with DBH > 30". A protected tree with a DBH > 30" may only be removed with approval from the City Council provided that at least one (1) of the following criteria is met. The burden of proof that a criteria has been met falls upon the applicant:

(1) The tree is dead. Commonly an expert such as a licensed arborist would provide confirmation to satisfy these criteria.

(2) The tree is diseased or dying and constitutes a threat to healthy trees, to property, or to public safety. Commonly an expert such as a licensed arborist would provide confirmation to satisfy these criteria.

(3) Removal of the tree is necessary for construction, development, or redevelopment, and:

(a) All reasonable efforts have been made to avoid removing the tree for construction/development and removal cannot be avoided.

(b) The presence of the tree places undue financial burden on the applicant.

(c) No other reasonable accommodations can be made to preserve the tree."

Section 2. This Ordinance shall become effective 180 days following the date of approval and after publication in the City's newspaper.

Passed by the Governing Body of the City of Roeland Park, Kansas this 20th day of June 2023.

Michael Poppa, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, December 19, 2022, 6:00 P.M.

- | | | |
|--|---|--|
| <ul style="list-style-type: none">○ Mike Kelly, Mayor○ Trisha Brauer, Council Member○ Benjamin Dickens, Council Member○ Jan Faidley, Council Member○ Jennifer Hill, Council Member | <ul style="list-style-type: none">○ Tom Madigan, Council Member○ Michael Poppa, Council Member○ Kate Raglow, Council Member○ Michael Rebne, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Erin Winn, Asst. City Administrator○ Kelley Nielsen, City Clerk○ John Morris, Police Chief○ Donnie Scharff, Public Works Director |
|--|---|--|

Admin
Raglow
Dickens

Finance
Rebne
Hill

Safety
Poppa
Madigan

Public Works
Brauer
Faidley

(Roeland Park Council Meeting Called to Order at 6:00 p.m.)

Pledge of Allegiance

Mayor Kelly called the City Council meeting to order and led everyone in the Pledge of Allegiance.

Roll Call

City Clerk Nielsen called the roll. CMBR Rebne was absent. All other Governing Body members were present. Staff members present were City Administrator Moody, City Attorney Mauer, Public Works Director Scharff, Police Chief Morris, and City Clerk Nielsen.

Modification of Agenda

There were no modifications to the agenda.

I. Citizen Comments

Judy Hyde (5113 W. 58th) Ms. Hyde, a representative from the City's Sustainability Committee, said the committee gave considerable thought to the different options for the City's protection of its tree canopy. The committee voted to protect all the trees in Roeland Park. They realize that is not a popular idea and understand the rationale behind it as they themselves are homeowners. She added that there are some things that people do not feel they should be regulated on, but they do believe in this instance that protection of the trees is for the greater good of the City.

Ms. Hyde also thanked Mayor Kelly for his service to the city and for being an advocate for all things climate related and she is looking forward to his service as Johnson County Commission Chair.

Joel Marquardt (5021 Clark) Mayor Emeritus Marquardt thanked them for following up on the Buena Vista sidewalk project and is glad he will not be seeing baby strollers in the street anymore. He is also happy to see at the house across the street from the school does not have trees covering the sidewalk any longer and noted that Wade Holtkamp from Codes is always helpful and receptive. He also added that the art projects in the City are amazing and appreciates the efforts from the Arts Committee and the Governing Body. Mr. Marquardt added that he is looking forward to the development at the Rocks

and that it has been a long time coming. He noted that he lives close to Southridge Presbyterian and is looking forward to development going in on that site, but the neighbors are concerned about the final plans and he is looking forward to seeing those. He concluded by expressing his thanks and appreciation to Mayor Kelly and what he has done, and what the staff and the Governing Body have accomplished through their dedication and focus. He said he is looking forward to the peaceful transition of power.

Mayor Kelly thanked Mr. Marquardt for his service and ongoing dedication to the City.

II. Consent Agenda

- A. Appropriations Ordinance #1010**
- B. City Council Meeting Minutes December 5, 2022**

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (MOTION CARRIED 7-0.)

III. Business from the Floor - Proclamations/Applications/Presentation

There was no Business from the Floor.

IV. Mayor's Report

No report was given, but the Mayor made some closing comments at the end of the meeting.

V. Reports of City Liaisons and Committee

No reports were given.

VI. Unfinished Business

There was no Unfinished Business

VII. New Business

Mayor Kelly provided some background on The Rocks development project on which they would be discussing and voting. There was a public hearing held December 5, 2022. The Planning Commission made a finding that the TIF 4 project plan is consistent with the City's Comprehensive Plan and staff is recommending approval of the plan.

City Attorney Mauer provided additional project information and was available for questions along with Jeff White from Columbia Capital and Kevin Wempe, Special Finance Counsel, from Gilmore Bell.

Mr. Mauer said The Rocks was originally a part of TIF 3. A special taxing district was created carving out only The Rocks property to become TIF 4. The property within TIF 4 is the Rocks, and TIF 4 only applies to The Rocks. It does not affect any other taxes or jurisdictions in the City.

The Community Improvement District (CID) is a 2 percent sales tax that is only applied within the TIF 4 district. These monies will go into a special fund to help reimburse the developer for their extraordinary development costs.

The City will also issue Industrial Revenue Bonds (IRBs) for the limited purpose of owning the property until such time as the materials to build The Rocks project have been acquired. The materials will be purchased with no sales tax.

Mr. Mauer noted that the Development Agreement was presented at the Council's last meeting. The version presented tonight reflects some minor stylistic changes throughout. The most significant change is that Evergy has preliminarily agreed to relocate the duct bank, the transmission lines parallel to Roe Avenue and along The Rocks towards the future extension of Roe Parkway. He noted this will be a huge cost savings to the taxpayers.

There is also a remedy section that includes penalty numbers and financial impacts. Following discussions, they settled on a strong incentive for the developer to fully comply. They want to avoid the situation that if the developer did not build something, then they would be in a better off position. There is also included what Mr. Mauer calls the "Mission Gateway Clause" giving the City the right to repurchase the site if the developer does nothing from the beginning, does not start, or if the development stalls.

The requirements for the restaurant have stayed the same and will be there at the beginning. It will be up to the patrons of the restaurant to determine if it will stay.

The Governing Body will need to rezone and establish a plat to create a new district for the property as well as approve acceptance of the easements and conveyances within.

There is a modification to the land purchase contract. The final development plan has been pushed back and will come before the Governing Body later in March. The due diligence has been extended until they get their final approvals.

Mayor Kelly thanked Mr. Mauer for his diligent work on this project noting that the Roeland Park team has worked hard. He also thanked Mr. White and Mr. Wempe who were in attendance at the meeting as well as Brendan O'Leary from EPC, Austin Bradley and Bob Johnson from the Polsinelli firm. He thanked everyone for trusting them with the process and he is looking forward to the good times ahead.

CMBR Hill asked what they are anticipating pulling in tax-wise other than from the restaurant. Mr. Mauer said the retail space of 3,500 square feet for the restaurant will provide the sales tax.

City Administrator Moody added that both the commercial and residential spaces will capture the TIF increment. The commercial space is taxable at a higher percentage. The majority of the value will lie around the 300,000 square feet of residential to capture the most tax. Over the anticipated 20-year life, they expect to capture about \$16.4 million in TIF revenue. The restaurant is anticipated to capture \$1 million over its 22-year CID life. Sales tax on materials through the IRBs is expected to be about \$2.1 million and is part of the incentive package being offered, not to exceed 25 percent.

CMBR Hill asked how the taxes are collected on the housing units. City Administrator Moody said the property owner pays the property tax to the county. The county then tracks the increment capture. The City takes those funds and uses them to refund the developer for reimbursable expenses.

CMBR Poppa said he is excited about the project. He noted in the development agreement the annual \$5,000 from the developer for community support to the Northeast Johnson County Chamber or an alternative community initiative. Mr. Poppa asked what those initiatives were and if there weren't any, to maybe remove that phrase as the Chamber does help them continue their business growth.

City Administrator Moody said that they cannot guarantee that the Chamber will stay in place the entire length of time, and would bring into question the \$5,000. By adding alternative community initiative, they can designate the funds to another entity.

CMBR Faidley asked about the electrical duct work by Evergy. City Administrator Moody said that must be completed by October 1, 2023.

A. Ordinance 1036 - Approving TIF 4 Project Plan

A roll call vote was taken for this ordinance motion.

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO ADOPT ORDINANCE 1036 - APPROVING THE TIF 4 PROJECT PLAN. (MOTION CARRIED 8-0 WITH MAYOR KELLY VOTING YES.)

B. Ordinance 1037 - Creating the Rocks CID and Levying a CID Sales Tax

MOTION: CMBR DICKENS MOVED AND CMBR HILL SECONDED TO APPROVE ORDINANCE 1037, CREATING THE ROCKS COMMUNITY IMPROVEMENT DISTRICT AND LEVYING A CID SALES TAX. (MOTION CARRIED 7-0.)

C. Resolution 700 - Intent to Issue IRBs for Sales Tax Exemption for EPC Project

MOTION: CMBR FAIDLEY MOVED AND CMBR RAGLOW SECONDED TO APPROVE RESOLUTION 700 - INTENT TO ISSUE INDUSTRIAL REVENUE BONDS FOR SALES TAX EXEMPTION FOR THE EPC PROJECT. (MOTION CARRIED 7-0.)

D. Resolution 701 - Approving Development Agreement with EPC

MOTION: CMBR POPPA MOVED AND CMBR RAGLOW SECONDED TO APPROVE RESOLUTION 701 - APPROVING THE DEVELOPMENT AGREEMENT WITH EPC. (MOTION CARRIED 7-0.)

E. Ordinance 1038 - Rezoning The Rocks Site

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO APPROVE ORDINANCE 1038 REZONING THE ROCKS SITE. (MOTION CARRIED 7-0.)

F. Accept Easements, Public Infrastructure, and Right-of-Way Dedication and Vacation for The Rocks Final Plat and Approve Payment in Lieu of Parkland Dedication

CMBR Faidley asked what the standard easement is along Roe Boulevard south of 48th Street. City Administrator Moody responded the right-of-way width continues to vary until 51st Street and tends to be wider north of 51st. They are establishing a commercial standard 11 foot back of curb to the right-of-way line, and is a consistent width adjacent to areas around the site.

MOTION: CMBR DICKENS MOVED AND CMBR BRAUER SECONDED TO APPROVE ACCEPTING THE EASEMENTS, PUBLIC STORM DRAINAGE INFRASTRUCTURE, ROE PARKWAY RIGHT-OF-WAY DEDICATIONS, AND THE ROE BOULEVARD RIGHT-OF-WAY VACATION INCORPORATED INTO THE ROCKS FINAL PLAT. (MOTION CARRIED 7-0.)

G. First Amendment to Land Purchase Agreement with EPC

MOTION: CMBR MADIGAN MOVED AND CMBR HILL SECONDED TO APPROVE THE AMENDMENT TO THE LAND PURCHASE AGREEMENT WITH EPC WHICH CLARIFIES THE END OF THE DUE DILIGENCE PERIOD AND RESETS THE DEADLINE FOR PUTTING A LEASE IN PLACE FOR THE PUBLIC WORKS SITE. (MOTION CARRIED 7-0.)

Mayor Kelly thanked everyone for their diligence and hard work as well as the dedication of staff and their partners at EPC. He said they have been working toward this day and they should be proud of the efforts they have put in thus far.

CMBR Brauer also thanked those who do not live in Roeland Park for their work in putting this project in their community. She asked the developers to remember this means a lot to the residents here in the City and represents a project that has been decades in the works. CMBR Brauer said this will truly change the lives of every person who lives in Roeland Park. She knows that construction is hard and delays happen, and there are unforeseen setbacks, but she asked them to please not throw in the towel and remember that people are counting on them to finish and they as a City are committed to helping them make that happen.

H. Approve Task Order with SFS for Architectural Service Related to Renovations at New Public Works Facility

Mayor Kelly said they have until October 21, 2023, to complete the relocation of Public Works. Phase 1 is the title insurance commitment, building condition assessment, and the ALTA survey has been completed. No issues have been seen that would deter the City from moving forward with the purchase of the site. This task order allows them to complete the renovations and will get them closer to closing at the beginning of next year.

City Administrator Moody said this allows them to continue to make progress for relocation. There will be some prioritization of different components of renovation. Staff will be briefing the Council as they go along. The RFP construction manager at risk process has begun and they will be bringing back a recommendation to the Governing Body and from there, they will be putting together cost numbers and order of construction projects.

MOTION: CMBR DICKENS MOVED AND CMBR POPPA SECONDED TO APPROVE A TASK ORDER WITH SFS FOR ARCHITECTURAL AND PROJECT MANAGEMENT SERVICES RELATED TO THE PUBLIC WORKS FACILITY RENOVATIONS. (MOTION CARRIED 7-0.)

VIII. Ordinances and Resolutions

A. Ordinance 1039 - Establishing a Tree Preservation Policy

CMBR Madigan said he received an email from Ardie and Gretchen Davis, and is in agreement with them, that there is a compelling need for more education regarding the role of trees and the environment. He said the citizenry is responsible for the planting and care of trees and that does not seem to be understood by the public, nor the role the Governing Body takes in this. He motioned that the item needs to be tabled until the concerns were addressed and the public was better informed.

MOTION: CMBR MADIGAN MOVED AND CMBR POPPA SECONDED TO TABLE THE ITEM UNTIL THE PUBLIC IS MORE INFORMATION IS GIVEN TO THE PUBLIC. (MOTION CARRIED 5-2 WITH CMBRS HILL AND FAIDLEY VOTING NO.)

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO ACCEPT ORDINANCE 1039, VERSION 1 TO GO INTO EFFECT 90 DAYS FOLLOW ITS PASSAGE, TO COVER TREES IN THE FRONT YARD, SIDE YARD, AND THOSE IN THE RIGHT-OF-WAY. (NO VOTE WAS TAKEN AS THE ITEM WAS TABLED.)

IX. Reports of City Officials

A. Mayor's Comments

Mayor Kelly said this was his last formal Council meeting as mayor. He thanked his fellow Governing Body members for their time, trust, and even disagreements, which has made the City a better place. He hoped that change and progress will continue. He asked them to utilize him as a resource and a sounding board, and as a colleague, he will be available to them. He also thanked the staff as the backbone of the City noting that as governing bodies change, they dedicates their lives to the community, and he thanked them for their passion and friendships. He also recognized his family who supports him as he has given up free times and weekends to do the job. Mayor Kelly noted the kindness and generosity of his family and the family of Roeland Park. He said when you take time to get to know your neighbors, good things happen. He said it all started in 2014 with the Citizens Academy, then joining the Sustainability Committee and the Community Foundation Advisory Board. He said it is amazing what citizens and neighbors can do when they collectively work together. He said there is a lot of talent in Roeland Park that already exists and it has been his honor to help and offer his service.

Adjourn:

MOTION: CMBR HILL MOVED AND CMBR RAGLOW SECONDED TO ADJOURN. (THE MOTION CARRIED 7-0.)

(Roeland Park City Council Meeting Adjourned at 6:48 p.m.)

Kelley Nielsen, City Clerk

Michael Poppa, Mayor

III. Business from the Floor - Proclamations/Applications/Presentation

A. Continue Discussion of Tree Preservation Policy

Chris Brewster from Gould Evans updated the proposed tree preservation policy since the last meeting and went over some of the highlights. Included updates are a cap on the fee with no excessive penalties or fees on very large trees. Options for mitigation have been added. Lots with significant front trees can be individually evaluated. There is a clarification that a protected tree can be removed for disease or safety issues and a fee will not be charged. Also, a replacement of one to one for a tree has been added. The City Administrator's office will maintain a species list for what is appropriate to plant as a replacement.

City Administrator Moody said the policy is based on Fairway's program and with input from their own Sustainability Committee. He said their preference is for education over regulation. A decision will need to be made whether the policy will pertain to public right-of-way trees or those trees in addition to private frontage trees. Mr. Moody said that most trees of concern are on private property with one-third in the right-of-way and two-thirds on private property.

Mr. Brewster said the possible areas to protect along with the frontage and public right-of-way trees are also perimeter trees or all trees in the City. Trees that are older and more established have a greater impact than less established and they need to decide how to protect them if removed, removed with mitigation, or removed with payment. He suggested having a base of taking one out and planting three in its place. If the homeowner does not want to replace, they can pay a fee of \$1,000 maximum unless the tree is diseased or is creating a safety hazard. Mr. Brewster said the policy will help them target unnecessary tree removals.

Mayor Kelly said he appreciated the diligent work on this. He added that when they speak about a fee being waived for disease or public safety reasons that public safety can also be a nuisance such as tree roots growing into a water line, for example. Mr. Brewster said the ordinance is flexible in that regard and that a tree manager can make that decision. He also added that tree roots generally grow in search of water and do not break pipes to look for it. If there are tree roots in the pipes, then there was a problem not caused by the trees.

CMBR Hill said on page 5, regulating front yard trees, she would like the potential caliper size versus the actual size. City Administrator Moody said the approach wasn't anticipating that the ultimate girth would be replaced. Tree replacement would be to provide for a variety and provide guidance to get the right tree in the right place.

CMBR Faidley asked about the tree survey. Mr. Brewster said it will be good to know the number of frontage trees and right-of-way trees, as well as who the tree belongs to as some might assume a right-of-way tree is on their property. He added that MARC has

been doing research on the tree canopy and studying the urban tree forest over the last ten years. CMBR Faidley said as a Tree City that is good to know.

CMBR Raglow asked about trees that are damaged by weather related incidents and the unsightly utility tree trimmings. Mr. Brewster said a tree expert can tell whether tree is diseased and dying. As for the utility companies, he said they are not concerned about the tree at all. They have a broad view of what they want to do and that their trimmings can expose the trees to disease.

CMBR Brauer said she is in support of protecting their trees, but she does have reservations about people on their property not being able to remove them or have an ability to add solar panels or a garden. She also asked about people looking to expand their home. She notes that homes in Roeland Park are smaller, and they are wanting to keep their residents in the City. She said it gives her pause fining people for cutting down a tree.

CMBR Rebne said he was raised and taught to honor private property and their right to say what happens with it. He noted that there is a significant degree of tension and noted that the ordinance does include education. He asked what commitment they are willing to make to help a homeowner maintain his trees.

Mr. Brewster said a lot of the fee cap was based on the private/public tension. He also noted that trees are often underappreciated in what they do for a property. Not only do they raise the property value of the lot they are, but they also add value to the properties around them.

CMBR Rebne asked if property owners will know up front which trees are protected. Mr. Brewster said as part of the public education piece of this will be explaining the benefits and what is protected. He also added that many times a tree canopy provides more benefits than solar, but people will be able to explore the cost and benefits of different options.

City Administrator Moody said the tree inventory would be available for public review and incorporated into their City website as well as the educational information. He said there needs to be an effort on behalf of the City to try to raise awareness. In creating these standards, they are also creating consistency among their neighborhoods and consistency of use. He added that a property owner has the right to use their land, but it is common for a city to develop regulations to guide the development and use of the land.

CMBR Madigan said he is having a hard time understanding why they are discussing this when two-thirds of the people are not supportive of City authorization or the preservation fund. He said that NextDoor has been very active on this topic, and he has reviewed the comments and people do not support interference on their property. He

said that people were surprised to find the fund went to help the City plant trees and not to help the residents plant trees.

CMBR Faidley asked what the rationale was to not include the perimeter trees. City Administrator Moody said it was a compromise.

CMBR Hill said the reason this all came about is when trees were cut down on Reinhart to allow for a sidewalk because they couldn't get an easement. She said there is a want and a need to continue this conversation.

There was majority consensus to continue the conversation at a future date.

Mayor Kelly said he sees the value of doing both types of trees, and also the need for education. He added that this would need to become a budget objective. His recommendation would be to begin with the public trees and look to include private front yard trees in the future.

CMBR Faidley said she agreed with the Mayor and that they need to do for both public and private trees. She agrees it is a big price tag, but first they need to do the education component.



Roeland Park Sustainability Committee

Tree Protection Policy & Ordinance

City Council Work Session
December 20, 2021

gouldevans

Why Do This?

Economic benefits

- Increase property values
- Promote more active civic and commercial spaces
- Civic / neighborhood pride and aesthetics

Transportation benefits

- Slower, safer streets
- More comfortable and inviting walk / bike

Public health benefits

- Less heat-related illness
- Improved air quality and less respiratory illness
- Increased active living

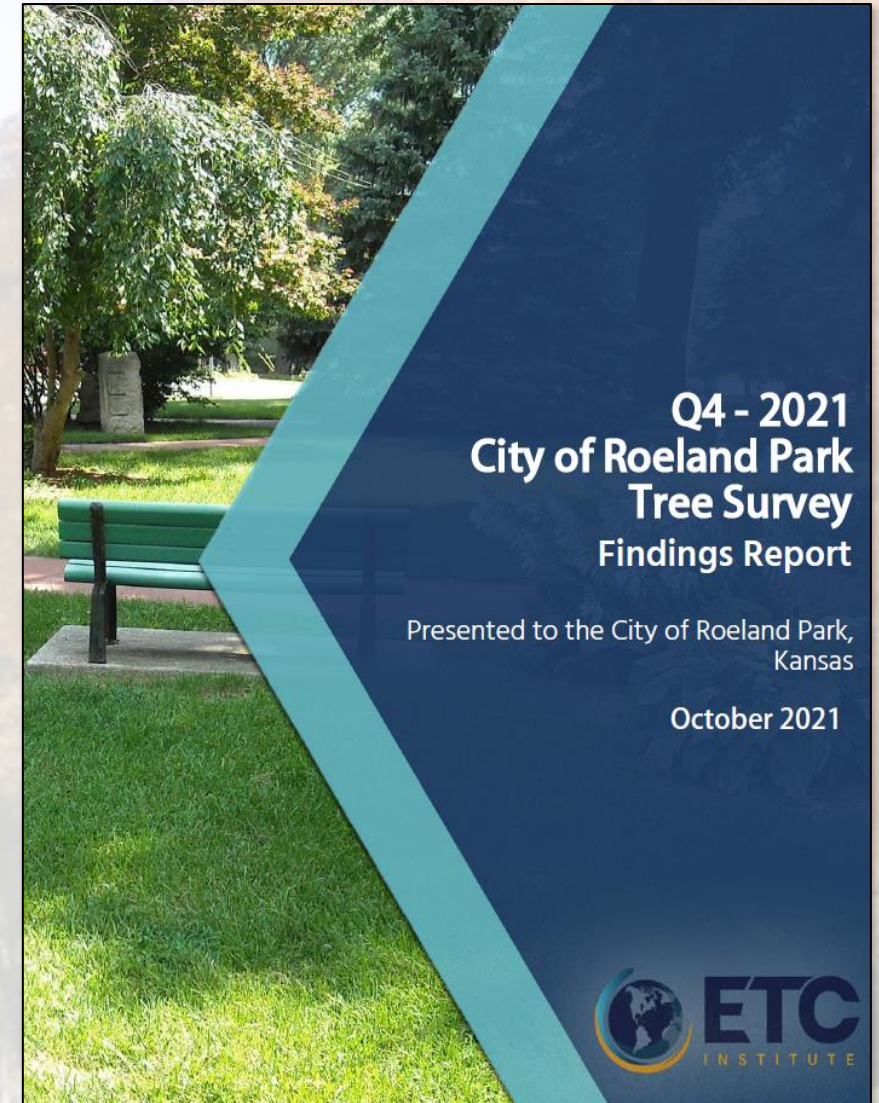
Climate adaptation & ecosystem services

- Protect against flooding
- Reduce heat island effects
- Reduce greenhouse gas and absorb pollutants in runoff

All trees produce these benefits, but **older and larger trees produce them at far higher levels.** Therefore, it is important to protect older and more established trees

Survey Results:

- Less support for required authorization to remove
- More support for requiring replacement vs. fees
- <https://www.goulddevans.com/studio/pi/treedist/> Concern over cost implications
- Preference for education over regulation
- Distinction between public and private trees



3 Key Questions:

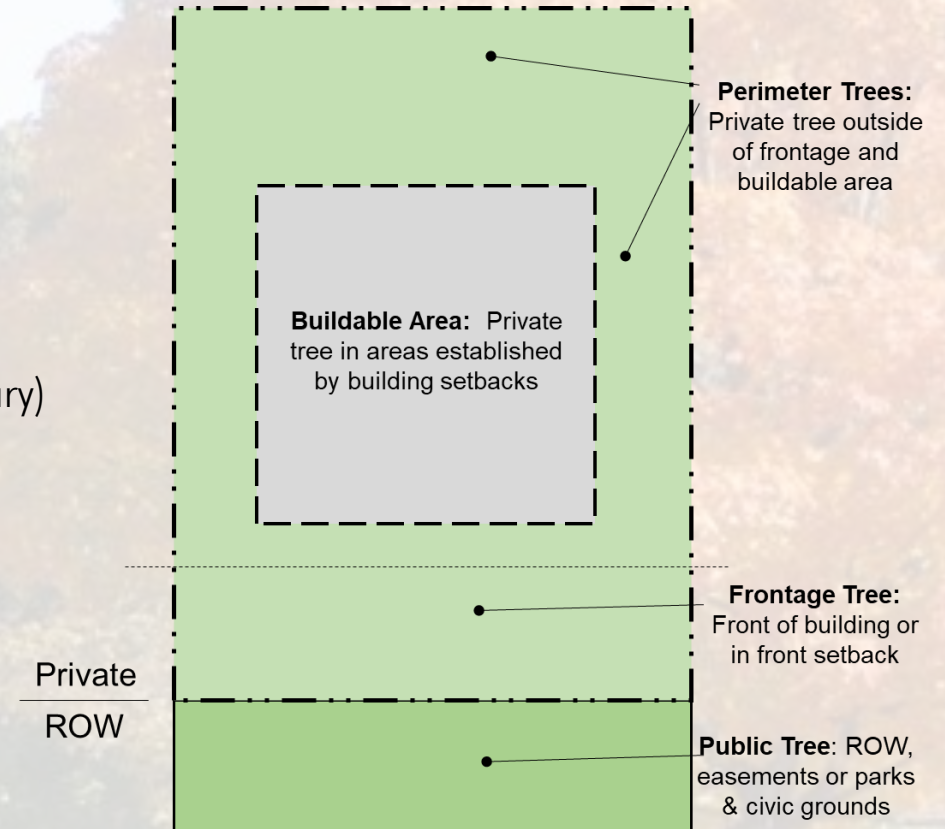
What areas to protect?

What is protected (size)?

How is protected (removal / mitigation requirements)?

What areas to protect:

- ☐ Public trees only? (*right-of-way, easements, parks, civic grounds*)
- ☐ Frontage trees? (*front of building or in front setback*)
- ☐ Perimeter trees? (*side and rear setbacks or w/in 10' of property boundary*)
- ☐ All trees? (*including potentially buildable areas of private lots*)

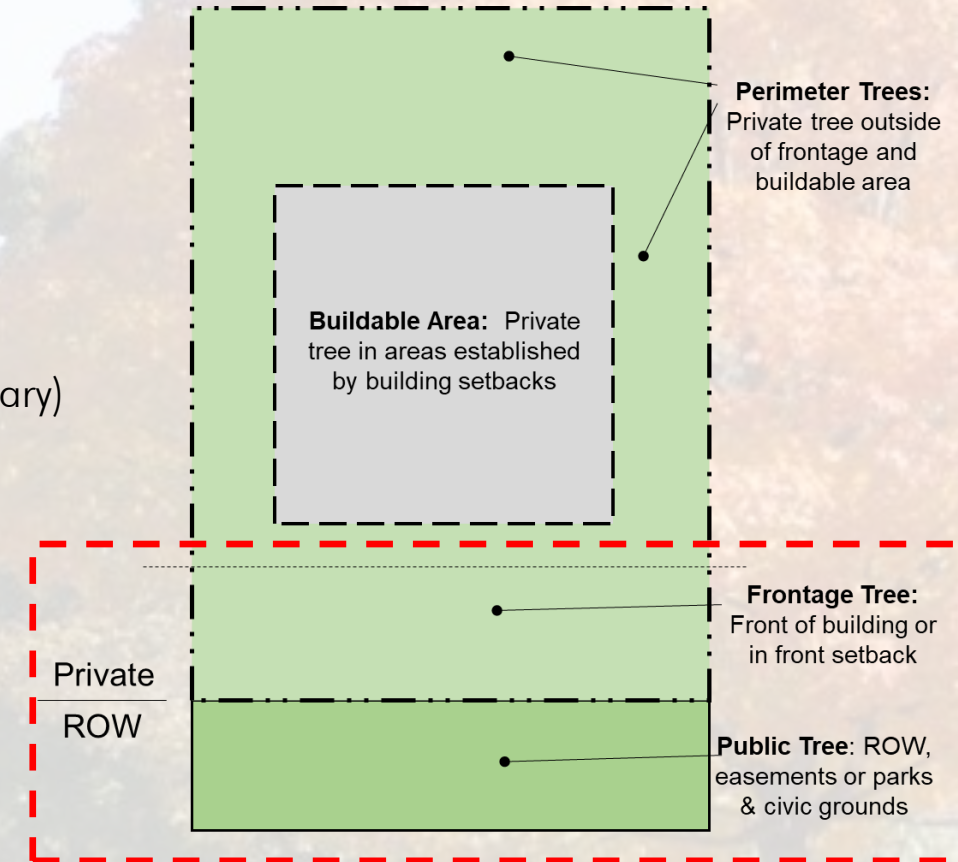


What areas to protect:

- ☒ **Public trees only?** (*right-of-way, easements, parks, civic grounds*)
- ☒ **Frontage trees?** (*front of building or in front setback*)
- ☐ **Perimeter trees?** (*side and rear setbacks or w/in 10' of property boundary*)
- ☐ **All trees?** (*including potentially buildable areas of private lots*)

Staff Draft:

- Option 1 - Public & Frontage Trees
- Option 2 – Public Trees Only



What size is protected:

- ☐ Only very large trees? (30" dbh) 90 yr 200 yr+
- ☐ Large trees? (18" - 24" dbh) 50 yr 150 yr+
- ☐ Medium trees? (12" dbh) 20 yr 85 yr+
- ☐ Established trees? (6" -8" dbh) 5 yr 50 yr+
- ☐ All trees? (any dbh) 0 yr 10 yr+

** Most trees are 5 to 10+ years at planting*

Approximate sizes based on range of growth factors; size is highly dependent on species and whether it is a fast or slow growth species

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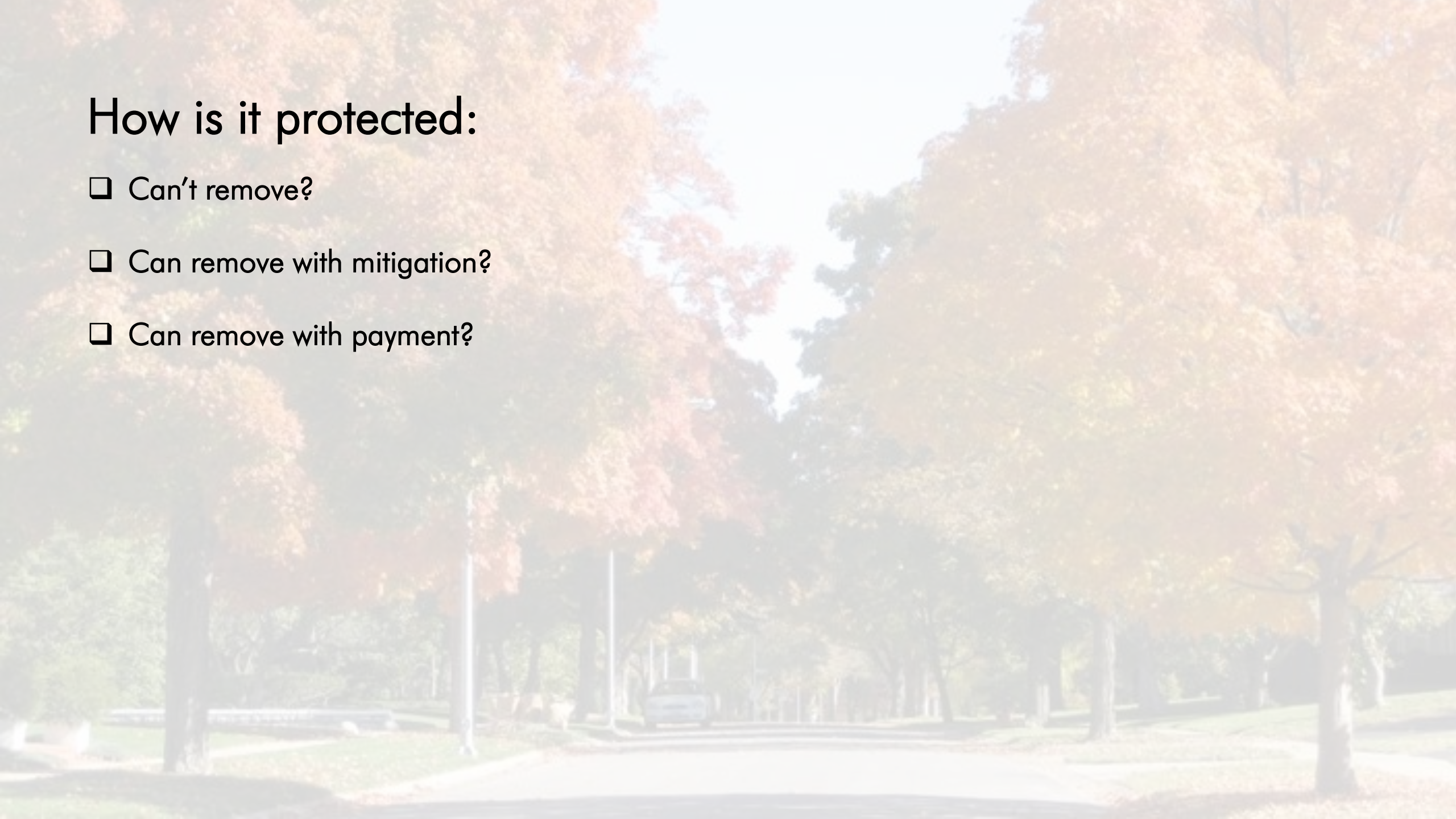
** Most trees are 5 to 10+ years at planting*

Approximate sizes based on range of growth factors; size is highly dependent on species and whether it is a fast or slow growth species

Staff Draft

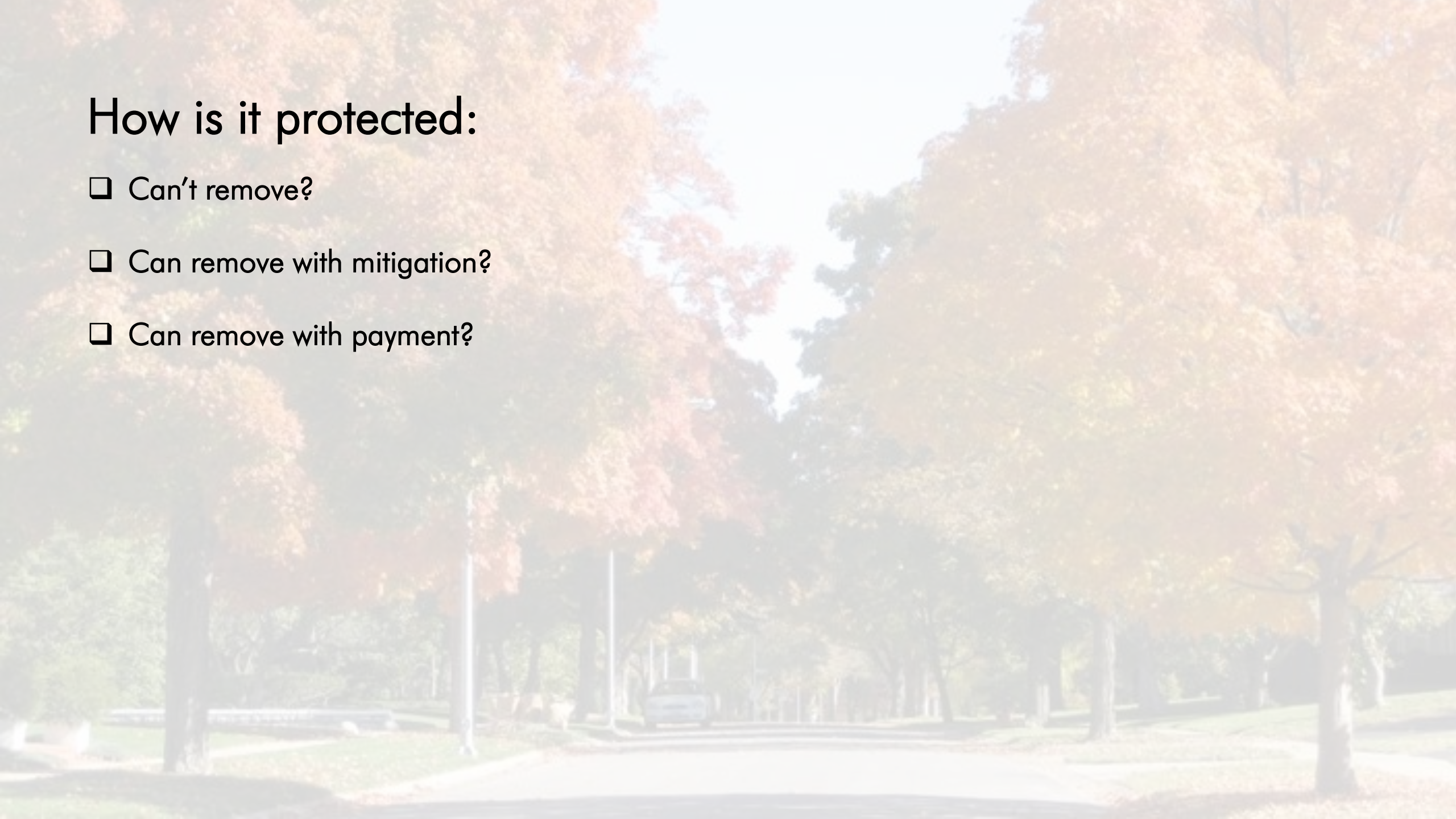
How is it protected:

- ☐ Can't remove?
- ☐ Can remove with mitigation?
- ☐ Can remove with payment?



How is it protected:

- ☐ Can't remove?
- ☐ Can remove with mitigation?
- ☐ Can remove with payment?



How is it protected:

☑ Can't remove?

•----- For any tree 30" dbh+ ; City Council approval

☑ Can remove with mitigation?

☑ Can remove with payment?



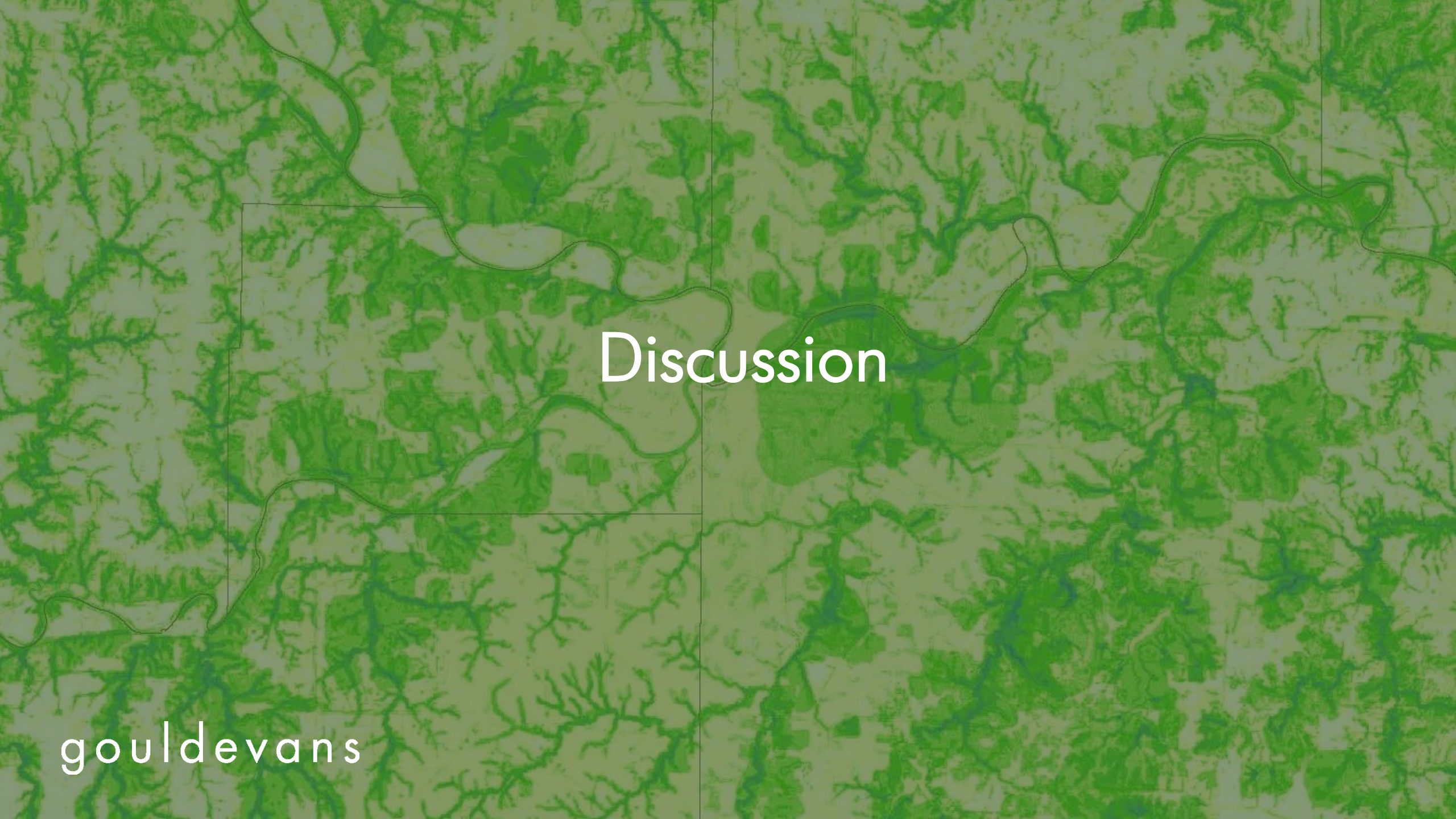
Revised Mitigation Approach:

- Replace with 1 tree = \$500 fee
- Replace with 2 trees = \$250 fee
- Replace with 3 trees = No fee
- No mitigation if more than 3 covered trees remain
- Option for no replacement = \$ 1,000 fee.
- Fee waived if tree replaced due to diseases or public safety reasons.

Staff Draft

Rationale:

- *Based on “replacement value,” not the value of the loss of older trees:*
 - *Encourages planting more trees for long-term health of canopy.*
 - *Fees based on value of new trees, not the loss of older growth trees.*
 - *Fees / mitigation capped at 3 per lot frontage.*
 - *Should corresponded with public education component – proactive tree planting and/or public street tree program.*
- *Fee only applies if trees unnecessarily removed. No fee if:*
 - *Tree removed for disease or public safety reasons; OR*
 - *Tree removed and lot frontage retains sufficient “covered trees” (3 or more trees); OR*
 - *3 trees planted back (mitigating entirely with re-planting).*
- *Owner option for no trees, with removal fee:*
 - *\$1,000 reflects loss of public / neighborhood benefit and replacement value at other locations.*

An aerial photograph of a river network, likely a delta or estuary, with a semi-transparent green overlay. A white rectangular box is drawn over the central part of the image, highlighting a specific area. The word "Discussion" is written in white text within this box.

Discussion

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Degrees of protection / options....

What is protected? (combinations of the following...)

- Public vs. Private (and private can be further refined – frontage, lot, buildable area)
- Distinctions in sizes as to if they are protected. (and based on area, different sizes can be protected._
- Only at some critical mass of development activity vs. all time (or a variation of ranges / activities / trigger events)

How is it protected?

- Can't remove (without permission... public private distinction...)
- If you remove you mitigate
 - Replace with equal inches
 - Replace with at least one and pay a fee for the rest
 - Replace with at least one, but up to ## additional trees based on size.
 - Pay a fee and not have a tree... (who would decide if this is an option since you are losing the objective)...

How is protection measured...

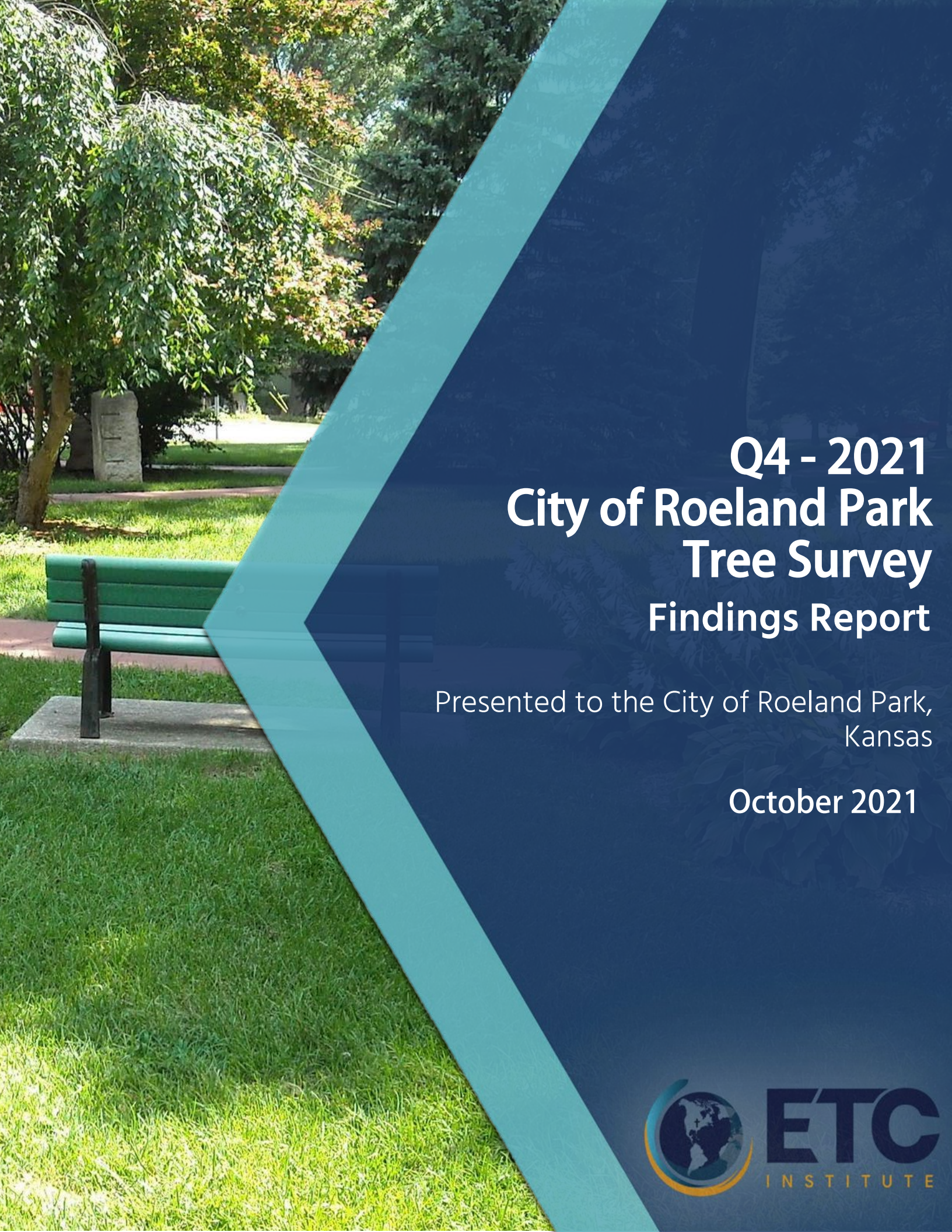
- Against removing an existing tree.
- Against removing so that property is deficient... but deficient to what standard (i.e. need a street tree or property landscape standard to measure against.)
- How is on-going enforcement addressed – formal obligation to keep in place or replant if removed, diseased, or dying.

Cost issues... comes up in 3 places;

- Cost to do the work (remove / plant / etc.) (mitigation)
- Cost for mitigation (fee for not putting it in OR fee for making up the difference for what went out vs. what went in) (mitigation / deterrent)
- Penalty – either for violating the ordinance OR for choosing to remove larger and/or priority trees. (deterrent)
- Exceptions: can the fees / mitigation be waived for reasonable removals or lessor priority trees? (could get complex)
- Exceptions: can the fees / mitigation be capped above some certain point for any removal... (could undermine purpose / deterren)

1

Charts and Graphs:

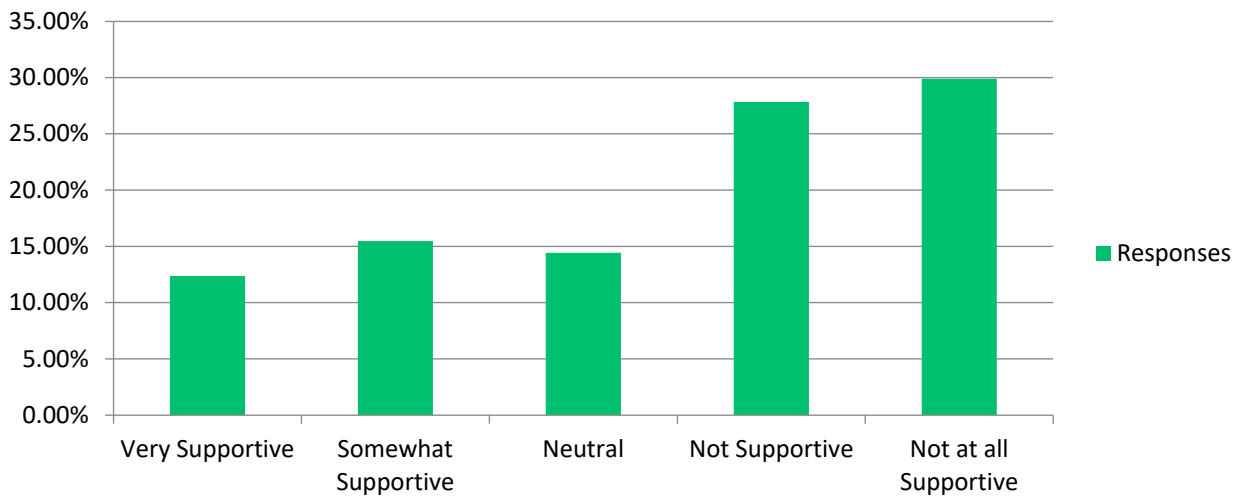


Q4 - 2021 City of Roeland Park Tree Survey Findings Report

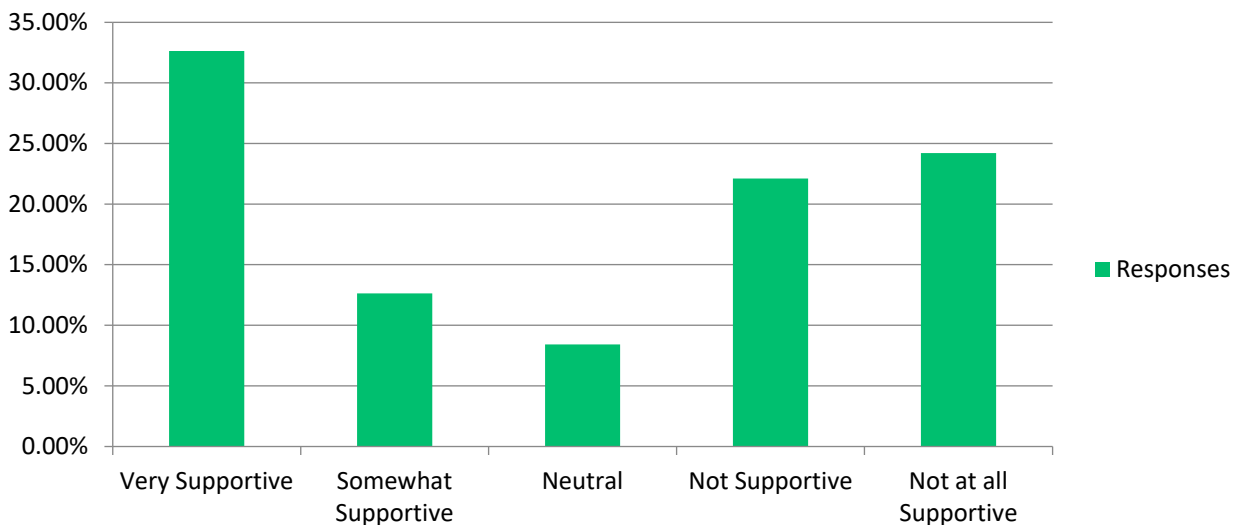
Presented to the City of Roeland Park,
Kansas

October 2021

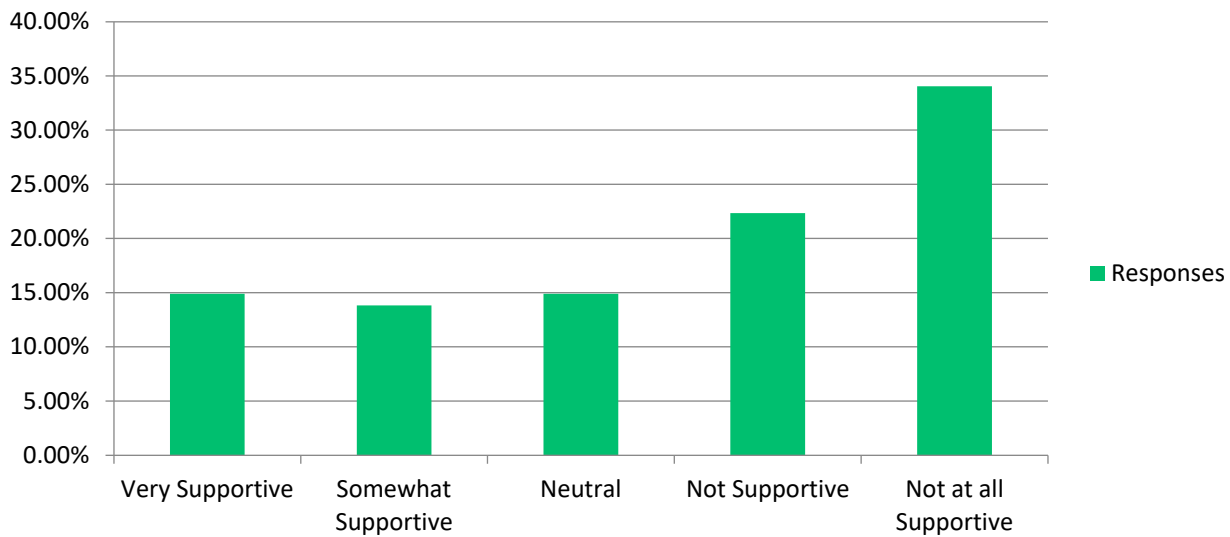
Q1. How supportive would you be of the City of Roeland Park implementing regulations requiring a property owner to secure City authorization to remove a tree from their property or the right of way adjacent to their property?



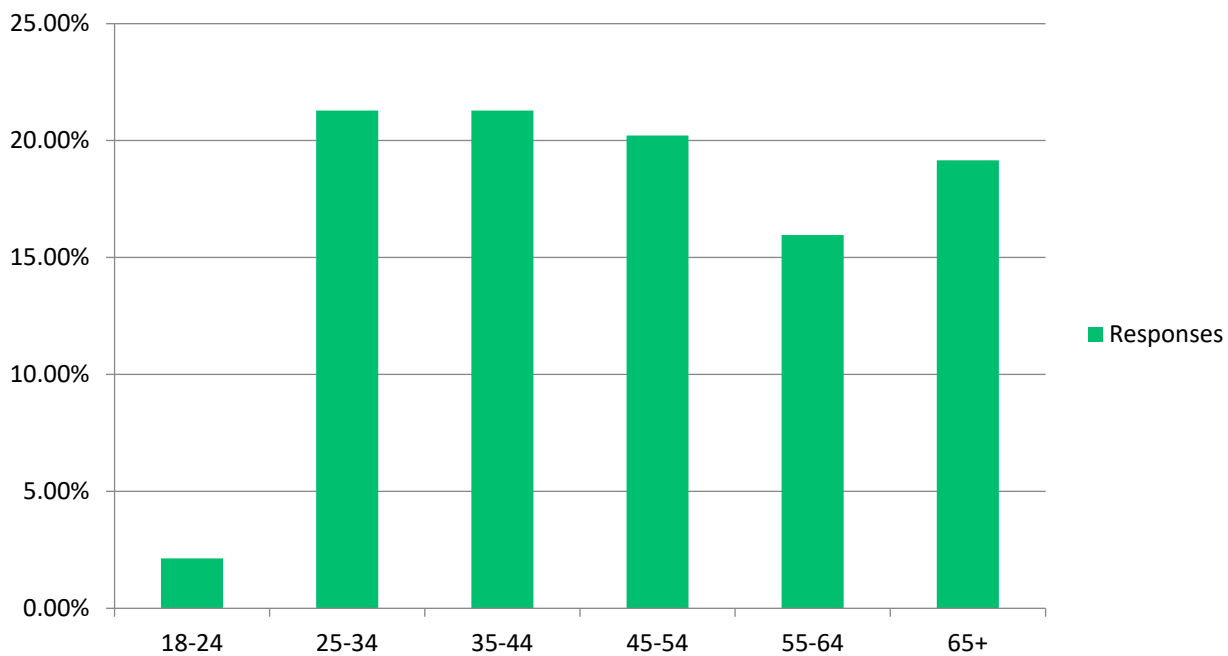
Q3. How supportive would you be of the City requiring residents who remove a mature tree on their property to replace that tree by planting new trees on their property?



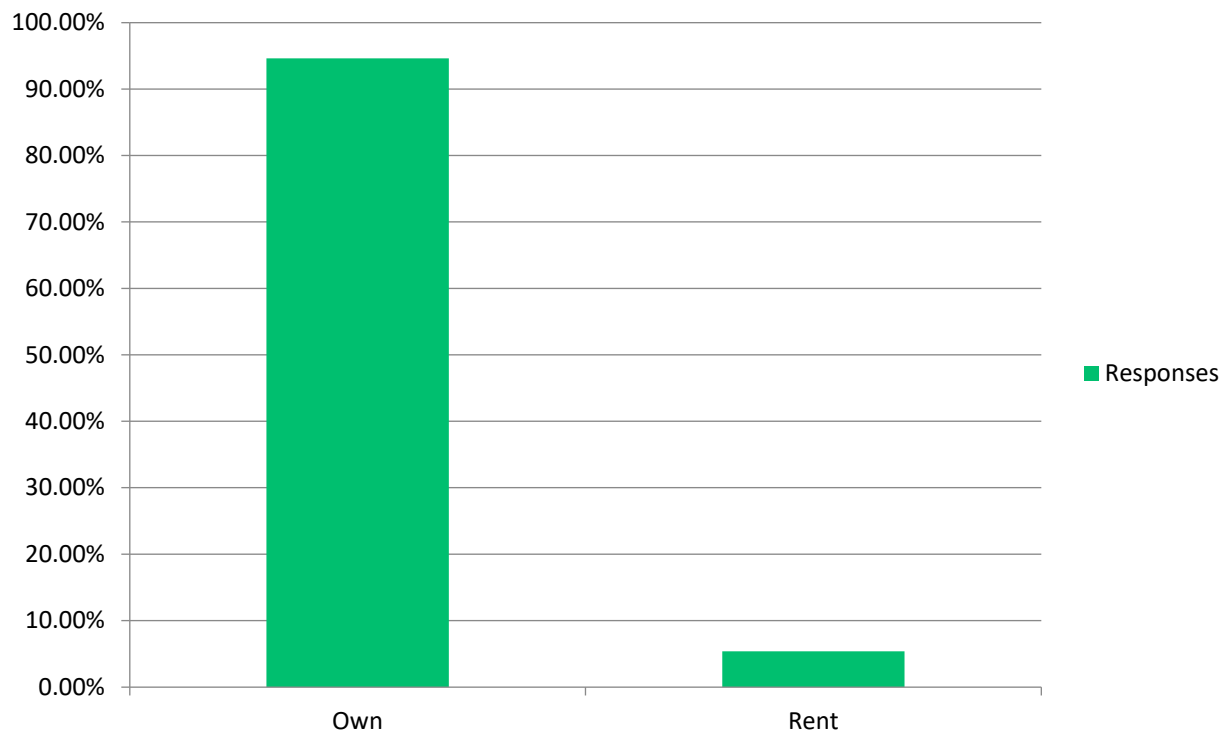
Q5. How supportive would you be of the City requiring residents who remove a mature tree on their property to pay into a tree preservation fund? The tree preservation fund would be used by the City of Roeland Park to maintain trees on public property and could



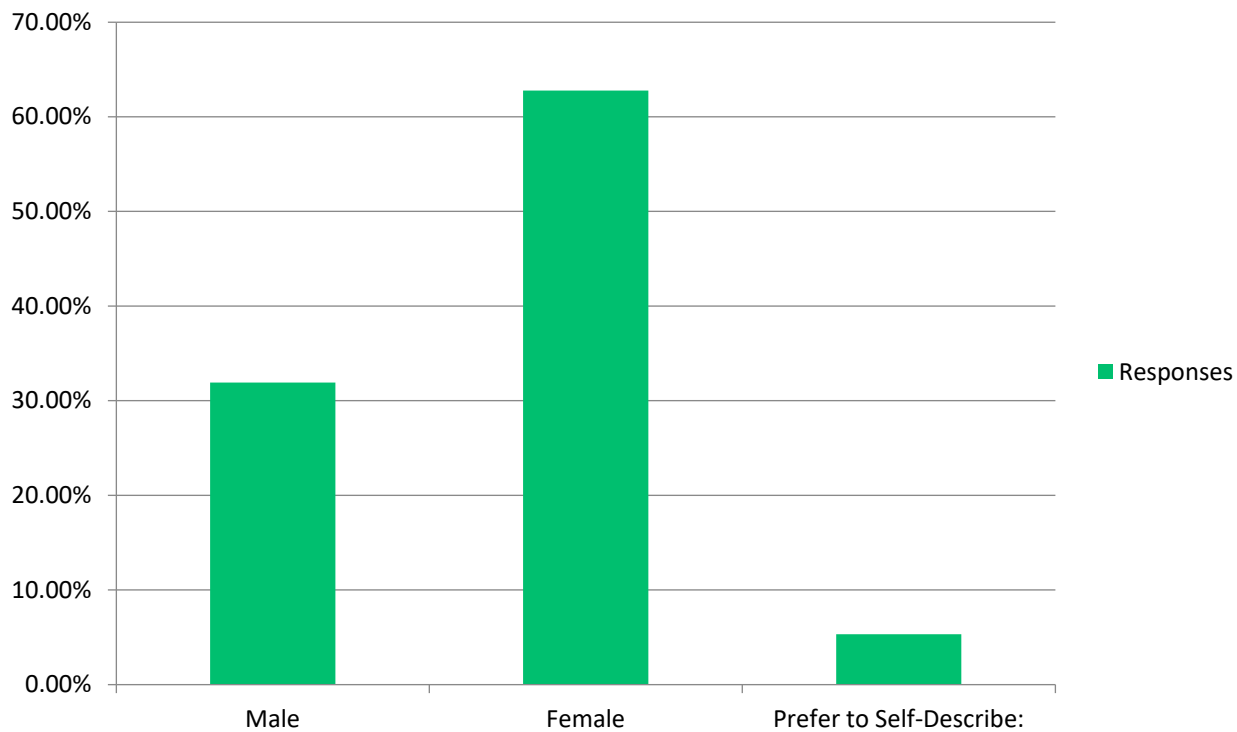
Q7. Your age:



Q8. Do you own or rent your home?



Q9. Your gender:





Tabular Data

Roeland Park Tree Survey Results

(N=98, margin of error +/-9.9% at the 95% level of confidence)

Q1. How supportive would you be of the City of Roeland Park implementing regulations requiring a property owner to secure City authorization to remove a tree from their property or the right of way adjacent to their property?

Answer Choices	Percentage %
Very Supportive	12.37%
Somewhat Supportive	15.46%
Neutral	14.43%
Not Supportive	27.84%
Not at all Supportive	29.90%
GRAND TOTAL	100.00%

Q3. How supportive would you be of the City requiring residents who remove a mature tree on their property to replace that tree by planting new trees on their property?

Answer Choices	Percentage %
Very Supportive	32.63%
Somewhat Supportive	12.63%
Neutral	8.42%
Not Supportive	22.11%
Not at all Supportive	24.21%
GRAND TOTAL	100.00%

Q5. How supportive would you be of the City requiring residents who remove a mature tree on their property to pay into a tree preservation fund? The tree preservation fund would be used by the City of Roeland Park to maintain trees on public property and could be used to fund planting trees on private property when the owner meets certain low-income criteria.

Answer Choices	Percentage %
Very Supportive	14.89%
Somewhat Supportive	13.83%
Neutral	14.89%
Not Supportive	22.34%
Not at all Supportive	34.04%
GRAND TOTAL	100.00%

DEMOGRAPHICS

Q7. Your age:	
Answer Choices	Percentage %
18-24	2.13%
25-34	21.28%
35-44	21.28%
45-54	20.21%
55-64	15.96%
65+	19.15%
GRAND TOTAL	100.00%

Q8. Do you own or rent your home?	
Answer Choices	Percentage %
Own	94.62%
Rent	5.38%
GRAND TOTAL	100.00%

Q9. Your gender:	
Answer Choices	Percentage %
Male	31.91%
Female	62.77%
Prefer to self-describe	5.32%
GRAND TOTAL	100.00%



Open Ended Responses

Roeland Park Tree Survey Results

Open-Ended Responses

Q2. If you gave a “not supportive” or “not at all supportive” response to Q1, please tell us why.

What right do you have to tell a property owner what they can and cannot do? Are you a bunch of Communists?

If a tree needs to come down, it's the property owners decision. Should not have to go through bureaucracy to do what must be fine. A tree dropping limbs every other week needs to come down.

1) Worry that it will become a more costly & bureaucratic effort (cost of specialized arborist, time spent convincing city council, and more money). “Most” folks who cut down trees have valid reasons (tree is dying or diseased, or tree is damaging house via its roots or limbs).

2) If the city agrees to pay for any damages done to property for said tree that is forced to stay then maybe I would concede.

3) Open to reasonable idea of requiring another tree of similar type to be replanted (but knowing that it will take years to become a “big” tree). Not open to expecting someone to replant the same “immediate sized tree” to fill the space.

4) RoPa has beautiful trees, yes! But I really feel the city should try to first manage/enforce some of its less costly ordinances (parking, grass on sidewalks/curbs cracks, trash bins that don't stay in the open all week, noise after 10 pm, etc). These cost the city tax payer less and would also beautify the city.

5) Trimming a tree is costly enough (\$1000s). I honestly don't believe folks are cutting down trees just for the fun of it.

6) Incentive planting more trees, but don't make it a huge ordeal (financial & time) for a family who needs to maintain their property & home. They are not spending \$1000 because they want to. Trust me.

It's my property, my right to decide. Will the city pay when a branch comes down and damages someone's property?

It's owned by the home owner not the city or other residents

Trees are just so expensive to remove. If this is gonna happen. It would be helpful if there is a grant or City money to help with this.

We pay significant property taxes to own our homes and land. To go through yet another bureaucratic headache to do something with our property would be less than ideal

I don't see a need to add a layer of 'red tape' to remove a tree from property that I own. When a tree needs to come down b/c of pest damage, weather, etc and time is a concern, why further burden the homeowner?

Although I understand wanting to preserve aging trees, I feel the owner has the right to decide what is appropriate for their property

As a property owner, you make your own decisions. At some point, trees become hazardous. Why should my life be put at risk because you might disagree with me on what the level of risk is?

I don't want to allow the city a say over my personal residence.

If the city is going to demand it REMOVED then the city should REMOVE IT

It would make it difficult/a headache if a tree needs to be cut down.

Too much red tape

Because permission might not be given for homeowner to remove a tree

Q2. If you gave a “not supportive” or “not at all supportive” response to Q1, please tell us why.

I believe it's the owners decision on their personal property to determine what can cut down. We've removed two trees on our property and if RP would need to be on board, that's seems a bit over reaching. There needs to be more done about run down homes and the city not enforcing those codes, before enacting more.
Property owners should have the right to decide what plantings and landscaping is appropriate for their property. Requiring city approval infringes on the current rights of property owners.
The city makes me get permission to do a lot. I don't know that they should need me to get permission to cut down a tree. That seems excessive.
Home owners should retain control over everything on their private property, not the City.
That should be the property owners decision-with the exception of a clearly dead or dying/dangerous tree
It is my property. The city did not give us choices when you cut my trees when you expanded Elledge
I think roeland park needs to worry about there own problems. I had a mess in front of my house for 5 months.
My property, my decision, my rights
Concerns of the turnaround time for approval to remove
Its my private property and my business.
The notion is ridiculous so the way through the survey. This is no different than how an HOA acts when they're a power struggle. Someone there thinks making a change, even for the sake of changing, is a good idea. You fine already for dead trees, overgrown vegetation, grass clippings in yard if you deem them an eyesore. Yet, you'd like to charge someone for cleaning up their own property, not the city council's land The level of manipulation and deception portrayed by the mere proposal of this, and while still obfuscating the truth as to why(someone wants to pad their resume and say "my proposal brought in \$XX"), and then saying it is for the low-income household. Unbelievable.
The property owner owns the land
Homeowners should be able to decide what they would like or would not like in there yards.
It's my tree and if it needs to come out that's my decision. I know what's best for my property, not the city.
Not your business. It's your property you can do what you want. This is a complete overstep by the city government
That tree is on the owner's property and is there's to deal with. Unless it is a safety issue
I think the property owner should be free to make decisions on the use of their property.
It's my land
I am a conservationist and environmentalist. I plant a tree every six months. I support education and help for homeowners to plant native trees and care for their trees. But to require government permission to remove a tree on your property seems unAmerican to me. People should have the right to determine what plants grow on their property. Roeland Park is a small city. It shouldn't be too hard to educate people about the importance of maintaining mature trees.
I love trees. I hope new-build homes preserve as many trees on their lots as possible. But above all else, I prefer small government. I want the people to have the right to make their own decision-making, not seek approval from the government.

Q2. If you gave a “not supportive” or “not at all supportive” response to Q1, please tell us why. (Continued)

I'm not sure why I have to explain my answer. But I don't think we should have any regulations that inhibit a property owner from deciding whether to remove a tree or not. That's not governments job. I'm all for tree preservation but that seems like a complete waste of time and substantial government overreach.

The tree is part of my property and if I need to remove it because of disease or other reason, I should not need city approval to remove it.

That decision should remain the sole right of the property owner. I'm curious as to why would anyone think otherwise?

I think tree removal is a decision to be made by the property owner

This city is out of control!

I think this is the property owners decision

I ask the council and mayor to please explain how another regulatory requirement on trees on private property promotes the safety & protects the well-being of the citizens.

Provided growth does not interfere with city infrastructure, we reserve the right to our private property.

Without knowing what the city's authorization process would be, I can't support this policy. Homeowners own the property, including landscape, on their real estate and I believe know when it's appropriate to remove such property, to include trees, shrubs, flower beds, etc.

We had no say so when you took our trees out to widen Elledge. I don't want to give up our rights

It's an infringement of my rights and a taking of value from me.

1-why should a homeowner and landowner be required to get permission from the city to remove a piece of their own property.

2. All these recent proposals are lending credence to the premise that RP elected officials are power hungry or want to make changes for the sake of making changes to pad the ole resumes.

3. Very concerning that a City wants to operate as HOA.

Given that no reasoning/justification for such a proposal has been provided, I do not support a requirement for yet another City approval/permit. I would be willing to reconsider my position if the Council were to provide a reasonable justification for such a change.

It's a tree!

MY PROPERTY MY CHOICE

just because

Q4. If you gave a “not supportive” or “not at all supportive” response to Q3, please tell us why.

I don't have any extra money because of Covid 19.

Not supportive because this is a democracy in case you don't know it.

It has to be a reasonable expectation. If I cut down an 80 year old maple, I will not be able to replace its “space” immediately. You'll have to accept a new / young maple or something similar that will “eventually” grow to cover the same space.

Again should not have to get permission to do what's needed.

My property my right.

It's the home/land owner to make these decisions

Again. It all comes down to cost.

Same answer as previous

Q4. If you gave a “not supportive” or “not at all supportive” response to Q3, please tell us why. (Continued)

You should incentivize new trees, not require it. It's not anyone's place to require a homeowner have a certain amount of trees. Trees & shade can have an impact in how people are able to use their own property.

I, live everyday, with total life long memories on every three on my property.

If I own a property the city doesn't have the right to tell me what I have to plant. Some properties wouldn't have enough room to plant a new tree for years. It would take time for root decay to allow for healthy planting.

As a property owner, it is my choice what to do with my property. Maybe I'm removing a tree because it's too crowded and that many trees shouldn't have been planted so close together to begin with? Most people make educated decisions after weighing the options.

Removing an old sick tree is already very expensive. Planting a new one would be another \$500 at least.

It's not our decision

Trees may or may not be appropriate for the particular landscaping being chosen by the property owner.

Again that's over reach. I've cut down trees that I had no intention of replacing. Sometimes you just don't need a tree replaced.

It has been my experience, that every homeowner that had to remove a tree replied in a tree.. I don't think the city has any business dictating the planting of trees on private property .

The key here is our property. I pay the taxes, I own my private property and you have no rights to dictate otherwise. If you can't tell residents to keep their yards cleaned up how could you dictate what I plant or if I plant

No

It should be the property owners choice

My property, my rights

Not to mention that took away a FREE service, again, and now say that the city is working on a contract for the exact service.

I'm talking about ripple glass. Don't tell me there are 500 people whom want to recycle glass but cannot get to the container. There's a thing call Nextdoor and anyone can ask someone to pick up bottles because they are not ambulatory. If that person can get the bottles to the curb with recycling, they can obviously get it to the curb for someone else to pick up. Unconscionable

Its my property and my business. Mature trees can be dangerous and fall during bad storms. Does the city want that liability?

I personally do not want to be forced to plant a tree in my yard if one is removed and/or dies and needs to be removed

The tree may need to come out and some people may not be able to afford new ones

While I love the idea of keeping a lot of trees in Roeland park, I do not agree with any rules forcing anyone to do anything with their own property . Home owners should be the ones to choose that . Additionally, it is very expensive to have a tree cut down. And with that rule , home owners would be faced with an additional expense on top of that . If Roeland park would create a rule that makes people plant a new tree, then Roeland park would need to pay for that tree in my opinion.

Again this is their property not someone else's. They have their reasons for taking the tree down. If they want to put one back up they will. Again not governments business.

Q4. If you gave a “not supportive” or “not at all supportive” response to Q3, please tell us why. (Continued)

Same as previous answer. Those of us who want to plant trees will do so. We should focus on helping everyone plant trees, not penalizing someone who removes one.

I think the property owner should be able to make decisions on their own landscaping

Trees cost money and require maintenance. I don't think it's right to require that of anyone. I can't imagine my elderly neighbors being financially or physically capable of meeting such a requirement. Basic lawn care is enough to ask of them.

Sane answer. Stay out of my personal property. The City should not operate like an overbearing HOA.

I think whether a mature needs to be replaced is somewhat determined by the reason for its removal. For example - if it impairs street view, does damage to underground utilities, or will inhibit other green choices made by the owner (vegetable or butterfly garden, for example) the city should not require a tree replacement.

Replacing a tree with another one should be my decision and not a city rule. I as the property owner need or leeway to manage my property to increase its overall value.

While I LOVE all of our mature trees in Roeland Park, I believe a home/property owner may have reason to cut down a tree and they should not be required to plant a new tree in its place.

Again, decision made by property owner

Again it is NONE of the city's business.

property owners decision

There are multiple concerns which weigh into decisions a property owner formulates; be it trees, or other challenges. Additional regulation(s) take time from citizens schedule, and add another condition to fulfill. How does this proposal fit into the strategic plan for our community, Mr Mayor and Council?

You are taking away our rights to make decisions on our own property

I did not buy property in "Tree City" I bought property in Roeland Park, Kansas. I bought the trees in my yard, they are mine to do with as I please. "Requiring" me to keep them, replace them, ask pretty please can I do something with my property is a taking.

Leave the responsibility to the homeowner. But do not misunderstand what I am saying. This is an appearance issue do not twist into an ecological or environmental issue because it is not.

I think RP has enough tree stock to afford residents to decide for themselves to have trees in their yard, or not. I do not sense that residents removing trees on their property is a common enough occurrence to justify a replacement requirement.

Property owners have the right to choose what is planted on their property.

MY PROPERTY MY CHOICE

the price of trees is sky high

Q6. If you gave a “not supportive” or “not at all supportive” response to Q5, please tell us why.

I don't have any money due to Covid 19, I can't pay more in taxes.

I am sick and tired of using taxpayer money to give to the "poor" of Roeland Park. If the person owns a house in RP, they aren't poor.

We live in RP for the ambience and tree s. We do not need to be told what to do.

My property

That's ridiculous

I would rather have them plant a new tree

Q6. If you gave a “not supportive” or “not at all supportive” response to Q5, please tell us why. (Continued)

People that buy a home in Roeland Park, by and large, Are doing it because they like and respect the area. Large trees are a part of that environment that they chose. To make the assumption that people want to move in and just wantonly remove the large trees would be erroneous and incorrect, in my opinion.

Our tax rate is so high. I think Roeland park has amazing trees! I think residences would have to take a lot of trees down for tree removal to be a problem.

This is ridiculous

I like planting trees over money is a good idea.

Are you kidding me? My taxes are already through the roof.

The fund payment would have to be very small, otherwise it would make the tree removal even more expensive than it already is.

It's NOT the city's decision what the home owners want

I think if a resident were being asked to pay this, it would be either pay this or plant a replacement tree. That being said, I don't think I support that all existing trees in the community have to be replaced if removed. There are a lot of very old, very large trees in the community; many of which would already be very expensive to remove.

I feel that this should not be required as it is punitive to property owners who are already undertaking significant expense to remove a mature tree.

The city should have no control over trees on private property.

I am not going to pay so someone else can get more FREE things. If I choose to help someone that is my business not the city

I think this is too punitive especially if the tree is dead

I think the goal should be to maintain mature trees wherever possible and if they are going to be removed say for a remodel or addition or new build that there should be a process in place to review that prior to cutting down the trees to encourage some thought. If they are removed having to replace them with a new tree on site or in the right-of-way would be great. Maybe in cases where that can't be done due to the site there could be some other solution but if it is simply paying into a fund then that is telling people who can afford it that they can just cut all the trees down. At table rock lake there was a penalty for cutting down trees and people would just cut them down and pay it so in the end it wasn't that effective.

If it is a private owner they already incur the cost of the removal and it should be their choice to replace.

I would support the measure for rentals since landlords choices are based on cost, not the best interest..and since Roeland Park is 50% landlords this can be a problem.

My property, my rights

Going through this really makes me want to get into politics to actually help my citizens. Not look at a demographical map and say "there are 4000 households. What can we do to squeeze out another 1.5 or 2% from them and make it seem like it's something they wanted or needed. Only problem is I haven't found a way to trade out my morals, values, and soul for a underhanded, disrespectful, ugly disposition. Ridiculous

The city should pay for tress out of its existing budget. I already pay property and sales taxes to the city now.

Q6. If you gave a “not supportive” or “not at all supportive” response to Q5, please tell us why. (Continued)

I think it is unfair to fine someone for decisions they make on their personal property.

Unnecessary

If you want to have a fund, figure out how to do it with the taxes you already receive.

City should not require any payment for a homeowner to remove a tree on there own property

Most citizens of Roeland Park do not have a ton of spare income to afford this proposed plan on top of rapidly rising property taxes

This is a complete overstep. Not their property. We do not live in a communist country so drop this

Same. Let's have that fund, but not make only certain people contribute under certain circumstances. I would contribute to the fund voluntarily.

This is just another money grab for the government. You can't budget effectively, so you have to come up with new “programs” or “initiatives” to take more from the people. Reduce your size and involvement.

If I want to remove tree for any reason, I should not be punished. I would however, be happy to support special fundraising projects for a Tree Preservation Fund. I would also be willing to apply for state and federal grants for such a project.

I love our trees in Roeland Park but I could imagine scenarios where a mature tree must be removed which is an expensive process. To also be required to donate to a tree preservation fund could be a barrier for some, on top of the expense of tree removal.

Our taxes are ridiculously high. And the city wastes so much resources are politically driven agendas. I would love from RP if it weren't for my neighbors and friends.

I may have to remove mature trees because of disease, storm damage, or other reason. City tree preservation should come out of other taxes (sales, property,)

Taxes are already too high

Because you can't trust the city to do the right thing with money. Just look at all the money they spent on trees for the median on Roe and look how many are DEAD. The city needs to mind their own business and take care of their own business first.

property owners decision; use taxes for needs for the city

There are multiple avenues to assist people in the category mentioned regarding purchase & planting trees. How about a dunk tank event fundraiser which goes to a tree fund, in which the mayor and council participate?

If a mature tree has to be removed for safety and or property management, the property owner should not have to pay into a fund because of its removal. If it's stated you have to pay into a fund when you remove a mature tree for aesthetics, that would be a different story.

First off, if the real estate is filled with trees, it may be in the best interest of the other landscape, the house, etc. to remove a tree. I'm not sure why a homeowner would need to replace the tree in such circumstances or be required to contribute to a fund for tree planting throughout the city. That type of tree planting program should come from city taxes or citizen donations.

I love our trees in RP BUT. We need to bury our electric lines so we don't loose power so often due to trees. Sorry

Q6. If you gave a “not supportive” or “not at all supportive” response to Q5, please tell us why. (Continued)

I already pay property taxes. I choose how I direct my charity. You are diminishing the value of my property when you prevent me from doing as I please with it. If you want a preservation fund for public lands or you want to "gift" low-income people with trees then find the funds in the current budget or persuade the residents to raise taxes on themselves through normal channels. My trees are not Roeland Park's trees.

See answer for first question, should be numbered 2.

Trying to spin this idea: a homeowner has to pay the city money for removing a tree from their own yard, potential a downed tree from a storm; as altruistic by the city, because the word "low-income" is in there really shows whom the politicians believe the voters will be.

The notion that a City council is wanting to increase revenue isn't new but this approach is lower than a snake's asshole. Almost as bad as the last tax increase ballot issue was written.

What if one of those "low-income" household has to remove a mature tree? Do they get a 'free' consolation prize tree?

Anyone in Johnson county has access to free trees through the county already.

Removal of a tree can is usually done for purposes of safety and property protection. I do not think it is a good idea to erect an administrative and financial barrier to tree removal which could cause unsafe (diseased, damaged or dead) to not be removed.

Adding an additional expense to an already expensive tree removal service would be an even more costly service. Would the city help pay for the cost of tree removal?

Property owners should choose what to do on their own property.

THE PROPERTY TAXES ARE RAISE AT A VERY HIGH RATE AT THIS TIME .. WE DON'T NEED ANYMORE TAX INCREASE



The Economics of Urban Forestry

**TREE CITY USA®
BULLETIN**

November/December 2021 • Editor: Dr. James R. Fazio



***T**he benefits of urban trees have been quantified in numerous ways in recent years. Now a new study provides important information about yet another contribution that tree planting and care provides for America.*

We all know intuitively that trees in our communities are economically important. But just important? To answer this question, the Arbor Day Foundation, in cooperation with the USDA Forest Service, contracted with the College of Business at the University of Nebraska–Lincoln to conduct a formal, nationwide study of this aspect of urban and community forestry.

The 2021 study was conducted by researchers Drs. Eric Thompson, Mitch Herian, and David Rosenbaum. All 50 states and the District of Columbia are included and the goal is to help determine what economists call the economic footprint of both the private and public sectors involved in urban forestry. For purposes of this project, urban forestry is defined as “growing, planting, maintaining, removing, disposing,

and studying trees that are usually located in cities, towns, and other human settlements and that are used primarily to meet needs and enable activities of people.” Data used in the study are from the 2017 Economic Census conducted by the U.S. Department of Commerce, the most recent data available for analysis, and information compiled by the Arbor Day Foundation from participants in the Tree City USA®, Tree Campus® Higher Education and Tree Line USA® programs. These data are supplemented with surveys of non-participating cities, campuses, and companies. Consistent, industry-accepted methodology provides the advantage of enabling replication by future researchers to track the growth of urban forestry and its impacts.

The study also includes a section called Quality-of-Life Benefits. This will be of special interest to homeowners because it highlights how landscape trees affect property values. All in all, this new package of information will be a useful addition in the arsenal of tree board members and others who often must defend the importance of landscape trees.



Arbor Day Foundation®
211 N. 12th Street • Lincoln, Nebraska 68508

The National Perspective

The economic footprint of urban forestry is like the concentric rings in a pond. Not only is there the direct value of business sales or agency spending, but there is also a multiplier effect that widely spreads the economic benefits. Here is a summary of findings for the various industries that are part of urban forestry.



THE PRIVATE SECTOR

For the purposes of this study, there are six relevant industry segments, as identified in the federal government's North American Industry Classification System. Some 322,931 people are employed in these industries with the total economic footprint being an impressive \$61.9 billion. Only activities related to growing, distributing, planting, and maintaining of urban trees were included in the data collection. For example, in the landscape services industry, lawn maintenance was excluded.

The direct economic footprint in the following table is based on

Services to maintain the landscape lead all other categories in providing economic benefits.

annual sales and \$15.1 billion in employee wages, salaries, and benefits. IMPLAN, an economic impact assessment software system, calculated the multiplier for each industry segment.

INDUSTRY	DIRECT ECONOMIC FOOTPRINT OUTPUT*	MULTIPLIER*	TOTAL ECONOMIC FOOTPRINT OUTPUT*
Nursery and Tree Products	\$2,617.0	\$2,105.6	\$4,722.6
Support Activities for Forestry	\$354.8	\$295.5	\$650.3
Nursery and Florist Wholesale	\$2,426.6	\$1,846.3	\$4,273.0
Lawn and Garden Equipment and Supply Stores	\$1,693.0	\$1,472.8	\$3,165.9
Landscape Architecture Services	\$2,093.7	\$2,388.6	\$4,482.3
Landscaping Services	\$25,074.5	\$19,510.2	\$44,584.7
TOTALS	\$34,259.6	\$27,619.1	\$61,878.7

*\$ in millions

LOCAL GOVERNMENTS AND UTILITIES

This table shows the economic contributions from public entities, such as cities, counties, and some universities, as well as private utilities and colleges. The Arbor Day Foundation provided data for entities participating in its recognition programs, while researchers sampled non-participating entities by questionnaire. Together, these institutions contributed nearly \$2.1 billion in 2017.

ENTITIES	DIRECT ECONOMIC FOOTPRINT OUTPUT*	MULTIPLIER*	TOTAL ECONOMIC FOOTPRINT OUTPUT*
Tree City USA Communities	\$688.2	\$520.4	\$1,208.5
Other Cities	\$117.8	\$92.4	\$210.2
County Governments	\$52.1	\$40.4	\$92.5
Tree Campus USA Higher Education Schools	\$33.7	\$25.5	\$59.3
Tree Line USA Utilities	\$294.3	\$216.8	\$511.1
TOTALS	\$1,186.1	\$895.5	\$2,081.5

*\$ in millions

EMPLOYMENT

The growing and care of urban forests provides jobs for a large number of employees. The multipliers in this case are the number of people not directly employed in the industries listed, but those workers who benefit and receive part of

their support from individuals who are in fields related to urban forestry. Total direct compensation amounts to nearly \$16 billion, and \$25 billion when considering a multiplier.

INDUSTRY	EMPLOYEE COMPENSATION FOOTPRINT*			NUMBER OF JOBS		
	Direct	Multiplier	Total	Direct	Multiplier	Total
Nursery and Tree Products	\$1,315.8	\$977.6	\$2,293.4	35,585	23,503	59,087
Support Activities for Forestry	\$322.0	\$97.4	\$419.4	4,745	1,173	5,918
Nursery and Florist Wholesale	\$1,135.3	\$883.1	\$2,018.4	20,272	24,283	44,555
Lawn and Garden Equipment and Supply Stores	\$748.7	\$565.2	\$1,313.9	19,440	12,035	31,474
Landscape Architecture Services	\$1,089.7	\$843.3	\$1,933.0	13,421	17,866	31,287
Landscaping Services	\$10,568.8	\$5,328.2	\$15,897.0	229,469	72,760	302,229
TOTALS	\$15,180.4	\$8,694.8	\$23,875.2	322,931	151,619	474,550

ENTITY	EMPLOYEE COMPENSATION FOOTPRINT*			NUMBER OF JOBS		
	Direct	Multiplier	Total	Direct	Multiplier	Total
Tree City USA Communities	\$492.1	\$205.5	\$697.6	8,773	3,436	12,209
Other Cities	\$84.9	\$42.2	\$127.1	1,833	684	2,517
County Governments	\$30.5	\$15.4	\$45.8	660	246	906
Tree Campus Higher Education Schools	\$25.8	\$11.5	\$37.3	573	184	757
Tree Line USA Utilities	\$115.4	\$171.9	\$287.3	2,473	8,222	10,693
TOTALS	\$748.8	\$446.4	\$1,195.2	14,313	12,769	27,082

*\$ in millions



QUALITY-OF-LIFE BENEFITS

Landscape trees impact property values, but they also provide external benefits to society, such as improved air and water quality. In this study, the benefit to homeowners was based on a count of urban homes in each state, average tree coverage on private property, and a review of literature quantifying the relationship between tree cover and property values. External benefits were calculated using the i-Tree Landscape program developed by the USDA Forest Service. Results show that tree cover in the U.S. increased the value of private homes by more than \$604 billion in 2017, based on the present value of annual services provided — the aesthetics, shading, and related energy cost savings over a 50-year lifespan for mature trees. On an annual basis, \$31.5 billion worth of services are provided to homeowners, and an additional \$73 billion in benefits are delivered to society in the form of air pollution and stormwater runoff mitigation.

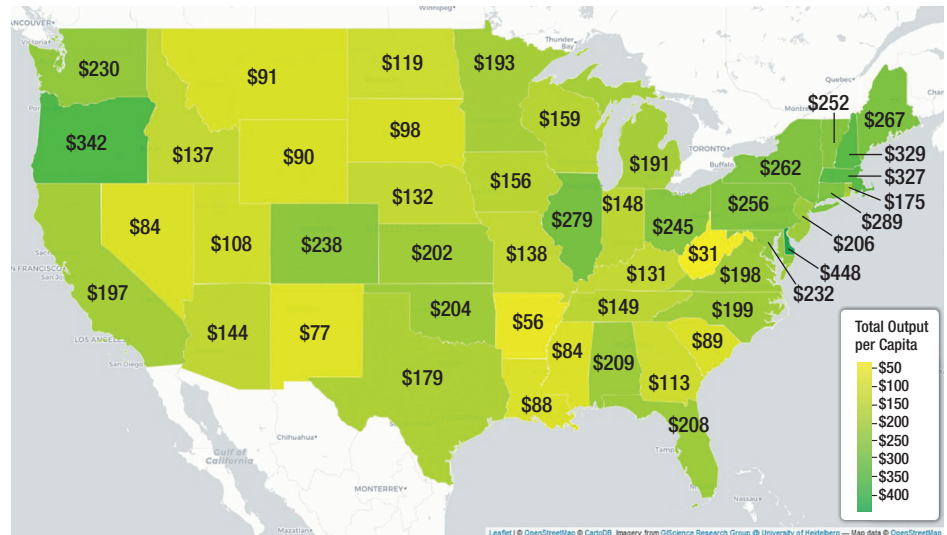
ECONOMIC BENEFITS (MEASURED IN 2017)	VALUE
Property Value Impact	\$604,167.4 million
Annual Value of Services by Trees to Property Owners	\$31,518.4 million
Annual Value of Pollution and Runoff Mitigation	\$73,436.5 million
TOTAL ANNUAL VALUE	\$104,954.9 million

Economic Benefits State by State

In the University of Nebraska study, basically the same methodology was applied on a state and regional basis. A summary is shown here with the economic values displayed per capita.

URBAN FORESTRY OUTPUTS PER RESIDENT IN 2017

The map at right shows total economic output, per capita, for each state. This includes both direct and indirect economic impact of the various industries associated with urban forestry, and the multiplier effect for each. As you can see on the map, the largest total economic footprints are found in the Northeast, coastal Northwest, and industrial Midwest of the country. The strong influence of the nursery industry accounts for much of the impact in Oregon and New Jersey. In the government sectors, cities that participate in the Tree City USA program account for the largest share of the economic footprint.



QUALITY OF LIFE BENEFITS

In economic terms, trees and urban forestry play a large role in the lives of urban residents. In the full study report, urban and rural counties are reported separately. In the table on page 5, however, the data is aggregated. The first column reports the contribution of tree cover to property values in each state. The other columns are the quantified values of some of the ecoservices trees provide.

STATEWIDE IMPACT OF TREE COVER ON PROPERTY VALUES AND ENVIRONMENTAL AMENITIES					
		Value* from i-Tree			
State	Property Value *	Carbon	Pollution	Hydrology	Total
Alabama	\$17,995	\$3,367	\$193	\$114	\$3,675
Alaska	\$29	\$0	\$0	\$0	\$0
Arizona	\$877	\$181	\$3	\$1	\$184
Arkansas	\$9,984	\$2,439	\$71	\$84	\$2,594
California	\$17,570	\$3,023	\$136	\$62	\$3,221
Colorado	\$6,989	\$577	\$16	\$10	\$603
Connecticut	\$10,285	\$285	\$122	\$64	\$472
Delaware	\$2,110	\$73	\$13	\$6	\$93
District of Columbia	\$805	\$2	\$6	\$1	\$9
Florida	\$38,657	\$3,889	\$303	\$240	\$4,432
Georgia	\$33,688	\$4,141	\$344	\$254	\$4,739
Hawaii	\$15	\$0	\$0	\$0	\$0
Idaho	\$1,564	\$740	\$22	\$15	\$777
Illinois	\$10,725	\$500	\$111	\$66	\$676
Indiana	\$7,092	\$576	\$47	\$29	\$652
Iowa	\$1,624	\$295	\$7	\$11	\$314
Kansas	\$1,991	\$328	\$12	\$12	\$351
Kentucky	\$12,123	\$1,235	\$83	\$71	\$1,388
Louisiana	\$12,387	\$2,981	\$110	\$130	\$3,222
Maine	\$6,701	\$1,474	\$55	\$54	\$1,583
Maryland	\$15,417	\$407	\$114	\$46	\$567
Massachusetts	\$21,426	\$390	\$249	\$160	\$799
Michigan	\$20,380	\$1,799	\$123	\$125	\$2,047
Minnesota	\$5,301	\$760	\$26	\$26	\$812
Mississippi	\$11,356	\$3,983	\$110	\$84	\$4,176
Missouri	\$10,370	\$935	\$91	\$67	\$1,094
Montana	\$1,628	\$874	\$28	\$25	\$927
Nebraska	\$472	\$114	\$3	\$3	\$121
Nevada	\$549	\$254	\$9	\$2	\$265
New Hampshire	\$6,833	\$388	\$36	\$35	\$458
New Jersey	\$20,267	\$298	\$173	\$71	\$543
New Mexico	\$1,508	\$592	\$11	\$3	\$606
New York	\$33,723	\$1,484	\$302	\$135	\$1,922
North Carolina	\$36,577	\$3,921	\$248	\$157	\$4,326
North Dakota	\$108	\$60	\$2	\$1	\$62
Ohio	\$21,698	\$954	\$202	\$118	\$1,274
Oklahoma	\$5,823	\$1,106	\$62	\$33	\$1,201
Oregon	\$11,579	\$1,785	\$115	\$101	\$2,001
Pennsylvania	\$37,746	\$1,780	\$313	\$125	\$2,218
Rhode Island	\$3,667	\$56	\$45	\$26	\$127
South Carolina	\$20,470	\$2,498	\$114	\$85	\$2,698
South Dakota	\$509	\$58	\$4	\$2	\$63
Tennessee	\$20,513	\$1,467	\$154	\$107	\$1,727
Texas	\$30,786	\$5,624	\$297	\$231	\$6,153
Utah	\$3,238	\$390	\$21	\$13	\$423
Vermont	\$2,923	\$363	\$15	\$23	\$400
Virginia	\$27,033	\$2,208	\$151	\$110	\$2,469
Washington	\$21,099	\$1,588	\$83	\$119	\$1,790
West Virginia	\$9,036	\$1,264	\$48	\$42	\$1,354
Wisconsin	\$8,738	\$1,295	\$49	\$41	\$1,386
Wyoming	\$184	\$433	\$4	\$3	\$440
TOTALS	\$604,167	\$65,234	\$4,857	\$3,345	\$73,437

*\$ in millions

More on Economic Benefits

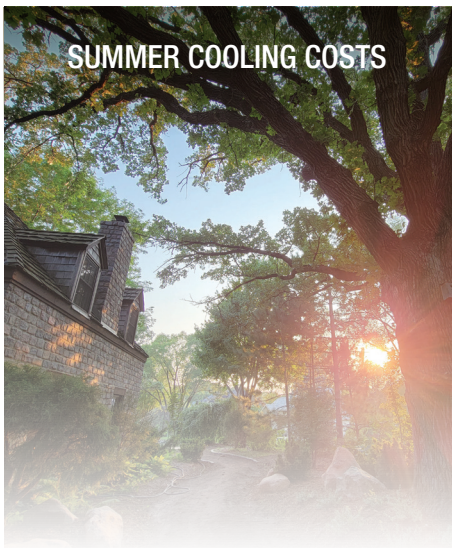
There are many more findings from a variety of research studies about the positive economic impact of trees. Even when weighed against the costs of planting and maintenance, trees make good sense as investments — both for individuals and communities.

TREES AT HOME AND IN THE COMMUNITY

While values will vary depending on climate and local conditions, the contribution of trees will still be significant. Here are some examples.



SUMMER COOLING COSTS



FOUR STRATEGICALLY PLACED TREES at a home in Sacramento, California save up to 30% on energy costs each year after the trees gain some size.

If 1 million more trees were planted in Sacramento, \$10 million would be saved annually.

ONE WELL-PLACED TREE can reduce air conditioning costs alone up to 50%.

Reduced energy demand means reduced need for power plants, which can result in less air pollution.

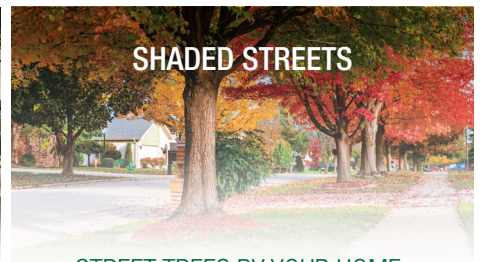
PROPERTY VALUES



YARD TREES IN GOOD CONDITION may add 10% to 20% to the resale value of your home.

In Portland, Oregon, street trees in front of or near a home added an average of \$8,870 to sale prices — and reduced time on the market.

SHADED STREETS



STREET TREES BY YOUR HOME beautify the neighborhood, provide safety from traffic, and add summer comfort — as well as contribute to resale value.

Shade protects asphalt surfaces, with the potential of reducing repaving costs by as much as 58% over a 30-year period.

WINTER SAVINGS



TREES USED AS WINDBREAKS can save 20% to 50% in energy used for heating.

Windbreaks can also control blowing snow, saving on plowing costs.

CLIMATE CHANGE



GLOBALLY, TREES HELP by removing fossil fuel emissions.

A USDA Forest Service study found that trees removed about one-third of fossil fuel emissions each year from 1990 to 2007.



TREES ARE GOOD FOR BUSINESS. TREES IN A SHOPPING DISTRICT:

- \$ Attract customers
- \$ Lower utility costs
- \$ Cool parking spaces
- \$ Increase resale value
- \$ Stimulate economic development
- \$ Increase tourism
- \$ Ease stress

TREES IN THE BUSINESS DISTRICT

Considerable research on trees in business districts has been done by Dr. Kathleen Wolf at the University of Washington. She concludes, “Trees are a positive atmospheric for business districts. They create a retail mood that appeals to shoppers and visitors. Trees greet shoppers with a message of welcome even before entering a merchant’s door.” Her studies have found that when trees are present:

- Customers perceive merchants in a much more positive light. Trees send a message of care and service commitment.
- Customers tend to stay longer and visit more frequently.
- Shoppers say they are willing to pay higher prices — as much as 12% more.
- Visitors rate pedestrian-oriented pocket parks highly and prefer trees that are large with enclosing canopies.

PARKS AND OPEN SPACE

Americans value their parks and open spaces, most of which are enhanced with trees and other vegetation. Studies have shown that homebuyers prefer to be near such spaces and are often willing to pay 8% to 20% more for the privilege.

OTHER VALUES

In addition to cash values and major external (societal) benefits quantified in the University of Nebraska study, there are many others. For example, numerous studies have shown how trees reduce human stress and contribute to better health and even longevity. Then there are the famous studies by Dr. Kuo at the University of Illinois at Urbana-Champaign that link trees to improved child development and the reduction of domestic violence. These and others go beyond dollars when viewed in terms of human happiness.



Beneficiaries — The Bottom Line

The ultimate benefits of urban forestry are the contributions trees make to the comfort, health, and happiness of people. The Arbor Day Foundation has collected examples from every state, and you can see all of them at arborday.org/faces.



WHEN ALMA GAUL turns off Bettendorf, Iowa's, four-lane thoroughfare and enters her neighborhood, the world around her changes. The noise, lights, and bustle of the city are left behind. "It's like driving into a park," Alma says. "It's calm and quiet — very surreal."

Alma and her neighbors are the beneficiaries of forward-thinking city officials and developers of long ago. When the area was transformed from cornfields into houses, they planted oaks, maples, river birches, and a diverse mixture of other species along the streets of the development. Alma appreciates the results. "Trees make my neighborhood," she says.

Carrying on the tradition is Trees Are Us, a dedicated group of volunteers who work under the direction of Bettendorf's Parks and Recreation Department. In cooperation with the city's tree board and supported with funds from the local utility, corporations, and gaming authorities, more than 2,000 trees have been added to Bettendorf's streets.

Neighbors of Alma Gaul, newspaper feature writer in Bettendorf, Iowa, add more trees to the streets of their city.



FOR MORE INFORMATION

For links to the entire report of the Economics of Urban Forestry and other information related to this issue, please visit arborday.org/treereport.



AS AN INVESTOR who renovates neglected homes, Evelyn Ware-Jackson looks at blighted areas a little differently than most people. Where others see despair, Evelyn sees opportunity. She also realizes restoring one home alone is not enough. You must redevelop the whole neighborhood. Nowhere has she been more successful than in Melrose East, a once thriving neighborhood in Baton Rouge, Louisiana, that has suffered years of disinvestment, neglect, crime, and disillusionment.

This turned around when Evelyn accepted an offer from Baton Rouge Green for 300 trees funded by a USDA Forest Service grant through the Louisiana Office of Forestry. The trees enabled Evelyn and residents of the neighborhood to complete a community reforestation program. The residents and other volunteers worked together to plant the trees.

The trees not only added shade and beauty, but the planting project served as a catalyst for other neighborhood improvements and provided a way for citizens to get involved with their neighborhood's turnaround.



THE UNIVERSITY OF IDAHO is located in Moscow, Idaho, a small city surrounded by some of the nation's most productive acreages of winter wheat. As early as 1909, university officials recognized the importance of trees as part of campus education, and a 36-acre arboretum was planted. The site became so popular for community recreation that an additional 63 acres of farm land adjoining the university was acquired to plant a variety of trees and shrubs from all over the world.

In cooperation with community leaders, foresters, and private donors, the farmland has become a diverse and nationally accredited arboretum. And despite economic hard times at the state university, state funds have consistently been allocated to the arboretum's maintenance and improvement. The expanded arboretum has become a place where on any day of the year, community residents of all ages can be found walking, watching birdlife, meditating, and enjoying the benefits of a bit of wooded area between the wheat fields and the city.

The site so affected Jim and Cindy Fisher that when it came time to buy a house, they sought one within an easy walk to the arboretum. "We became enamored with that part of town," they said, and like so many others, this oasis of trees is now an important part of their daily lives.



2022 PUBLIC ROW/FRONT YARD TREE INVENTORY ROELAND PARK, KS

AUGUST, 2022

Scope of Work

Wiregrass Ecological was the selected contractor to perform the inventory for all Public ROW Trees within 11' from back of curb as well as Front Yard Trees from 11' to the front face of residential homes, full width of the lot. The inventory included all trees that measured a diameter of 12" or larger.

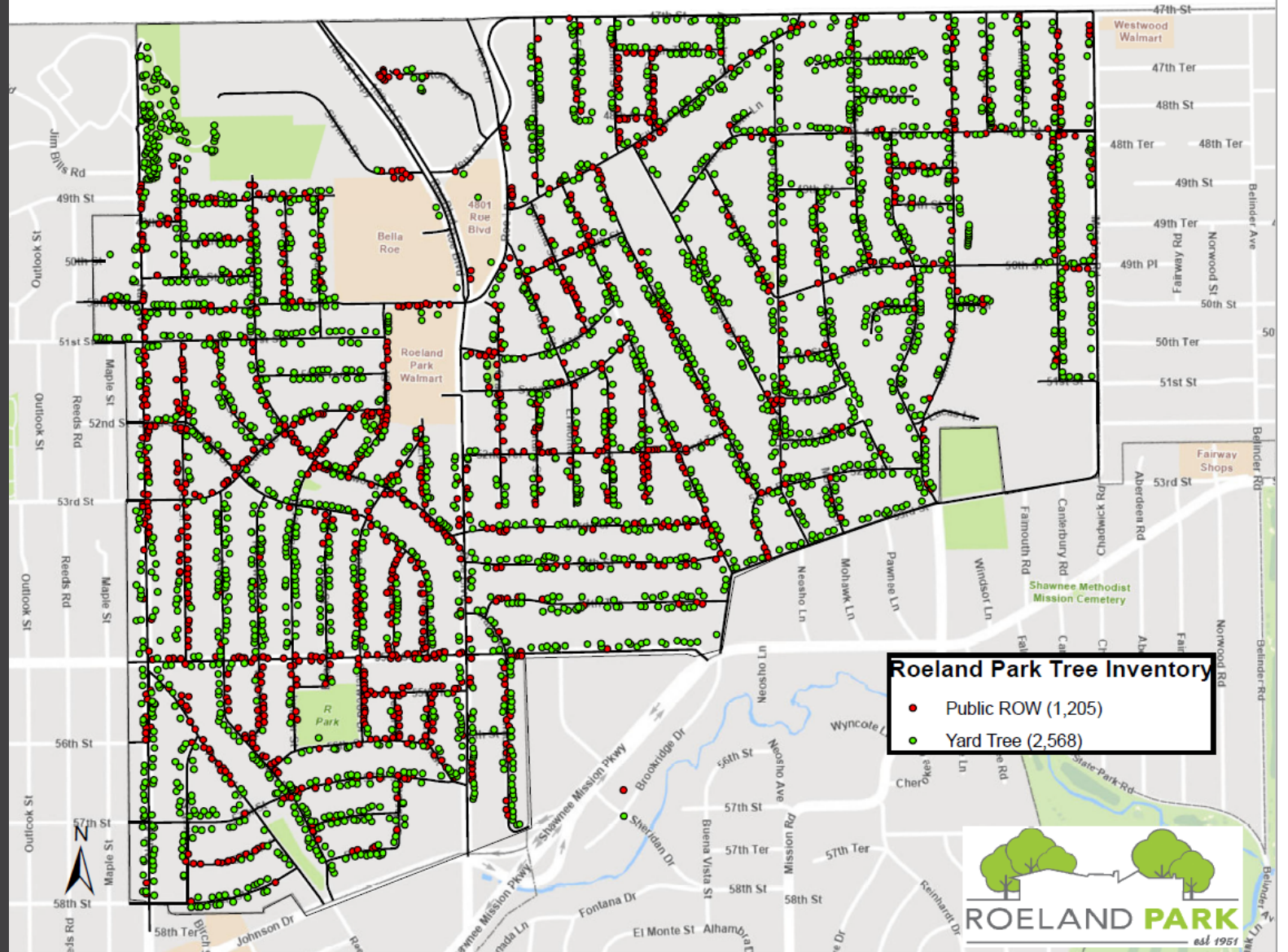
The inventory took place in June and was completed in 10 days. Total cost of inventory was \$27,000

The data fields collected for each tree included:

- Location (point file with latitude/longitude recorded automatically with sub-meter precision through use of the ESRI Field Maps mobile application paired with a BadElf™ GPS Bluetooth receiver)
- The tree species (common and scientific name)
- Diameter at breast height (DBH) in inches
- Estimated height (in 5 foot increments)
- Tree spread (in 5 foot increments)
- The overall condition of the tree (Excellent, Good, Fair, Poor, or Removal)
- Photographs of each tree inventoried to record a visual inspection of the tree for posterity,
- The impact of insect or disease on the tree, and a general notes field to record observations not covered within the other fields or any ancillary observations.

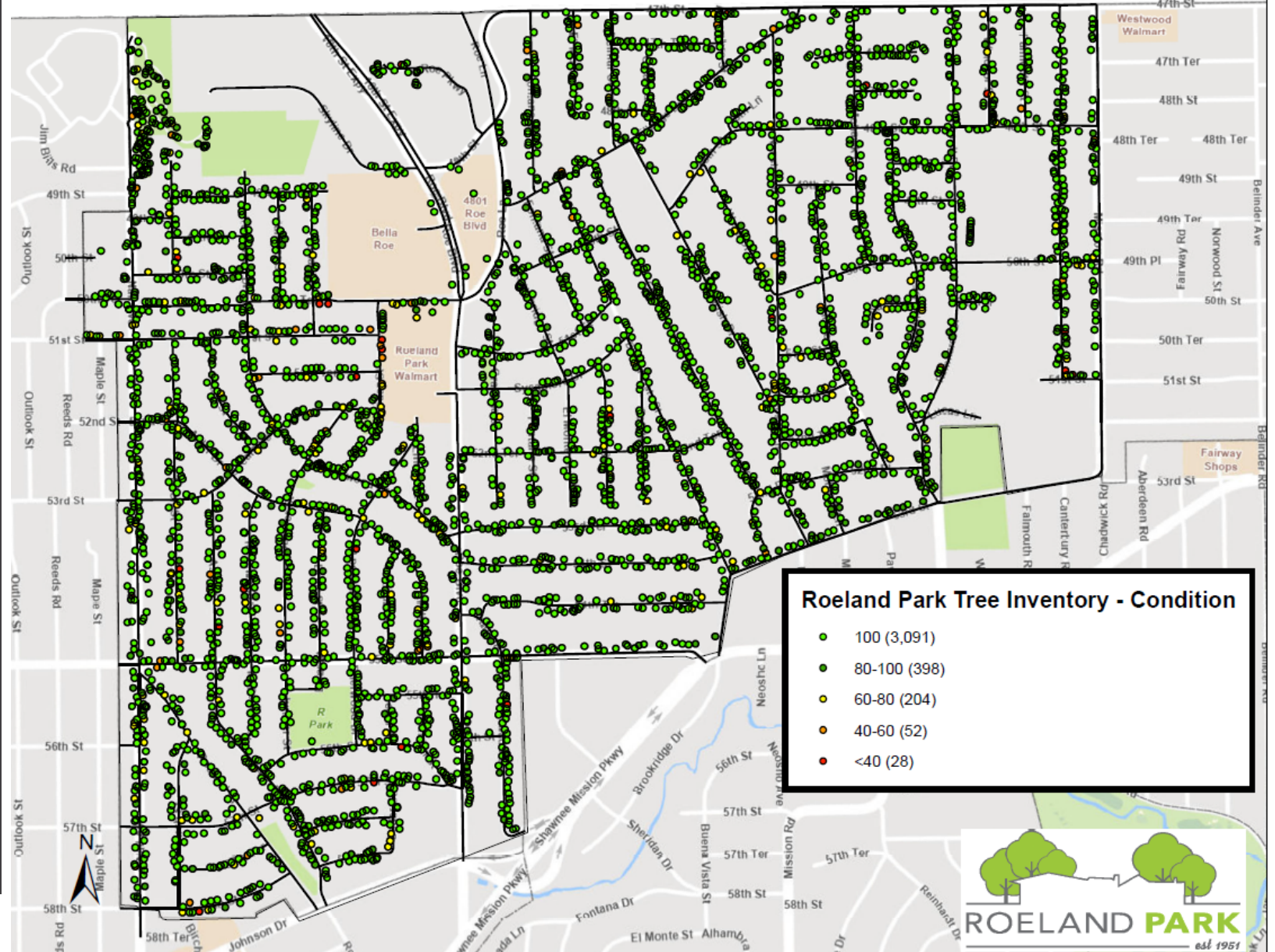
ROELAND PARK TREE INVENTORY LOCATIONS

- 32% of the trees inventoried are located within the **Public ROW**
- 68% of tree inventoried are in the **Front Yards**



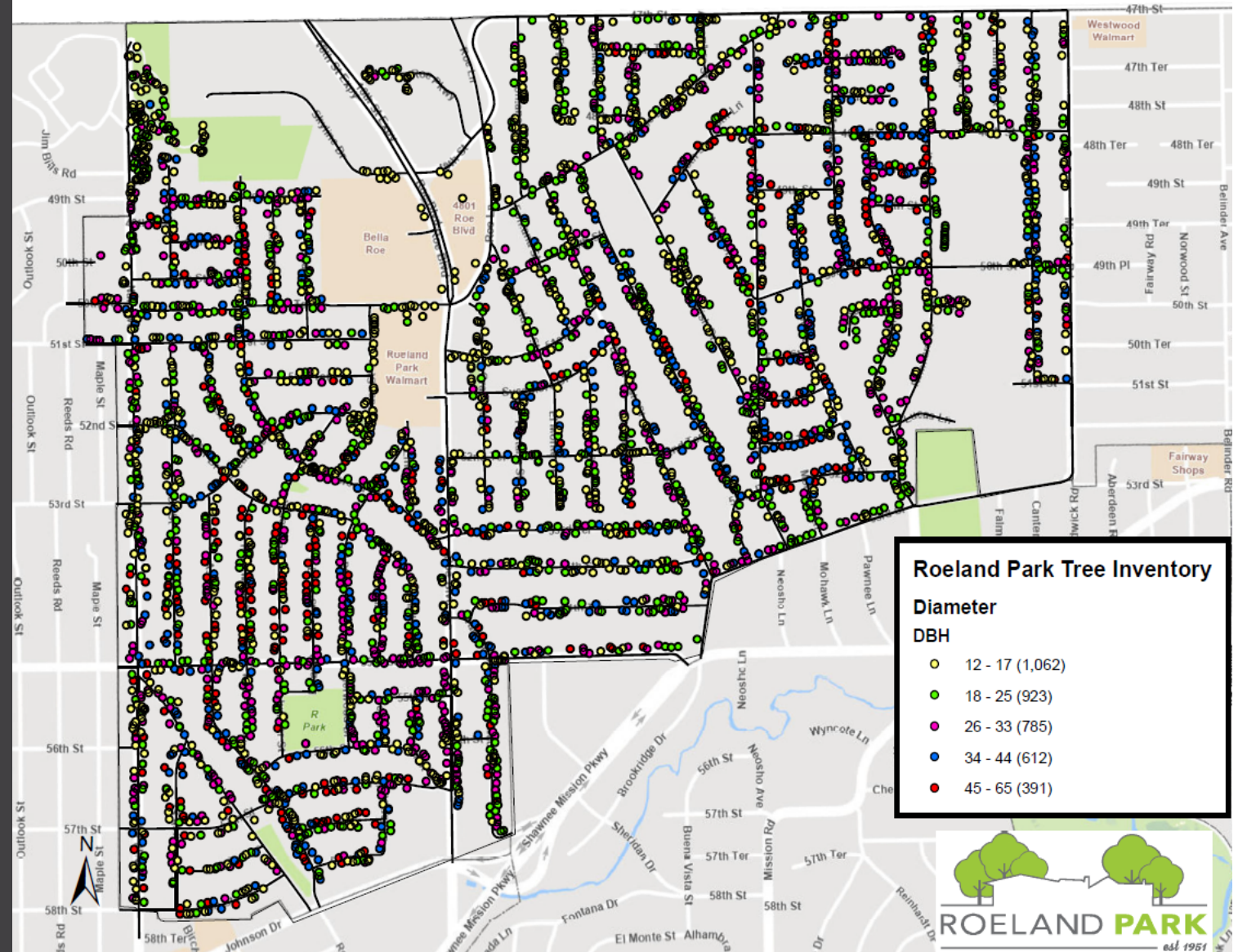
ROELAND PARK TREE INVENTORY - CONDITION

- 82% of the trees inventoried are shown to be in **Excellent** shape
- 10% of the trees inventoried are shown to be in **Good** shape
- 6% of the trees inventoried are shown to be in **Fair** shape
- 1% of the trees inventoried are shown to be in **Poor** shape
- .07% of the trees inventoried are shown to be **Removed**



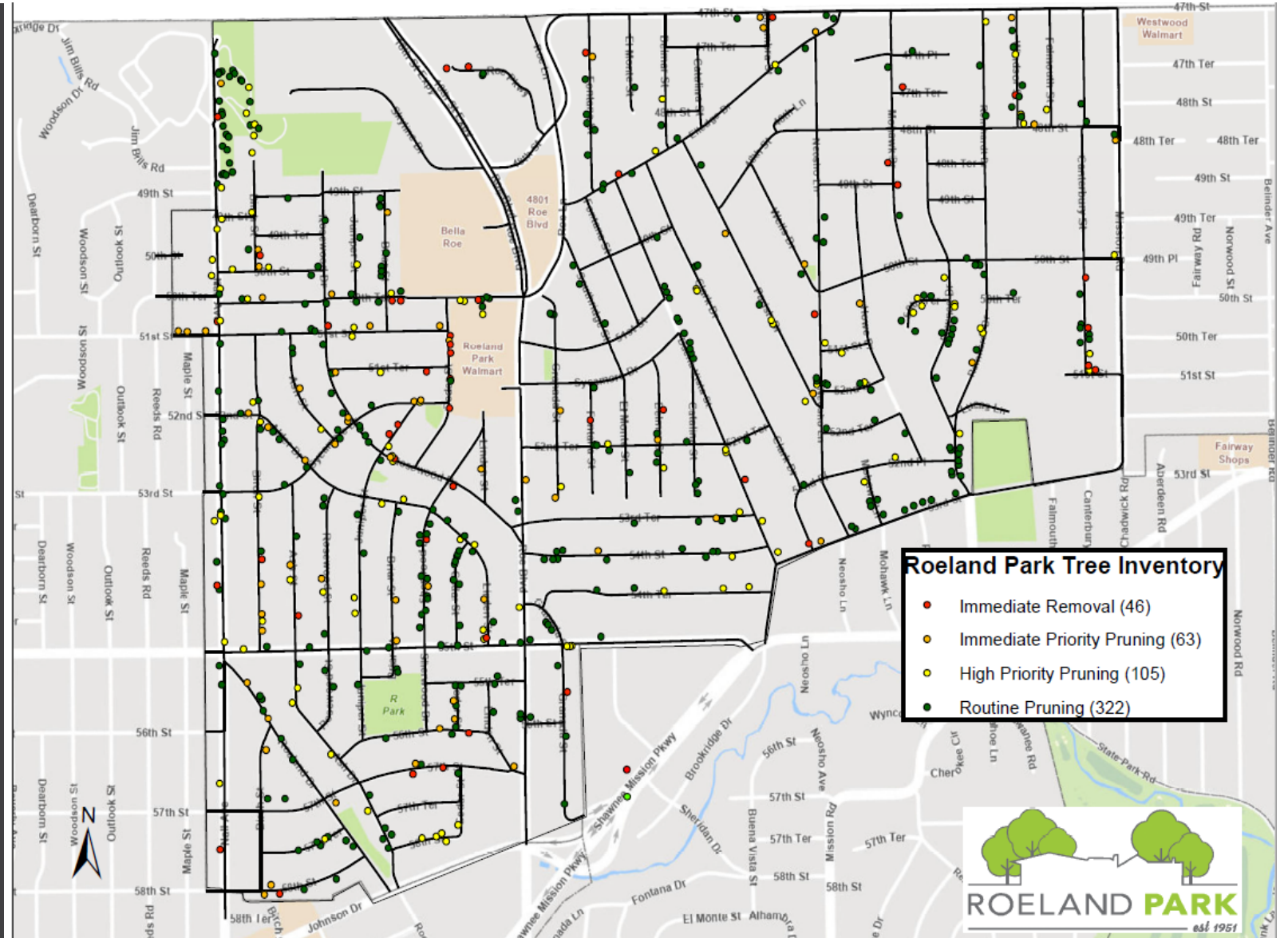
ROELAND PARK TREE INVENTORY – DBH(DIAMETER AT BREAST HEIGHT)

- 28% of the trees have a DBH between 12-17
- 24.5% of the trees have a DBH between 18-25
- 21% of the trees have a DBH between 26-33
- 16% of the trees have a DBH between 34-44
- 10% of the trees have a DBH between 45-65



ROELAND PARK TREE INVENTORY – MAINTENANCE MAP

- 1% of the tree's shown need Immediate Removal(22 trees in public ROW & 24 private front yard trees)
- 1.5% of the trees shown need Immediate Priority Pruning(46 private yard trees & 17 public ROW trees)
- 2.75% of the trees shown need High Priority Pruning
- 8.5% of the trees shown need Routine Pruning



ROELAND PARK TREE INVENTORY

- Each tree that was inventoried has a picture associated with the data point on the map
- Data can be edited or updated if a tree has been removed and/or maintenance was completed
- Provides specific notes and details about each tree

Identify

Identify from: <Top-most layer>

Location: 2,267,334.914 273,982.497 Feet

Attachments (1)

Field	Value
Condition	80-100
CreationDate	6/12/2022 4:36:38 PM
Creator	sbourgoin_sfc
Damage_Des	Normal dead upper branches
Damage_Yes	Yes
Date_Creat	<null>
Date_Last_	<null>
DBH	20
EditDate	6/22/2022 8:55:37 PM
Editor	<null>
Editor	sbourgoin_sfc
GlobalID	<null>
GlobalID_2	{9C858271-0AEF-484C-A2C0
Height	45
Last_Edit	<null>
Latitude	-94.637142
Longitude	39.036949
Notes	Normal dead upper branches

Identified 1 feature



CONCLUSIONS

- 92% of the trees inventoried are in great shape
- 3,773 trees inventoried; we have the information needed to discuss next steps
- Maintaining tree canopy is vital to the reduction of greenhouse gases & promotes clean oxygen

ANY
QUESTIONS?

