

COMMITTEE OF THE WHOLE MEETING AGENDA
ROELAND PARK
Roeland Park City Hall - 4600 W 51st St
Monday, May 11, 2015 6:00 PM

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| <ul style="list-style-type: none">• Joel Marquardt, Mayor• Erin Thompson, Council Member• Becky Fast, Council Member• Michael Poppa, Council Member• Ryan Kellerman, Council Member | <ul style="list-style-type: none">• Tim Janssen, Council Member• Teresa Kelly, Council Member• Sheri McNeil, Council Member• Michael Rhoades, Council Member | <ul style="list-style-type: none">• Aaron Otto, City Administrator• Jennifer Jones-Lacy, Asst. Admin.• Kelley Bohon, City Clerk• John Morris, Police Chief• Jose Leon, Public Works Director |
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Admin Chair, Kellerman Co-Chair, Janssen	Finance Chair, Poppa Co-Chair, Rhoades	Safety Chair, Kelly Co-Chair, McNeil	Public Works Chair, Thompson Co-Chair, Fast
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I. APPROVAL OF MINUTES

- A. March 23, 2015 Minutes
- B. March 30, 2015 Minutes

II. REPORTS OF COMMITTEES:

- 1. Admin – Employee Handbook Revisions
- 2. Admin – A request from the Arts Committee
- 3. Public Works – Including the name Roeland Park on the Water Tower
- 4. Public Works – 2015 Leaf Schedule Review
- 5. Admin – Procedures Discussion
- 6. Admin - Councilmember service on various committee Update
- 7. Admin – CA Selection Process Council Member Involvement
- 8. Admin - City Administrator Report – Microsoft 360 agreement and implementation
- 9. Admin – Interim Administrator Discussion
- 10. Admin - Draft Naming Policy for City Property
- 11. Admin – Council President Candidates
- 12. Finance – Review of Previous Council Goals Completed and Remaining Undone. Review Strategic Plan Report and establish any additional priorities for the consideration in the 2015 budgeting process. Creation of budget line item in support of strategic planning initiatives.

III. NON-ACTION ITEMS:

A. Pending Items

1. March Financials
2. Discussion if B&B / Boarding houses should be allowed in Roeland Park
3. Removal of Tree in the Public Right of Way

IV. ADJOURN

Welcome to this meeting of the Committee of the Whole of Roeland Park.

Below are the Procedural Rules of the Committee

The governing body 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 Committee of the Whole meeting unfeasible. Any member(s) of the audience engaging in such conduct shall, at the discretion of the City Council President (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 Committee of the Whole during Public Comments and/or before consideration of any agenda item; however, no person shall address the Committee of the Whole without first being recognized by the Chair or Committee Chair. Any person wishing to speak at the beginning of an agenda topic, shall first complete a Request to Speak form and submit this form to the City Clerk before discussion begins on that topic.
- C. Purpose.** The purpose of addressing the Committee of the Whole is to communicate formally with the governing body with a question or comment regarding matters that are on the Committee's agenda.
- D. Speaker Decorum.** Each person addressing the Committee of the Whole, 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 committee meeting. Any person, who so

disrupts the meeting shall, at the discretion of the City Council President (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or 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 Committee of the Whole, each speaker shall limit comments to two minutes per agenda item. If a large number of people wish to speak, this time may be shortened by the Chair so that the number of persons wishing to speak may be accommodated within the time available.
- F. **Speak Only Once Per Agenda Item.** 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 Committee of the Whole.** Comment and testimony are to be directed to the Chair. Dialogue between and inquiries from citizens and individual Committee Members, members of staff, or the seated audience is not permitted. Only one speaker shall have the floor at one time. Before addressing Committee speakers shall state their full name, address and/or resident/non-resident 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 governing body welcomes your participation and appreciates your cooperation. If you would like additional information about the Committee of the Whole or its proceedings, please contact the City Clerk at (913) 722.2600.

Item Number: **APPROVAL OF MINUTES- I.-A.**

Committee **5/11/2015**
Meeting Date:



ATTACHMENTS:

Description

Type

 03232015 COW minutes

Cover Memo

COMMITTEE OF THE WHOLE MEETING
City of Roeland Park
Roeland Park City Hall, 4600 W 51st Street, Roeland Park, KS 66205
Monday, March 23, 2015, 6:00 P.M.

- Joel Marquardt, Mayor
- Megan England, Council Member
- Becky Fast, Council Member
- Marek Gliniecki, Council Member

- Jennifer Gunby, Council Member
- Ryan Kellerman, Council Member
- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Rhoades, Council Member

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

Admin

Chair, Kellerman
Co-Chair, Gunby

Finance

Chair, Gliniecki
Co-Chair, Rhoades

Safety

Chair, Kelly
Co-Chair, McNeil

Public Works

Chair, England
Co-Chair, Fast

I. MINUTES

- A. March 16, 2015 Committee of the Whole Minutes

There was Committee agreement to approve the Committee of the Whole Minutes from March 16, 2015.

II. REPORTS OF COMMITTEES:

1. **Personnel** – Matters of Non-Elected Personnel TO RECESS INTO EXECUTIVE SESSION UNDER THE PERSONNEL MATTERS OF NON-ELECTED PERSONNEL EXCEPTION TO THE OPEN MEETING ACT FOR THE CITY ADMINISTRATOR’S EVALUATION WITH THE OPEN MEETING TO RESUME IN THE CITY HALL CONFERENCE ROOM AT 6:30 P.M.

2. **Admin** – Modification to Chapter 16

Ms. Jones-Lacy presented Planning Commissioner Kyle Rogler and Building Official Mike Flickinger to the Committee. She then gave an overview of the changes contemplated by the Planning Commission in their review of Chapter 16. It was also noted that City Attorney Shortlidge is drafting an ordinance that will incorporate all by reference all the changes being made, which will then be presented to Council. of The vast majority of the changes include grammatical edits and changes to the sign regulations that were codified in 2010, but due to editing mistakes when the book was printed, they were omitted. Sign regulations were inadvertently left in and is now addressed under the City Code’s temporary sign ordinance.

CMBR England added that political signs, even though not specifically mentioned under the temporary code ordinance, are limited to the restrictions in temporary signs regulation.

CMBR McNeil asked for clarification of the definition of concrete and its impact on the 47th and Mission lot. Mr. Flickinger stated that all concrete within the City needed a permit and must be 55 permeable. Currently driveways are the only items defined in the code and the changes will incorporate all types of concrete and will be defined as a structure. In regards to 47th & Mission, he noted a parking lot is an accessory structure, and the lot cannot be an accessory without a main structure.

Ms. Jones-Lacy added that as the Planning Commission’s review process continues more items will be brought before Council for approval.

City Administrator Otto also added that the point of codification is to make statutory changes or changes made by ordinance or judicial rulings.

Ms. Jones-Lacy continued noting the revision and clarification of yard definitions, noting what constitutes a front, side and rear yard. She presented images that correspond to the definitions and which also help to clarify where the

written language may be difficult to understand. She also noted that the Mayor's input was very helpful in the process.

Ms. Jones-Lacy also noted the regulations in regards to metal roofs and that the change was to ensure no corrugated roofs were used in the City. Standing seam roofs will be permitted with a noise dampening insulation and colors are limited to earth tones as approved by Mr. Flickinger.

There are also clarifications regarding the regulation of setback requirements for detached structures away from the property line.

There was Committee agreement to move this item forward to the next City Council meeting for approval.

The Committee expressed their appreciation for the work into the revisions done by Ms. Jones-Lacy and representatives of the Planning Commission.

3. Public Safety – E-Ticketing System

Police Chief Morris presented to the Committee an overview of the e-ticketing system his department wishes to implement. He showed pictures of the massive amounts of paperwork that would be eliminated by switching to the Digi-ticket system. With the system, driver's licenses are scanned into an electronic system in an officer's patrol car where charges are inputted, and a ticket receipt is printed for the violator that includes a court date. It also eliminates any misconceptions of an officer's handwriting. The tickets are then interfaced with the court system software. It also is a reduction in cost as it reduces paper and is, therefore, a green initiative. Chief Morris noted the system reduces a traffic stop time of up to 75 percent, which allows officers to increase their patrol time and visibility while increasing officer safety and public safety. The system will also assist with warrant entries, suspensions, dispositions, and collections, tracking diversions, complaints, record keeping, information releases, court dockets, case filings, public assistance, property maintenance records and building permits. He also noted that Shawnee, Merriam, Lenexa are currently utilizing the Digit-ticket and Overland Park is transitioning to the system as well. Police Chief Morris concluded by stating that this is an investment in a great tool that not only makes his department more productive, but keeps his officers safer.

City Administrator Otto noted the court clerk will then have more time to devote to the state's set-off system, which the City has not yet utilized.

CMBR England inquired as to future fees and the anticipated life usage of the equipment. Chief Morris stated there is a recurring fee of \$2,112.50 starting the second year which is for maintenance and support fees. The equipment has a life expectancy of 60 months.

Ms. Jones-Lacy noted she previously worked in a city that has used e-ticketing where they did notice an increase in the number of tickets issued, but that it also saved the court clerk from having to manually input all tickets.

City Administrator Otto noted the system will be purchased for under Court, Computer and Software line item in the budget.

The Committee recommended to move this item forward the next City Council meeting for approval.

4. Public Works - Nall and R Parks list of Amenities and Deferred Maintenance Phase 1

Public Works Director Leon showed the Committee photographs of some of the work completed in both Nall and R Park as well as the rest of the City parks. Late 2014, the Governing Body directed Mr. Leon to do a thorough review of all the parks and to find replacement costs for all of the amenities. As a result, the Public Works Department has found some very lost-cost ways to bring certain amenities back to life. Mr. Leon thanked the Committee for asking

him to take this project on as it was a good experience for his department. Mr. Leon acknowledged Rick Allen who did a lot of the legwork on the project.

Mr. Leon showed photos of some of the improvements to Nall Park which included upgrades to trash receptacles, picnic tables and the repainting of benches. A “trail ends” sign was also added to the park. The swing set was upgraded and monkey bars were installed and painted. He then showed photographs of three fences in need of repair and addressed the safety concerns they present if not replaced. Public Works has ordered their mulch and will be tracking how much is needed for future costs. Mr. Leon noted that the City’s trucks were modified and they picked up the mulch themselves. A contractor will need to be hired for the fence work, but most of the other work will be completed in-house. A plumber is scheduled to inspect the sanitary sewer line and pipes at Nall Park. The restroom is currently not ADA compliant and may require a remodel. Also light fixtures will be replaced at the park’s shelter.

CMBR McNeil asked for the plumber to check the lines to the water fountain and whether it should be moved from its current location. Mr. Leon stated he will ask the plumber to inspect the fountain, but would look to the Parks Committee should they wish to make any changes to the fountain’s location.

CMBR Rhoades inquired about the use of the City’s leaves as mulch and Mr. Leon stated it would probably need to be much deeper than is needed for wood mulch and would not look as appealing.

There was discussion of the chain-link fencing and Mayor Marquardt wished there was another option that was more friendly-looking that would provide the safety needed at the park. CMBR McNeil stated she likes the woodsy feel of split-rail fencing. Mr. Leon stated the fencing was a safety issue and his department will address that directly. Any cosmetic changes he would be happy to discuss with the Parks Committee. He wanted to have this issue taken care of before the Easter Egg Hunt.

CMBR Gunby stated it was planned to have volunteers to act as a safety buffer along the wall where the fence has failed.

City Administrator Otto stated the goal of this item was to review items that will be handled through the building maintenance reserve that the Governing Body set up two years prior, adding that these are not new items, but are to replace things that have failed that aren’t budgeted for and cannot wait for a new budget.

Public Works Director Leon recapped stating the funds requested for Nall Park amount are \$9,880 plus an addition \$500 for the plumber to inspect the bathroom as well as the drinking fountain.

City Administrator Otto also added if this item had arisen and cost \$2,000, it would have been handled directly, but this is the first large review of deferred maintenance in all the parks based on a request by the Governing Body which is the reason for its presentment at the meeting.

R Park - City Administrator Otto stated that the flag pole is inoperative and KCP&L and Black & McDonald will remove the flag pole and replace it at no cost with another streetlight flag pole. This work will be completed within the next few weeks.

Public Works Director Leon stated he listed the replacement costs, low, middle and high, for all the amenities in R Park. He noted that a lot of fundraising has been done in the park to get its amenities. The Governing Body approved Public Works to do the street work and to have the amenities put in place. Public Works continues to work with the fundraising group to make sure the scheduling and ordering of those amenities is on time to get installed. The basketball pad will be treated with crack seal like a street in the hopes of preserving the life of the asphalt. He noted that his department will be purchasing tetherballs for the four posts that have remained when the site was a school. More mulch will be added to the safety zones and swing set areas will increase for compliance. Mr. Leon has also received an actual complete bid to restore the tennis court for \$241,250.

CMBR England expressed her appreciation of Public Works Director Leon and his staff for taking the time to put the list together, noting that it helps to justify the CIP and to be able to put replacement items on a rotation basis.

CMBR Gliniecki noted the tennis court is not on the master plan. Mr. Leon stated the master plan can change, but if the City is not ready to remove or replace the asphalt on the court, the City still has to maintain it.

Carpenter Park - Mr. Leon said this is a much smaller park and serves a much different purpose. The primary issue facing the park is a wooden privacy fence that has termite damage and rot and is leaning into residential property. He recommended to replace all of the wood privacy fence, but using steel posts to deter the termite problem.

The Committee agreed to move forward to the next City Council meeting the approval of park expenditures.

5. Public Works- Interlocal Agreement with the City of Fairway for a Salt Dome

City Administrator Otto stated that final details of an interlocal agreement with Fairway are complete. Public Works Director Leon said construction is slated to begin September/early October and he is working with Fairway Public Works Director to co-bid for a salt purchase.

The Committee agreed to move forward to the next City Council meeting the approval of the interlocal agreement.

6. Public Works- Task Order #17 for 48th and Roe Blvd. Intersection Work

City Public Works Director Leon stated these improvements are a federal project being funded through state grants from the 2015 CARS project and STP (Surface Transportation Project). His goal is to have SKW begin the design work on the project.

The Committee agreed to move this discussion to the next City Council meeting.

7. Public Works- Task Order #18 to create an RFP for 2015 Street Maintenance Part 1

Public Works Director Leon Public Works Director Leon presented his department's 2015 Street Maintenance Program, which is separated into two different parts. Part 1 will address structural issues of street compaction as a result of stormwater projects in 2006-2008. The areas affected by pavement sheering are Howe Drive between 49th and 50th Streets and also between 52nd Street and 52nd Place. The goal is to permanently fix the issues on the street.

The second item in Part 1 is the installation at R Park of an ADA ramp that will provide access to the trail in the southeast corner.

Part 2 will be the prepping of streets for 2016 work, which will be a fairly significant project that will be brought before the Committee at a different meeting.

Mr. Leon noted that his staff has walked approximately 20 to 25 miles of City streets evaluating their condition with the desire to later rate all the streets in the City.

City Administrator Otto stated funds up to \$250,000 from the Street Maintenance Fund will be sufficient to cover Parts 1 and 2.

Public Works Director Leon is requesting SKW to design the three locations that are deemed to be important to fix and wants them included in the Street Maintenance Part 1. They will then provide the City with a task order for the items.

City Administrator Otto added that a set of plans will be compiled and an RFP issued to be approved by the Governing Body in April or May. After receiving responses, the Governing Body will choose a vendor to do the projects.

Public Works Director Leon clarified for CMBR Kellerman that the project on Howe will be a mill and overlay project of the street to fix the compaction issues.

There was agreement to move this item forward to the City Council agenda.

The Committee discussed the placement of items on the Consent Agenda or whether each item needed to be addressed individually.

A majority of the Committee agreed to move Items 3, 4, 5, 6 and 7 on to the next City Council Consent Agenda.

8. **Admin** - City Administrators Report

Public City Administrator Otto reminded everyone of upcoming events.

Committee of the Whole - March 30, 2015 from 6:00 p.m. to 7:00 p.m.

City Council - March 30, 2015 at 7:00 p.m.

Easter Egg Hunt - April 4, 2015, 11:00 rain or shine.

Candidate Forum - March 25, 2015, at the MPR Room in the Community Center.

Seed Swap - March 28, 2015, at the Community Center at the Gazebo.

Items 9, 10 and 11 will be discussed at a future Committee of the Whole Meeting.

9. **Admin** - City Administrator Report

a. Fee Resolution Update

10. **Admin** - City Administrator Report

b. Allowing alcohol Consumption on Certain Public Property

11. **Admin** - Committee of the Whole Procedural Rules Update

12. **Admin**- 47th and Mission property Temporary Exemption for Parking while Requesting Additional Parking

City Administrator Otto provided a summary of the process property owner Tony Krsnich will need to go through to have parking remain on-site while there are no structures present. A concept plan will need to be presented to the City that will then be provided to the Redevelopment Committee. A special use permit will need to be filed based on the feedback from the Redevelopment Committee discussion. After that, the plans will go to the 47th & Mission Overlay District. It will then come back to the Planning Commission and then their recommendations will be presented to the Committee. Mr. Otto noted these groups typically meet once a month so the process may not happen very quickly. In the interim, Mr. Krsnich will be requesting an exception or a temporary reprieve from City staff enforcing having a parking lot as an accessory structure for structures no longer on the site.

Mr. Krsnich addressed the Committee stating he was caught off guard at the last meeting and apologized for the tone of his answers. He stated he has received information from Mr. Otto regarding a concept plan as an example with a restaurant and that his end game is to have a restaurant on the site. He asked for a 90-day non-enforcement

on the parking challenges adding that he hoped to get a food truck operation that would provide revenue and vibrancy to the area while he finalizes plans for the restaurant space.

CMBR Gunby inquired as to when a permanent restaurant would be realized on that site. Mr. Krsnich stated maybe next summer, but for things to be up and running in 1½ to 2 years.

CMBR Kelly inquired as to how food trucks report their revenues and that currently the parking spaces are not well defined on the site. Mr. Krsnich stated the parking lot is striped, but is covered up with debris from the demolition.

CMBR McNeil stated she noticed 20 to 30 cars at the lot, but reminded Mr. Krsnich that only 12 parking spaces have been approved. She also inquired as to how Taco Republic will handle their parking problems once a permanent restaurant is at the site.

Mr. Krsnich stated that waiving the parking limit for 90 days so a special use permit can be pursued. He added that he believed by allowing the parking on his corner for Taco Republic and Oklahoma Joe's that it will make the overlay district more vibrant. He anticipates sharing parking once his restaurant is open.

CMBR Gliniecki brought up that the changes in elevation need to be addressed as they are safety issues in regards to parking. He also thanked Mr. Krsnich for coming in and speaking to the Committee.

City Administrator Otto added that the rezoning and replatting of the property would need a development plan before those two items could take place.

City Attorney Shortlidge said the items would have to be coupled together as the site is to be made into one lot. Mr. Shortlidge stated the site cannot be replatted as it is two different zoning districts. First the property would need to be rezoned before it can be replatted.

CMBR Gunby said she hoped the permanent restaurant at the site would be on par with Taco Republic and Oklahoma Joe's.

CMBR McNeil stated she was disappointed that after the approval of 12 spaces she was seeing so many cars there. She felt betrayed Mr. Krsnich didn't stick to what was granted to him. She expressed her continuing concerns about the site just being a parking lot.

Mr. Krsnich stated he could have hired some security detail and apologized.

CMBR Rhoades stated he had a good talk with Mr. Krsnich, but did have concerns about who was responsible for any injuries on the property due to the uneven concrete. City Attorney Shortlidge said the property owner has an obligation to keep his property safe.

Mayor Marquardt expressed the need to have a barrier to prevent people from driving off the curbs. He also stated he wants to see the project succeed as it will be good for the City. He also stated that in the project approval process it be stated it is not an approval of food trucks or as a parking lot so there will be no misinterpretation by a future Governing Body.

Mr. Krsnich read into the record an e-mail from Jeff Bartz, civil engineer, who lives adjoining the property where he expressed his support for the project and the need for residents to be able to park again on their street.

CMBR England asked for a clarification of Mr. Krsnich's relationship with Taco Republic to which he stated he was essentially a landlord for a portion of their parking. He added that he is working on a restaurant concept with Taco Republic and also others outside of Taco Republic, but had nothing formal at this time.

City Administrator Otto recapped the requests being made. Mr. Krsnich is looking for a 90-day waiver of enforcement for parking of 30 or 31 spaces. He must file a concept plan as soon as possible to address the parking and site use mid-term and to address blocking off parking on the building slabs left after the demolition and protecting or denoting the drop-offs of the pavement.

The committee agreed to move this item forward to Council for approval of the non-enforcement of the Codes.

The Committee agreed to postpone the remaining discussion topics to a later meeting.

13. **Admin** – Removal of Tree in the Right of Way
14. **Admin** – Appeals Board for Property Maintenance and Code Board of Appeals
15. **Admin** - Remote Meeting Participation Policy
16. **Admin** - Bed and Breakfast/Boarding House Permissibility as a Home Business
17. **Admin** - Naming City Property

III. NON-ACTION ITEMS:

- A. Committee Minutes
 1. Arts
- B. Pending Items
 1. Clarification as to setting the Committee of the Whole agenda
 2. January Financials
 3. Process Discussion

IV. ADJOURN

(Roeland Park Committee of the Whole Meeting Adjourned)

Item Number: **APPROVAL OF MINUTES- I.-B.**

Committee **5/11/2015**
Meeting Date:



ATTACHMENTS:

Description

Type

 03302015 COW minutes

Cover Memo

COMMITTEE OF THE WHOLE MEETING
City of Roeland Park, Kansas
Roeland Park City Hall, 4600 W 51st Street, Roeland Park, KS 66205
Monday, March 30, 2015, 6:00 P.M.

- Joel Marquardt, Mayor
- Megan England, Council Member
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Admin

Chair, Kellerman
Co-Chair, Gunby

Finance

Chair, Gliniecki
Co-Chair, Rhoades

Safety

Chair, Kelly
Co-Chair, McNeil

Public Works

Chair, England
Co-Chair, Fast

Modification to the Agenda

CMBR Fast requested an executive session to offer her comments regarding the City Administrator's contract stating it was important that she represent her constituents and also that her constituents should have a voice in the process.

There was Committee discussion regarding where to add the executive session to the evening's agenda with CMBR Gunby adding that missed meetings by Councilmembers occur which is the reason for two ward representatives and constituents will be represented.

Mayor Marquardt suggested adding Ms. Fast's request to the agenda, but stated it was important to keep the schedule planned for the meeting.

There was agreement among the Committee to add CMBR Fast's request with a time limit of five minutes.

I. Minutes

A. March 2, 2015 Committee of the Whole Minutes

There was Committee agreement to approve the minutes as written.

MOTION: CMBR GLINIECKI MOVED, SECONDED BY CMBR GUNBY, TO RECESS INTO EXECUTIVE SESSION UNDER THE PERSONNEL MATTERS OF THE NON-ELECTED PERSONNEL EXCEPTION TO THE OPEN MEETINGS ACT FOR THE CITY ADMINISTRATOR'S EVALUATION WITH THE OPEN MEETING TO RESUME IN THE CITY HALL CONFERENCE AT 6:12 P.M. (MOTION CARRIES 8-0)

II. REPORTS OF COMMITTEES:

1. **Public Works** – Street Maintenance Overview

Public Works Director Leon gave a detailed presentation on the proposed street maintenance program for the City. Mr. Leon said the goal of the program is to extend street dollars further so as not to have a continuous mill and overlay, but also extend the life of the City's streets. He noted that the City has roughly 70-72 lane miles with an estimated value of \$27,000,000 to the City. This figure does not include sidewalks, curbs or stormwater, which would double the street figure.

Currently Mr. Leon noted that being proactive towards streets will save the City money. The annual maintenance program for 2015 is \$330,000. This includes \$250,000 provided for contractor work with the remaining \$80,000 to be spent on in-house repairs which is limited to crack seal and small patch repairs as the City does not have the equipment required for larger street projects. Mr. Leon discussed the life span of a street and his approach to maintaining the City's streets with routine, preventative and deferred maintenance as well as a rehabilitation and

reconstruction program. His department has walked the City's streets to identify where routine and preventative maintenance will occur this year. The program will consist of three years after a street has new mill and overlay, it will receive crack seal as a matter of routine maintenance. Six years later crack seal and patch repair will be the routine and preventative maintenance with the following year receiving a chip seal or other surface treatment approved by Council. Using these preventative measures it is anticipated that streets will have a life span of seven years. Mr. Leon stated the cities of Overland Park and Olathe use this proven method and Lenexa is moving towards this road schedule. In all, a street will receive a two-inch mill and overlay four times anticipating to increase the life of the streets to 50 years streets. Mr. Leon concluded that if street issues are not addressed, the surface treatments will not get the life out of the work put into it.

CMBR England expressed her appreciation of the time Public Works Director Leon spent with her on a road trip through the City seeing the upgrades to the parks and learning the conditions of the roads.

2. Admin – City Administrator Report

City Administrator Otto presented three options for a conference room table that will offer more flexibility to the meeting room, but also provide electricity which will help with the use of electronics.

The Committee discussed the three options and the general agreement was to approve the purchase.

3. Admin – Neighborhood Services Statistics Update

Ms. Jones-Lacy provided information to the Committee regarding the activities by Codes Enforcement. She provided a map that tracks incidences, the type of violation and denotes them by ward. She noted that most of the incidents are nuisance issues such as yard debris or trash and yard waste that is in violation of City code. Other incidences include suspected unregistered rentals, animals at large, unlicensed businesses, broken fences and improper storage of items. She noted that the Code Department has fielded 170 calls since November. The department also sent out 100 courtesy notices for leaf collection. There have also been 78 exterior rental license inspections in the quarter. Ms. Jones-Lacy noted the biggest issue is education to the public and more communication will be provided to residents in the newsletter. The next issue will include common Code Enforcement issues that people may not realize are violations. Ms. Jones-Lacy has worked with CMBR Fast to create a couple of interior rental inspection forms for landlords to help them understand new rules. Next newsletter going to include Common Code Enforcement issues.

CMBR Fast applauded Ms. Jones-Lacy's efforts for taking this project on. She added that the ability to track the data will allow the City to make better decisions in the future.

4. Finance – January Financials

City Administrator Otto reported that revenues were at 26 percent for January as a result of the property tax increase. Overall City expenses were just under 6 percent and total revenue was down \$8,200 or 0.6 percent. Mr. Otto stated that part of the revenue received from property taxes goes into the TIF district, which is shown as an expense in the budget. Last year \$207,000 in taxes did not go into General Fund, but went to TIF. This resulted in being ahead on revenue by \$95,000. Sales tax generated was a little above projections at both the city and county levels. Franchise fees also increased slightly. Court fines were higher by two percent. Expenditures were down for January, but employee benefits were over budget due to the annual work comp payment. Cash carry forward was \$1.3 million because TDD #2 for Lowe's went into default last year. Mr. Otto added the bonds are callable, but there no revenue to pay them. He also stated that it is anticipated that TDD #1 will go into default this year.

Regarding the painting of the water tower, Mr. Otto added that Water District is not a position to pay for or cost share any portion of special painting of the water tower. Once a timeline for painting the tower is known, it will be added to the agenda for discussion on whether the City wishes to pay for special artwork on the tower.

5. **Finance** – Salary & Benefit’s Committee Report

III. NON-ACTION ITEMS:

A. Committee Minutes

1. Parks
2. Sustainability
3. Community Events

B. Pending Items

1. Procedures Discussion
2. Clarification as to setting the committee of the whole agenda
3. February Financials
4. Fee Resolution Update
5. Allowing alcohol Consumption on Certain Public Property
6. Committee of the Whole Procedural Rules Update
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IV. ADJOURN

MOTION: COUNCILMEMBER GLINIECKI MOVED, SECONDED BY CMBR GUNBY, TO ADJOURN. (MOTION CARRIES 8-0)

Item Number: REPORTS OF COMMITTEES:- II.-1.

Committee 5/11/2015
Meeting Date:



City of Roeland Park Action Item Summary

Date: 5/7/2015
Submitted By: Aaron Otto
Committee/Department: Administration
Title: **Admin – Employee Handbook Revisions**
Item Type: Other

Recommendation:

To gain a recommendation from the Governing Body to make updates to the City Employee Handbook.

Details:

Details: In 2012 City Staff worked with the Midwest Public Risk provided attorney to conduct the first review of the City's employee handbook in nearly a decade. Many updates were made to better reflect current practices and changes in employment law. Since the handbook was adopted by council, the management team for the city has completely turned over. Therefore, during the first quarter of 2015, the management team has worked with the MPR provided attorney to review the employee handbook again to look in more details for items that are in need of updating from either an operational or human resources legal perspective. The results of this review are shown via track changes in the attached document.

ATTACHMENTS:

Description	Type
📎 Employee Handbook track changes	Cover Memo
📎 Employee Handbook final clean	Cover Memo



City of Roeland Park

~~Personnel Policy~~ Employee Handbook

Adopted 2/4/2013

Effective 3/1/2013



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.

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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-

These 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 ~~the this Employee handbook~~ [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-

These 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](#) ~~any personnel guidelines adopted by the Governing Body~~. When a conflict exists between City

~~guidelines~~[this Employee Handbook](#) and guidelines set by a department, the [Employee Handbook](#) shall ~~City guidelines~~ 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](#)~~Non-Discrimination-~~

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, sex, 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](#), ~~v~~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.](#)

~~2. Reporting Procedure-~~

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 ~~will~~[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.](#)

[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 constitutes discrimination and is illegal under federal and Employer laws. 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. An employee's failure to fulfill this obligation could affect his or her rights in pursuing legal action. Also, please note, federal and state discrimination laws establish specific time frames for initiating a legal proceeding pursuant to those laws.

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 file their complaints with their immediate supervisor or the City Administrator before the conduct becomes severe or pervasive. Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of the City Administrator.

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 before it becomes severe or pervasive, 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 harassing 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.

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 Governing Body.

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 a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of the City prohibit disparate treatment on the basis of sex or any other protected 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 with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. 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 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 determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, the City's overall financial resources and organization, and the accommodation's impact on the operation of the City, including its impact on the ability of other employees to perform their duties and on the City's ability to conduct business.

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.

The law does not require the City to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs).

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. Americans with Disabilities-~~

~~The City will endeavor to make a reasonable accommodation to the known physical or mental limitations of qualified employees with disabilities, unless the accommodation would impose an undue hardship on the operation of our business. If you would like to request an accommodation which you, or your physician, believes would enable you to perform your essential job functions because of a physical or mental condition, please inform your Supervisor or the City Clerk.~~

~~4. Non-Harassment Policy-~~

~~It is the policy of the City to maintain a work environment which encourages respect and is free of any type of illegal workplace harassment. Harassment based on race, color, sex, 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 is unacceptable and will not be tolerated.~~

~~The City will not tolerate, condone or allow harassment, whether engaged in by fellow employees, managers, supervisors, temporary workers, interns, or other non-employees who conduct business with the City.~~

~~This policy applies to all employees at all locations, City sponsored social or other events, including activities in which the employee represents the City. Additionally, the City is committed to maintaining a workplace free from any inappropriate conduct that may be inconsistent with the spirit and intent of this policy.~~

~~Harassment is defined as conduct that denigrates or shows hostility or aversion towards an individual because of his/her protected status and that has the purpose or effect of:~~

- ~~a) Creating an intimidating, hostile, or offensive working environment;~~
- ~~b) Unreasonably interfering with an individual's individual's work performance; or~~
- ~~c) Adversely influencing an individual's individual's employment opportunities.~~

~~Harassment may include, but is not limited to the following:~~

- ~~a) Verbal conduct such as epithets, derogatory comments, jokes, slurs;~~
- ~~b) Unwanted sexual advances, invitations or comments; or~~
- ~~c) Visual conduct such as derogatory posters, photography, cartoons, drawings, or gestures;~~

~~5. Sexual Harassment-~~

~~The following specific guidelines address claims of sexual harassment. Unwelcome sexual advances, requests for sexual favors and other verbal and physical conduct of a sexual nature constitute sexual harassment when:—~~

- ~~a) Submission to such conduct is made either explicitly or implicitly a term or condition of an employee's employment;~~
- ~~b) Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting such employee; or~~
- ~~c) Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.~~

~~Examples of sexual harassment include such things as:~~

- ~~i. Verbal harassment, including sexual remarks and sexually derogative comments or slurs;~~
- ~~ii. Visual harassment, including sexually derogatory posters, cartoons, drawings, etc.;~~
- ~~iii. Physical interference with normal work or movement; or~~
- ~~iv. Unwelcome sexual touching or advances.——~~

~~Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different sex. Depending on the circumstances, these behaviors may include, but are not limited to:~~

- ~~a) Unwanted sexual advances or requests for sexual favors.~~
- ~~b) Threats or insinuation that the person's employment, wages, promotional opportunities, job or shift assignments, or other conditions of employment may be adversely affected by not submitting to sexual advances.~~
- ~~c) Repeated requests for social engagements or interactions, when prior social invitations have been refused or when the employee has otherwise indicated such invitations are unwelcome.~~
- ~~d) Continual or repeated verbal abuse of a sexual nature including graphic commentaries regarding a person's body, comments regarding sexual behavior, sexually degrading words to describe a person, sexually suggestive gestures, including staring, leering, or lewd comments, sexual innuendos, and other vocal activity such as catcalls, whistles, etc.~~
- ~~e) Unwanted touching, rubbing, patting, or other physical contact with a person.~~
- ~~f) Display of photographs, cartoons, articles, or other written materials or objects of a sexual nature in the workplace.~~

- ~~g) Transmitting or accessing sexually explicit materials by computerized, electronic, or other means, such as e-mail and voicemail.~~

~~Sex-based harassment which is harassing behavior 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.~~

~~Some behaviors may rise to the level of being unlawful, while other behaviors will not. We prefer not to be in a position to need to make determinations about the legality or illegality of behaviors. Accordingly, it is expected that all employees carefully monitor their behavior and act in a manner consistent with the intent and spirit of this policy.~~

~~No employee, whether supervisory or nonsupervisory, may sexually harass another employee.~~

~~6. Reporting Procedure-~~

~~Any employee who believes that he/she is the victim of harassment, or who is aware of inappropriate behavior directed at others, shall immediately report all incidents to one of the persons listed below with whom the employee feels the most comfortable. Complaints may be made orally or in writing to:—~~

- ~~a) Employee's Employee's immediate supervisor;~~
- ~~b) Employee's Employee's department head;~~
- ~~c) City Clerk;~~
- ~~d) Other supervisory personnel; or~~
- ~~e) City Administrator.~~

~~All complaints shall be promptly investigated; confidentiality will be maintained to the greatest extent possible.~~

~~7. Investigation-~~

~~Any allegation of harassment brought to the attention of management will be promptly investigated. All information disclosed in the complaint procedure will be held in confidence and will be disclosed only on a need-to-know basis in order to investigate and resolve the matter. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances.~~

~~8. Non-Retaliation-~~

~~The City prohibits retaliation against any individual for reporting harassment or cooperating in an investigation.~~

93. 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 ~~the Personnel Policy Manual~~ 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 ~~will~~ may be subject to disciplinary action; ~~which may include~~ including termination.
- v.** The Mayor, City Council and City Administrator of the City affirm the ~~City's~~ 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:
 - ~~1.~~ 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.
- vi.** No employee shall report to work under the influence of alcohol/intoxicants, illegal drugs, or illegal controlled substances.
 - ~~1.~~ 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.
- vii.** An employee convicted of violating any criminal drug statute on or off City property ~~will~~ may be subject to disciplinary action, including termination. This section does not apply to any employee performing law enforcement responsibilities.

~~e)~~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.

~~f)~~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.

~~g)~~b) 4. ~~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) 11. ~~Notice of Legal Drugs or Medications-~~

Employees taking medication must inform his or her supervisor if they believe they will be impaired or need a reasonable accommodation. ~~Any employee who is taking a drug or medication, whether or not prescribed by the employee's~~employee's ~~physician, which may adversely affect that employee's~~employee's ~~ability to perform work in a safe or productive manner is required to report such use of medication to his or her supervisor. This includes drugs which are known or advertised as possibly affecting judgment, coordination, or any of the senses, including those which may cause drowsiness or dizziness.~~ Employees shall not commence or continue work if they are uncertain whether they can perform their duties safely.

d) 12. ~~City's~~City's Right to Search-

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) 13. ~~City's~~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 marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines.

~~a)~~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~~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.~~

~~b)~~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~~^{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~~^{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) ~~14.~~ 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, ~~will~~^{may} be subject to disciplinary action up to and including discharge~~-as described in the Personnel Policy Manual of the City, which may include termination.~~ 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) ~~15.~~ 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.

~~164.~~ 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~~^{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, m~~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~~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.

175. 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.

186. 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 of this article:~~

- a) As private citizens, employees may participate in all political activities, including holding public office, except for activities involving the election of candidates for any City office and where holding an appointive or elective public office is incompatible with the ~~employee's~~employee's City employment.
- 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 during on-duty hours.
- 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.

- e) 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~~City's service on the basis of their political affiliations or activities.

197. Residency-

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

208. 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. An employee wishing to hold an outside job shall apply the City Administrator. The employee, when interested in securing outside employment, must furnish the City, by filing with the City Administrator, a full disclosure of the outside employment including 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 constitutes a City employee holding a second job with another employer.~~ Outside employment by a full-time employee shall only be permitted ~~only~~ 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.

~~An employee must obtain approval in writing from his or her department head and the City Administrator prior to accepting outside employment or any change in the nature of such outside employment. A request to Approval to perform continuous outside employment must be renewed ~~annually by the employee~~ and re-authorized annually by the department head and ~~the~~ City Administrator.~~

219. 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.

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, eEach 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 ~~were~~was not hired on a short-term or temporary basis. The work week is any consecutive ~~fourteen~~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 regardless of other City 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 80 hours.

Police Officers-

The normal work period for full-time police officers shall average 80 hours.

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~~^{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~~employee's regular rate of pay for all hours worked over 40 per work week for non-emergency service employees.

~~a)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.

~~b)c)~~ Overtime compensation shall usually be paid not later than the first payday following the work week in which it was earned. However, a~~At~~ the discretion of the department head, 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.

~~e)d)~~ All overtime work must have prior authorization by the ~~employee's~~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.

~~d)e)~~ 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. Pay Plan-

The salary of each employee of the City, except those appointed officers whose salary is specifically set by ordinance, shall usually, at least annually, be set, at least annually, at an amount within the pay range of the position class the employee is assigned as determined by the- ~~Such determination shall be made~~ 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.

10. Pay Increases-

a) ~~Pay~~In most cases, ~~P~~pay increases shall not be ~~routine or~~ automatic and such increases are subject to approval by the City Administrator.

a)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~~employee's immediate supervisor.

b)c) _____ Annual longevity pay may be given at the discretion of the Governing Body.

e)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~~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.

~~c) The offer of employment is contingent upon successful completion of the required tests.~~

3. Promotion-

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

a) 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.

~~b) The offer of promotion is contingent upon applicant passing required tests.~~

E. TIME OFF POLICIES

1. Holidays-

The following will be the fixed holidays:

1. New Year's 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. 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.
5. Labor Day Monday – always the first Monday in September
6. 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.
7. Thanksgiving Day – always the fourth Thursday in November
8. Day after Thanksgiving – always the Friday immediately following the fourth Thursday in November.
9. 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:

10. 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.

~~The following days shall be paid holidays for City employees:~~

- ~~a) New Year's Year's Day, January 1;~~
- ~~b) Martin Luther King Day, third Monday in January;~~
- ~~c) Memorial Day, last Monday in May;~~
- ~~d) Independence Day, July 4;~~
- ~~e) Labor Day, first Monday in September;~~
- ~~f) Veteran's Veteran's Day;~~
- ~~g) Thanksgiving Day, fourth Thursday in November;~~
- ~~h) The Friday following Thanksgiving; and~~
- ~~i) Christmas Day, December 25.~~

~~From time to time, and for certain special occasions, the Governing Body may by motion designate other days as special holidays on a one-time basis:~~

- ~~a) When New Year's Year's Day, Independence Day, Veteran's Veteran's Day or Christmas falls on a Saturday the preceding Friday shall be the holiday. When New Year's Year's Day, Veteran's Veteran's Day, Independence Day, or Christmas falls on a Sunday the following Monday shall be declared the holiday.~~

~~b)~~ a) Employees required to work on a City observed holiday usually receive 8 hours holiday pay or an alternative day off.

~~e)~~ b) Part-time employees shall be paid only for City observed holidays which fall on days for which they would otherwise have been scheduled to work. The amount of such pay shall be equal to the wages they would have earned for the number of hours they would have been scheduled to work on that day. Seasonal and temporary employees shall not receive paid holidays.

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.

b) Other Employees-

Part-time employees who work at least 40 hours or more per work week shall earn vacation credit at the rate of four hours for each month of employment. Seasonal and temporary employees shall not earn vacation leave.

c) 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 ~~prior to attaining full-time or part-time status~~ shall be paid for any accrued vacation leave.

d) Scheduling-

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

e) Holiday During Vacation-

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

f) Minimum Hours-

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

g) 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~~ 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~~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~~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~~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 no later than two hours after the beginning of the first work day for which sick leave is taken, or 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. Pregnancy Leave-

An employee may claim leave for pregnancy in the same manner as provided for sick leave; provided, however, that the employee may elect to utilize any accrued vacation leave if, and to the extent, such leave is available. An employee may also take leave without pay in the same manner as any other employee on leave without pay status.

5. Funeral Leave-

In the case of death of a member of an ~~employee's~~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~~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, ~~t~~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~~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~~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~~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.
- ~~a~~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.
- ~~b~~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. ~~Employees who return to work following active military duty must (with limited exceptions) be reemployed in the position that either the employee held or would have attained had the military service not interrupted the employee's employment.~~

- e)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~~ employee's scheduled hours of work.

~~iv-~~ 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~~ 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 ~~their~~ 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 ~~an~~ 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~~ 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 full-time employees shall be eligible for the ~~City's~~ 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.

~~a)b)~~ b) When an individual employee is required to contribute because of participation in the ~~City's~~ City's group health care program the amount of such contribution shall be a payroll deduction.

~~b)c)~~ 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.

~~e)d)~~ d) No employee shall be entitled to a cash payment in lieu of health care insurance coverage.

~~d)e)~~ 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~~ 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 ~~four~~six percent of salary, by payroll deduction. The ~~employer's~~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~~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 ~~these personnel policies and guidelines~~ 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~~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.

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~~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~~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~~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~~employee's rate of pay within the pay range to which the ~~employee's~~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 a verbal warning in certain circumstances.

3. Procedure for Disciplinary Action-

Whenever the misconduct of an employee occurs, ~~that~~ of which in the judgment of the ~~employee's~~employee's supervisor or department head justifies the application of disciplinary action other than a verbal warning, ~~the~~ supervisor or department head ~~may~~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~~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~~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~~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~~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~~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. 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 ~~collared~~ 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.

~~Items will be replaced, as needed, based on budgetary considerations.~~

b) Administrative

- i. Five shirts with City logo.
- ii. Two sweatshirts with City logo.

c) Code Enforcement

- i. Five shirts with City logo.
- ii. Two heavy sweatshirts with City logo.

iii. One winter jacket with City logo.

~~iii.~~ iv. One Khaki pants.

4. 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.

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

- a) ~~Pre~~-Approved Travel-
~~Requires Annual Approval of the Governing Body:~~
 - 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~~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. 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~~employee's recruitment, selection and retention; the ~~employee's~~employee's job responsibilities and his/her ability to perform those duties; and the ~~employee's~~employee's present or future ability to perform work assignments.
- ~~a)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.
- ~~b)c)~~ ~~It is the responsibility of the manager~~Managers should ~~to provide, to the City Administrator for review and approval,~~ written notification of any corrective action or changes in the status for ~~their~~his or her employees ~~to the City Administrator for review and approval.~~ The City Clerk will maintain a record of all changes in the ~~employee~~employees' personnel ~~file~~files.

e)d) Current employees may request to review their personnel file. An ~~employee's~~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~~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~~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. The City Administrator or City Clerk will release only the ~~employee's~~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~~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~~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~~City's technology equipment should strive to use such equipment in an efficient and effective manner consistent with the ~~City's~~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~~individual's supervisor and the City Administrator or his/her designated representative.

d) Users of the ~~City's~~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~~employee's performance of their assigned work.

~~f) Any approved software that is loaded/downloaded will be kept on an official log.~~

3. Prohibited Uses-

a) Use of the ~~City's~~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~~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~~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~~City's system.
- l) Sharing of passwords with other users.

4. Privacy Policy-

- a) No individual or group utilizing the ~~City's~~City's technology equipment should have any expectation of a guarantee of privacy in their use of the ~~City's~~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~~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~~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~~City's technology equipment, including electronic messages either sent or received, electronic files stored on the ~~City's~~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~~City's network, or any component of the ~~City's~~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~~user's use of the ~~City's~~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~~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) ~~b)~~ — Permissible Uses of Electronic Mail

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

- ~~ii.~~ 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~~City's electronic mail resources for personal purposes is subject to the provisions of this policy.

c) ~~e)~~ Prohibited Purposes

- i. Personal use that creates a direct cost for the City.
- ii. The ~~City's~~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

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

- i. Do not use the ~~City's~~City's electronic mail system for sending "junk mail" or "chain letters."
- ii. Never send electronic mail from someone ~~else's~~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~~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. "Spooing," 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

~~e)~~ By accepting and continuing employment, employees of the City are consenting to the ~~City's~~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 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 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~~[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~~[City's](#) website. In addition, wherever possible, links to information should direct users back to the ~~City's~~[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~~[City's](#) social media sites or their personal social media sites.

d) The City encourages the posting of comments by individuals; however, current elected officials are not to post on the ~~City's~~[City's](#) official social media sites.

- e) The ~~City's~~City's social networking content and comments containing any of the following forms of content shall not be allowed for posting:
- i. Comments not topically related to the particular site or blog article being commented upon;
 - ii. Profane language or content;
 - iii. 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;
 - iv. Sexual content or links to sexual content;
 - v. Solicitations of commerce;
 - vi. Conduct or encouragement of illegal activity;
 - vii. Information that may tend to compromise the safety or security of the public or public systems; and/or
 - viii. 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~~City's official social media sites who are in continual violation of the posting/commenting guidelines may be permanently removed from the ~~City's~~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~~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, ~~electronic paging devices~~, 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~~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, ~~electronic paging devices~~ 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, ~~electronic paging device~~ 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, ~~electronic paging devices~~ 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~~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~~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.
 - o 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~~employee's department head and the City Administration prior to any request for tuition reimbursement;
- b) An employee may be reimbursed only for courses of study which the City determines are directly related to the ~~employee's~~employee's present job or which will enhance the ~~employee's~~employee's potential for advancement to other jobs within the City;
- c) An employee will receive only the amount of the tuition for the classes taken and books;
- d) Eligible schools must be accredited by one of the six regional organizations recognized by the U.S. Department of Education;
- e) On-line courses are permitted if offered through an eligible school and reviewed and approved through the regular tuition reimbursement process;

- f) Tuition reimbursement must be approved by the ~~employee's~~employee's department head and the City Administration, at least ten (10) business days prior to the first day of class;
- 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;
- h) Reimbursement will only be considered for courses that are successfully completed with a grade of ~~"C"~~"C" or better for undergraduate courses or with a grade of ~~"B"~~"B" or better for graduate-level courses. If an incomplete grade (~~"I"~~"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~~Veteran's Administration Benefits, scholarships, etc. Any financial aid received will be deducted from the tuition and book fees reimbursed by the City.

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~~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 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: _____



City of Roeland Park

Employee Handbook

Adopted 2/4/2013

Effective 3/1/2013



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, sex, 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) 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.

Sexual harassment constitutes discrimination and is illegal under federal and Employer laws. 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 174 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. An employee's failure to fulfill this obligation could affect his or her rights in pursuing legal action. Also, please note, federal and state discrimination laws establish specific time frames for initiating a legal proceeding pursuant to those laws.

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 file their complaints with their immediate supervisor or the City Administrator before the conduct becomes severe or pervasive. Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of the City Administrator.

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 before it becomes severe or pervasive, 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 harassing 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.

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 Governing Body.

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 a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of the City prohibit disparate treatment on the basis of sex or any other protected 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 with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. 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 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 determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, the City's overall financial resources and organization, and the accommodation's impact on the operation of the City, including its impact on the ability of other employees to perform their duties and on the City's ability to conduct business.

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.

The law does not require the City to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs).

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.

's3. 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. This section does not apply to any employee performing law enforcement responsibilities.

- 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 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-

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 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, except for activities involving the election of candidates for any City office and where holding an appointive or elective public office is incompatible with the employee's City employment.
- 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 during on-duty hours.
- 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. An employee wishing to hold an outside job shall apply the City Administrator. The employee, when interested in securing outside employment, must furnish the City, by filing with the City Administrator, a full disclosure of the outside employment including 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.

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 regardless of other City 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 80 hours.

Police Officers-

The normal work period for full-time police officers shall average 80 hours.

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, at the discretion of the department head, 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) 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. 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.

10. 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 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. 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.
5. Labor Day Monday – always the first Monday in September
6. 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.
7. Thanksgiving Day – always the fourth Thursday in November
8. Day after Thanksgiving – always the Friday immediately following the fourth Thursday in November.

9. 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:

10. 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.
 - a) """"Employees required to work on a City observed holiday usually receive 8 hours holiday pay or an alternative day off.
 - b) Part-time employees shall be paid only for City observed holidays which fall on days for which they would otherwise have been scheduled to work. The amount of such pay shall be equal to the wages they would have earned for the number of hours they would have been scheduled to work on that day. Seasonal and temporary employees shall not receive paid holidays.

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.

- b) Other Employees-

Part-time employees who work at least 40 hours or more per work week shall earn vacation credit at the rate of four hours for each month of employment. Seasonal and temporary employees shall not earn vacation leave.

- c) 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.

d) Scheduling-

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

e) 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.

f) Minimum Hours-

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

g) 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 no later than two hours after the beginning of the first work day for which sick leave is taken, or 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. Pregnancy Leave-

An employee may claim leave for pregnancy in the same manner as provided for sick leave; provided, however, that the employee may elect to utilize any accrued vacation leave if, and to the extent, such leave is available. An employee may also take leave without pay in the same manner as any other employee on leave without pay status.

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 full-time employees 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.

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 a verbal warning in certain circumstances.

3. Procedure for Disciplinary Action-

Whenever the misconduct of an employee occurs—that of which 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. 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

- i. Five shirts with City logo.
- ii. Two sweatshirts with City logo.

c) Code Enforcement

- i. Five shirts with City logo.
- ii. Two heavy sweatshirts with City logo.
- iii. One winter jacket with City logo.
- iv. One Khaki pants.

4. 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.

5. 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. 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. 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

- i. 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.
- c) 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.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.

- d) 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.
- e) The City's social networking content and comments containing any of the following forms of content shall not be allowed for posting:
 - i. Comments not topically related to the particular site or blog article being commented upon;
 - ii. Profane language or content;
 - iii. 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;
 - iv. Sexual content or links to sexual content;
 - v. Solicitations of commerce;
 - vi. Conduct or encouragement of illegal activity;
 - vii. Information that may tend to compromise the safety or security of the public or public systems; and/or
 - viii. 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.
 - o 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;
- 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;
- c) An employee will receive only the amount of the tuition for the classes taken and books;
- d) Eligible schools must be accredited by one of the six regional organizations recognized by the U.S. Department of Education;
- e) On-line courses are permitted if offered through an eligible school and reviewed and approved through the regular tuition reimbursement process;
- 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;
- 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;
- 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.

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 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: REPORTS OF COMMITTEES:- II.-2.

Committee 5/11/2015
Meeting Date:



Item Number: **REPORTS OF COMMITTEES:- II.-3.**

Committee **5/11/2015**
Meeting Date:



City of Roeland Park Action Item Summary

Date: 3/5/2015
Submitted By: Aaron Otto
Committee/Department: Public Works
Title: **Public Works – Including the name Roeland Park on the Water Tower**
Item Type: Discussion

Recommendation:

To gain a recommendation of the governing body if there is a desire to paint the City's name on the Water Tower located in Roeland Park.

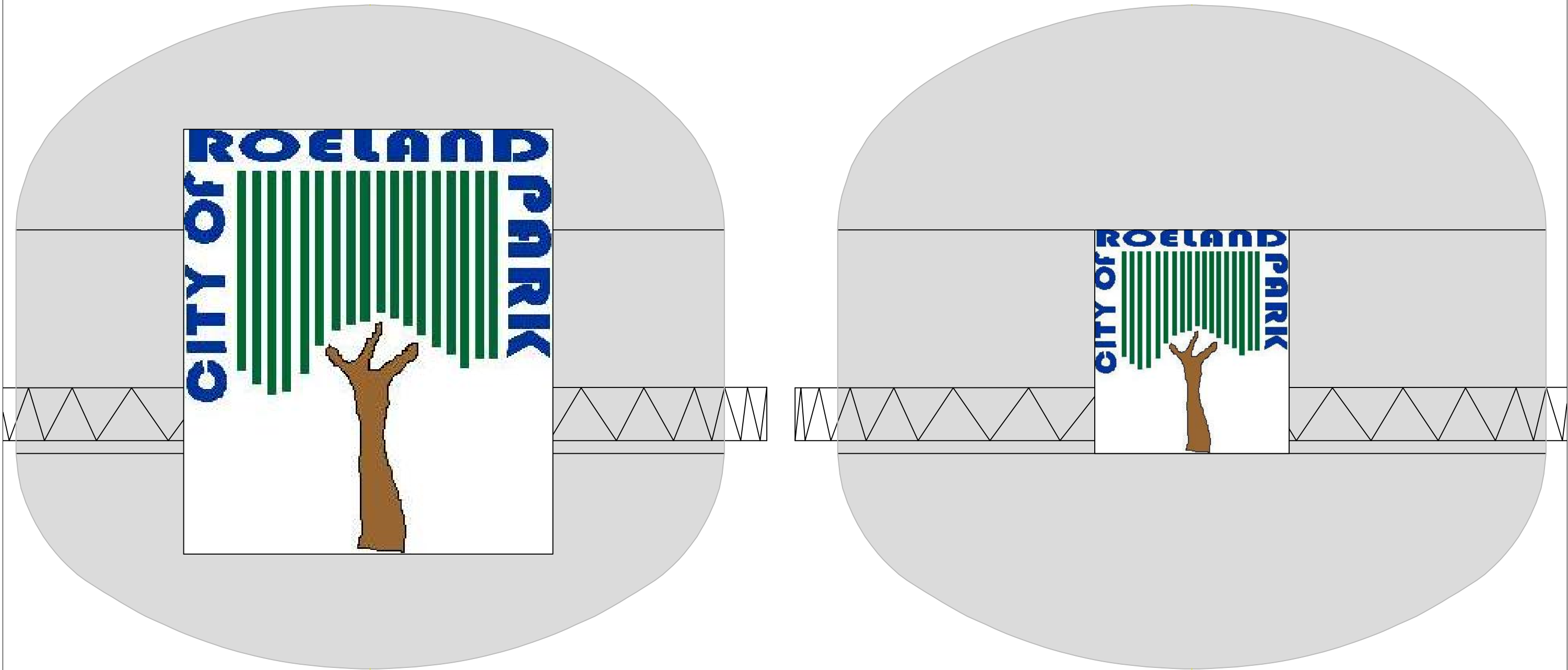
Details:

Water One will be repainting the outside and sandblast the inside of the water tower located in Roeland Park between Elledge and 48th Street. While this repainting is taking place this would be the opportunity to add the City's name, if so desired, to the water tower to increase visibility for the City. This could be seen as in alignment with strategic planning goal #3 which identified the need to Market Roeland Park to increase awareness and promote a positive image.

There is a similar situation with the water tower located in Prairie Village which includes the name of the high school located directly next to the tower. The City would pay for the cost of adding the City's name to the water tower during the repainting effort. Attached are some notional sketches from Water One to help visualize what might be possible. Attached is a summary memo from Councilmember Fast outlining the costs of a variety of options to be painted on the water tower.

ATTACHMENTS:

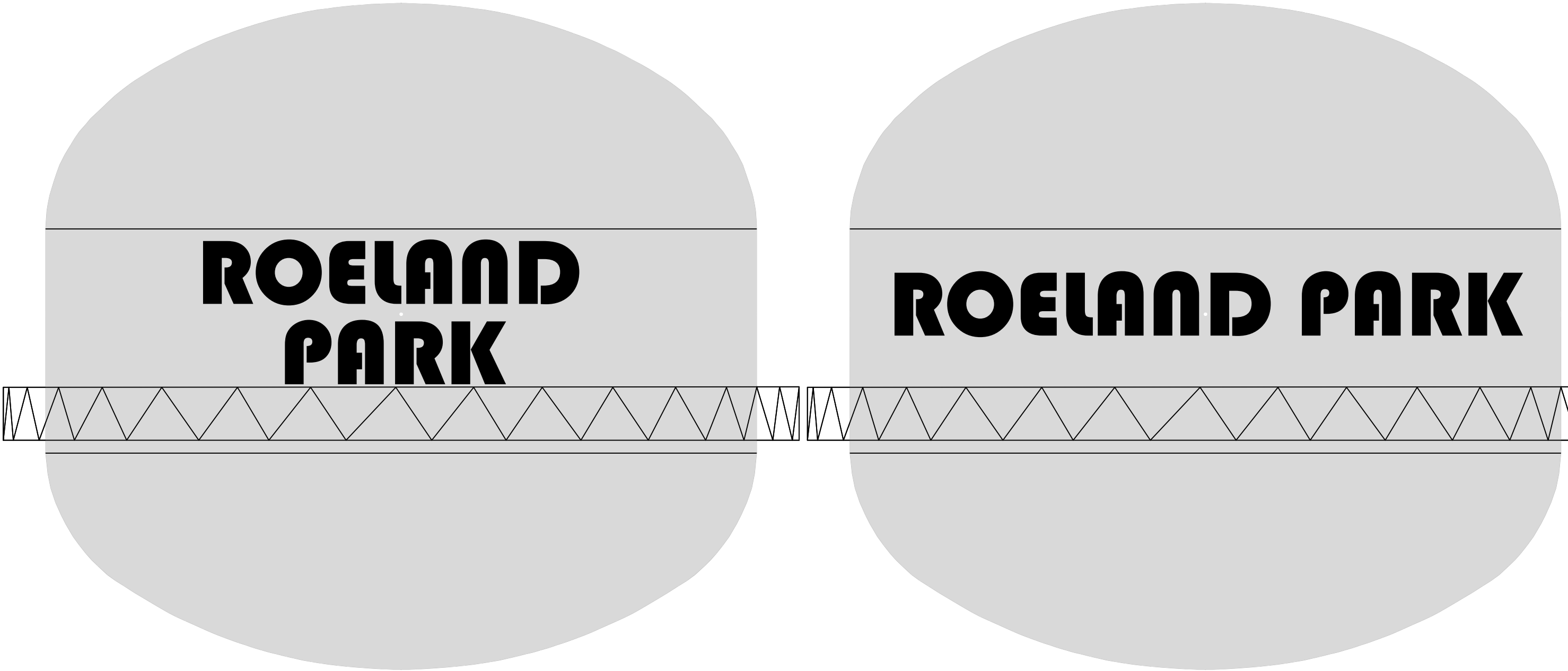
Description		Type
	Roeland Park Logo	Cover Memo
	Logo 2	Cover Memo
	water tower memorandum	Cover Memo



PROJECT ENGINEER	DATE: 01-30-2015
INITIALS:	
FACILITIES ENGINEERING MANAGER	DATE:
INITIALS:	
AS-BUILT	DATE:
INITIALS:	

WaterOne
Water District No.1 of Johnson County

PROJECT:	AC-14019
TITLE:	PAINT INTEIOR & EXTERIOR OF WELLS TANK
DRAWN BY: LJK	DWG NO.
DATE: 01-30-2015	Sheet 1



PROJECT ENGINEER	
INITIALS:	DATE: 01-30-2015
FACILITIES ENGINEERING MANAGER	
INITIALS:	DATE:
AS-BUILT	
INITIALS:	DATE:

WaterOne
Water District No.1 of Johnson County

PROJECT:	AC-14019
TITLE:	PAINT INTEIOR & EXTERIOR OF WELLS TANK
DRAWN BY: LJK	DWG NO.
DATE: 01-30-2015	Sheet 1

Memorandum

To: Roeland Park City Council

From: Becky Fast, Chair of Public Works Committee

Date: 5/7/2015

Re: Decision-Making Options - Painting the City's Name on the Water Tower

A final decision is needed at the May 18th Council meeting by Water One for the City to add its name on the water tower as Water One is in the process of repainting the outside of the water tower.

The following are decision options by the governing body regarding the water tower that were discussed at the May 4, 2015 – Committee of the Whole meeting.

- A) Capture the opportunity provided by Water One's competitive bidding pricing by their contractors through choosing one of the following options:
- 1) Add 16' tall letters "RP"
 - a. \$4,600 for the first set and \$4,200 for the second set
 - 2) Add the entire word "Roeland Park" either horizontal or vertical
 - b. \$5,800 for one set and \$5,300 for a second set (\$11,100 for two)
 - 3) Add the "Tree Logo" – larger example
 - a. \$12,500 for one location and \$11,600 for a second location
 - 4) Add the "Holding Hands Logo"
 - a. \$63,100 for holding hands logo and another \$6,600 if Roeland Park lettering is added along with the logo
 - b. Total \$69,700
- B) Delay decision on painting the City's name on the water tower until City's logo and marketing strategy has been completed. The governing body could decide at this time if they would like to reassess costs of contractor pricing when the new logo has been completed and could be repainted on the water tower.
- C) Painting the City's name or logo on the water tower does not align with the strategic planning goal of increasing awareness or marketing the city. The funds would be better spent on other projects to increase awareness and a positive image.

Item Number: REPORTS OF COMMITTEES:- II.-4.

Committee 5/11/2015
Meeting Date:



ATTACHMENTS:

Description	Type
 Leaf Program Overall Schedule	Cover Memo
 Leaf Program Final 2 Week Schedule	Cover Memo

2015

January

S	M	T	W	T	F	S
					1	2
					3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February

S	M	T	W	T	F	S
	1	2	3	4	5	6
	7					
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March

S	M	T	W	T	F	S
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	7					
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April

S	M	T	W	T	F	S
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					3	4
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19	20	21	22	23	24	25
26	27	28	29	30		

May

S	M	T	W	T	F	S
31					1	2
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17	18	19	20	21	22	23
24	25	26	27	28	29	30

June

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27	28	29	30			

July

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26	27	28	29	30	31	

August

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						3
						4
						5
						6
						7
						8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

September

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					3	4
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October

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					3	
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

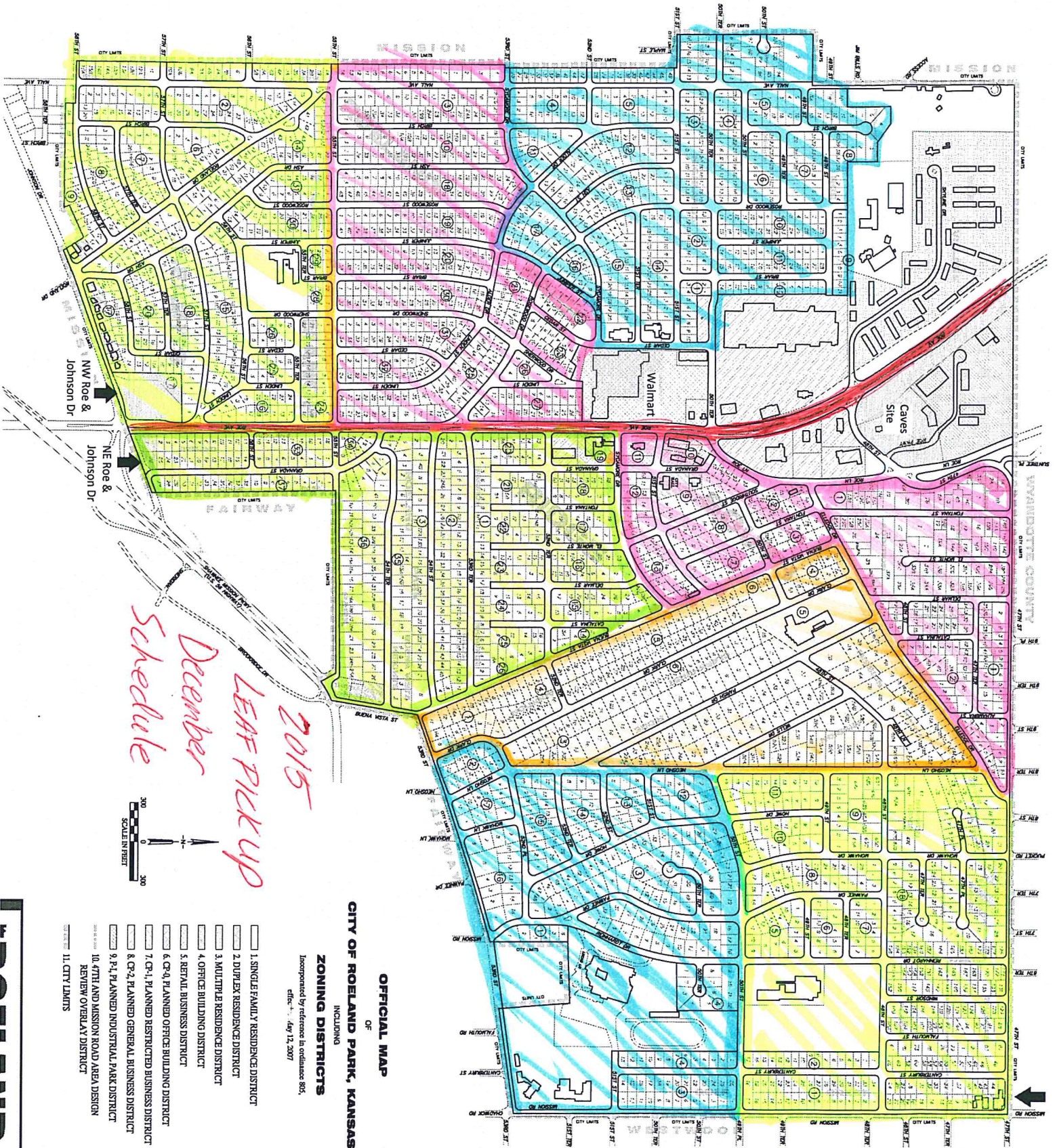
November

S	M	T	W	T	F	S
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					3	4
					5	6
					7	
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December

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					3	4
					5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

 East
 West
 Westwood
 Roe Blvd
 WW Hills



ZONING DISTRICTS

Item Number: REPORTS OF COMMITTEES:- II.-5.

Committee 5/11/2015
Meeting Date:



City of Roeland Park Action Item Summary

Date: 9/14/2014
Submitted By: Michael Rhodes
Committee/Department: Admin.
Title: **Admin – Procedures Discussion**
Item Type: Discussion

Recommendation:

To gain a consensus of the governing body if it should be a council rule that any motion passed by less the full attendance of the council would be subject to another vote at a future meeting if the absent member(s) vote could have affected the outcome.

Details:

On August 4, 2014 the Council decided that the residence of Roeland Park needed to know how a member that was not present at a vote would have voted on an ordinance when a vote had already taken place. I (Michael Rhoades) want my voice heard by the people of Roeland Park if I am ever not able to make it to a meeting where my vote "could have" counted.

Item Number: REPORTS OF COMMITTEES:- II.-6.

Committee 5/11/2015
Meeting Date:



ATTACHMENTS:

Description	Type
 committee list	Cover Memo
 May Appointments	Cover Memo

Committee Lists

Arts Advisory Committee (Expires 12/31 of each year)

At Least 3 Members - 2 Residents, 1 Council

Primary Council

Alternate Council – Michael Rhoades , Erin Thompson

Community Events Committee (Expires 12/31 of each year)

Up to 10, 8 Members - 6 Residents, 2 Council

Primary Council

Alternate Council - Teresa

Parks/Tree Advisory Committee (Expires 12/31 of each year)

At Least 5 Members - 4 Residents, 1 Council

Primary Council – Erin Thompson

Alternate Council – Becky Fast

Sustainability Committee (Expires 12/31 of each year)

5 Members - 4 Residents, 1 Council

Primary Council - Teresa

Alternate Council

2015/2016
MAY APPOINTMENTS
Mayor-Appointed Committee Representatives

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

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

QUALIFICATIONS:

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

Sheri McNeil
Michael Rhoades
Tim Janssen

Jo Co Parks & Rec Pool Advisory Board

Becky Fast
JoAnna Rush
Jan Grebe

MARC – Bike & Pedestrian

Teresa Kelly
(Alternate)Erin Thompson

MARC – First Tier Suburbs

Becky Fast
Michael Poppa #3
Teresa Kelly
Erin Thompson

NE Animal Control

Sheri McNeil

Redevelopment Committee

Sheri McNeil
Michael Poppa
Tim Janssen
Erin Thompson
Teresa Kelly
Darren Nielsen, Planning Commission
Linus Orth, Planning Commission

Shawnee Indian Mission Foundation

Bill Art

Stormwater Management Advisory Council (SMAC)

Jose Leon
Tim Janssen

Item Number: **REPORTS OF COMMITTEES:- II.-7.**

Committee **5/11/2015**
Meeting Date:



City of Roeland Park Action Item Summary

Date: 5/7/2015
Submitted By: Aaron Otto
Committee/Department: Administration
Title: **Admin – CA Selection Process Council Member Involvement**
Item Type: Other

Recommendation:

To gain a recommendation for individual participation in the upcoming city administrator selection process.

Details:

The League of Kansas Municipalities has been retained to assist with the selection process for a new city administrator. LKM will accumulate the resumes submitted and make recommendations for phone interviews. LKM will also make all resumes available to members of the governing body for review.

A few key decisions remain as to who will be involved with the phone and later in person interviews. Options include either a portion of the governing body in both interviews OR all members in both interviews OR a portion for the phone interviews and then the entire governing body for the final interview? Additionally, are there other individuals the governing body would like to include in the interview process such as staff or a former administrator?

Item Number: REPORTS OF COMMITTEES:- II.-8.

Committee 5/11/2015
Meeting Date:



City of Roeland Park Action Item Summary

Date: 5/8/2015
Submitted By: Aaron Otto
Committee/Department: Administration
Title: **Admin - City Administrator Report – Microsoft 360 agreement
and implementation**
Item Type:

Recommendation:

To gain the recommendation from the governing body to approve a migration agreement and servings agreement to shift City computer services over to Microsoft 360.

Details:

The City of Roeland Park has been updating its servers and software programs for the last two years. The Court software system was replaced at the end of 2014 since it relied on a system that was no longer going to be supported due to its age. Digit ticket is the next technology improvement currently being implemented by City staff. The next technology item that needs to be replaced is a 2002 Microsoft exchange server and a 2003 server currently used by the police department. The 2003 server will not be supported after July 15, 2015 and could cause the police department to lose access to critical information.

City staff has been working on a plan to move email and Microsoft software programs to a cloud based platform. This will eliminate the needs to replace the 2002 Microsoft exchange server and the 2003 police server and continue to have access to emails and critical police information. Additionally, the experience for the end user will largely look unchanged however it will include newer versions of Microsoft software programs. This effort was included in the FY14 budget however due to replacing the court software program and the implementation of Digit ticket, Microsoft 360 was not implemented in 2014. If approved, implementation and conversation will take place in June to ensure no disruption in police information or city email come July 15.

Additional Information

\$4,000 integration (one time) and \$3,200 (half year)

ATTACHMENTS:

Description		Type
	MS 360 part 1	Cover Memo
	Ms 360 part 2	Cover Memo



QUOTE

as of 3/30/2015

Bill to:

City of Roeland Park, KS
4600 West 51st Street
Roeland Park, KS 66205

Ship to:

City of Roeland Park, KS
4600 West 51st Street
Roeland Park, KS 66205

Reseller (Remit To):

LiftOff LLC
Attn: Ron Braatz
1667 Patrice Circle
Crofton, MD 21114

Terms:

Due on Receipt

Payment Options:

Check or Wire Transfer (bank details provided upon request)

Quote Description

G SKU Item Name	Part Number	Term in Months	Price/User/Month	Licenses	Cost/Year
Exchange Online Plan 1	3MS-00001	12	3.49	12	\$502.56
Office 365 Plan G1	U4S-00002	12	6.00	3	\$216.00
Office 365 Plan G3	U7S-00008	12	17.00	27	\$5,508.00

Total: \$6,226.56

Pricing Information:

- Add-on purchases can be made throughout the year with a minimum purchase of 5 units.
- All prices are displayed in United States Dollars.
- Product and pricing data are updated frequently and may change without notice.
- Pricing valid for 14 days
- License orders are paid up front, are non-refundable, and are one-year licenses that renew each year.
- License reductions, upgrades, or cancellations may only occur at the annual renewal date.

In order to proceed, send a Purchase Order to rbraatz@liftoffonline.com. Once we have the Purchase Order, we will order the licenses from Microsoft. We will immediately invoice the full amount when we place the order.

Customer Terms for Cloud Services Agreement US Public Sector

This agreement is between **LiftOff LLC** (“we”, “us”, and “our”) and **City of Roeland Park, KS** (“you” and “your”). It is effective when we accept it. Key terms are defined in 8.

1. General.

Right to use. You may access and use Office 365, and install and use a Client (if any) included with your Subscription, only as described in this agreement. All other rights are reserved.

Acceptable use. You will use Office 365 only per the AUP. You will not use Office 365 in any way that infringes a third party’s patent, copyright, or trademark or misappropriates its trade secret. You may not reverse engineer, decompile, work around technical limits in, or disassemble Office 365, except if applicable law permits despite this limit. You may not rent, lease, lend, resell, transfer, or host Office 365 to or for third parties.

Compliance. You will comply with all laws and regulations applicable to your use of Office 365. In providing Office 365, we and our Providers will comply with all laws and regulations (including applicable security breach notification law) that generally apply to IT service providers. You will obtain any consents required: (1) to allow you to access, monitor, use, and disclose user data; and (2) for us to provide Office 365. If you are an educational institution, you will obtain any parental consent for end users’ use of Office 365 as required by applicable law.

Customer Data. Customer Data is used only to provide you Office 365. This use may include troubleshooting to prevent, find and fix problems with Office 365’s operation. It may also include improving features for finding and protecting against threats to users. Neither we nor our Providers will derive information from Customer Data for any advertising or other commercial purposes. We will enable you to keep Customer Data separate from consumer services. Customer Data will not be disclosed unless required by law or allowed by this agreement. Your contact information may be provided so that a requestor can contact you. If law requires disclosure, we will use commercially reasonable efforts to notify you, if permitted. Customer Data may be transferred to, and stored and processed in, any country we or our Providers maintain facilities, unless you provision your tenant in the United States. If you do, Microsoft will provide Office 365 from data centers in the United States, and storage of the following customer data at rest will be located in data centers only in the United States: (i) Exchange Online mailbox content (e-mail body, calendar entries, and the content of e-mail attachments), and (ii) SharePoint Online site content and the files stored within that site.

Changes. Office 365 may be changed periodically, after which you may need to agree to new terms. You may be required to run a client software upgrade on devices using Office 365 after a change to maintain full functionality.

Use rights. Use rights specific to Office 365 are posted online at the link to the AUP.

2. Confidentiality and Security.

We and our Providers will (a) maintain appropriate technical and organizational measures, internal controls, and data security routines intended to protect Customer Data against accidental loss or change, unauthorized disclosure or access, or unlawful destruction and (b) not disclose Customer Data, except as required by law or expressly allowed. Neither party will make any public statement about this agreement’s terms without the other’s prior written consent.

3. Term, Termination, and Suspension.

Term and termination. This agreement will remain in effect for three years subject to your right under applicable law to terminate for convenience.

Customer Data. You may extract Customer Data at any time. If your Subscription expires or terminates, we will keep your Customer Data in a limited account for at least 90 days so you may extract it. We may delete your Customer Data after that.

Regulatory. If a government rule or regulation applies to us or our Providers, but not generally to other businesses, and makes it difficult to operate Office 365 without change, or we or our Providers believe this agreement or Office 365 may conflict with the rule or regulation, we may change Office 365 or terminate the agreement. If we change Office 365 to come into compliance, and you do not like the change, you may terminate.

Suspension. We may suspend use of Office 365: (1) if reasonably needed to prevent unauthorized Customer Data access; (2) if you do not promptly respond under §5 to intellectual property claims; or (3) for non-payment; or (4) if you violate the AUP. A suspension will be in effect only while the condition or need exists and, if under clause (1) or (2), will apply to the minimum extent necessary. We will notify you before we suspend, unless doing so may increase damages. We will notify you at least 30 days before suspending for non-payment. If you do not fully address the reasons for suspension within 60 days after we suspend, we may terminate your Subscription.

4. Limited warranty; disclaimer.

We warrant that Office 365 will meet the SLA terms during the Subscription; your only remedy for breach of warranty is stated in the SLA. *We provide no (and disclaim to the extent permitted by law any) other warranties, express, implied, or statutory, including warranties of merchantability or fitness for a particular purpose.*

5. Duty to protect.

Defense. We or our Providers will defend you against any claims made by an unaffiliated third party that Office 365 infringes its patent, copyright, or trademark or misappropriates its trade secret.

Remedies. If we or our Providers reasonably believe that a claim under §5 may bar your use of Office 365, we or our Providers will seek to: (1) obtain the right for you to keep using it; or (2) modify or replace it with a functional equivalent and notify you to stop use of the prior version. If these options are not commercially reasonable, we or our Providers may terminate your rights to Office 365 and refund any payments for unused Subscription rights.

Other obligations. To the extent permitted by law, you will (1) notify us promptly of a claim under this §5 and (2) allow us or our Providers to assist in your defense or settlement. You will provide reasonable help to defend. We or our Providers will reimburse you for reasonable out-of-pocket expenses incurred in giving that help and pay the amount of any resulting adverse final judgment (or settlement the protecting party consents to). Neither we nor our Providers will be bound by any settlement to which we do not agree in writing, this § 5 provides the exclusive remedy for these claims.

Limits. The obligations of us and our Providers in this §5 won't apply to a claim or award based on: (1) Customer Data; (2) software not provided by us or our Providers; (3) modifications you make to Office 365, or materials you provide or make available as part of using Office 365; (4) your combination of Office 365 with, or damages based on the value of, a product, data, or business process not provided by us or our Providers; or (5) your use of a Microsoft trademark without their express, written consent, or your use of Office 365 after being notified to stop due to a third-party claim.

6. Limited liability.

Each party's (and our Providers') maximum aggregate liability for any claim related to this agreement is limited to direct damages up to the fees that you paid for Office 365 during the 12 months before the claim arose (or \$5,000.00 if you paid no fees). *Neither party nor our Providers will be liable for lost revenues or indirect, special, incidental, consequential, punitive, or exemplary damages, even if the party knew they were possible.* The limits and exclusions in this §6 apply to the extent permitted by law, but do not apply to (1) obligations under §5; or (2) intellectual property infringement or misappropriation.

7. Agreement mechanics.

You must send notice by regular mail, return receipt requested, to the address on the Portal (effective when delivered). We may email notice to your account administrators (effective when sent). You may not assign this agreement, or any right or duty under it. If part of this agreement is held unenforceable, the rest remains in force. Failure to enforce this agreement is not a waiver. The parties are independent contractors. This agreement does not create an agency, partnership, or joint venture. This agreement is governed by the laws applicable to Customer, without regard to conflict of laws. This agreement (including the SLA and AUP) and our price sheet are the parties' entire agreement on this subject and supersedes any concurrent or prior communications. Agreement terms that require performance, or apply to events that may occur, after termination or expiration will survive, including §5. Office 365 and the Client are subject to U.S. export jurisdiction. You must comply with the U.S. Export Administration Regulations, the International Traffic in Arms Regulations, and end-user, end-use, and destination restrictions. For more information, see <http://www.microsoft.com/exporting/>. Our Providers may deliver Office 365, and the rights granted to us also apply to them.

8. Definitions.

"AUP" means the acceptable use policy at <http://www.microsoftvolumelicensing.com/Downloader.aspx?DocumentId=5502>.

"Client" means device software that we or our Providers provide you with Office 365.

"Customer Data" means all data, including all text, sound, or image files that are provided to us or our Providers by, or on behalf of, you through your use of Office 365.

"Office 365" means (1) Exchange Online, Exchange Online Archiving, SharePoint Online, Lync Online, and Office Web Apps included in Office 365 Enterprise Plans E1, E2, E3, E4, K1, and K2; and Office 365 Government Plans G1, G2, G3, G4, K1, and K2; and (2) Exchange Online Archiving; Exchange Online Protection; Exchange Online Plans 1, 2, Basic, and Kiosk; SharePoint Online Plans 1, 2, and Kiosk; Office Web Apps Plans 1 and 2; and Lync Online Plans 1, 2, and 3.

"Portal" means the Online Services Portal for Office 365 (see <http://www.microsoft.com/online>).

"Providers" means our affiliates, licensors, and suppliers, including Microsoft and its applicable affiliates.

"SLA" means the service level commitments we or our Providers make regarding delivery and performance of Office 365 (see <http://www.microsoft.com/licensing/contracts>).

"Subscription" means an order for a quantity of Office 365.

MASTER SERVICES AGREEMENT

This Master Services Agreement ("Agreement") is made effective as of May 8, 2015 by and between LiftOff, LLC of 1667 Patrice Circle, Crofton, MD 21114 and City of Roeland Park, KS ("Client") of 4600 West 51st Street, Roeland Park, KS 66205. Therefore, the parties agree as follows:

1. Background, Intent, and Relationship

The purpose of this Agreement is to establish the terms and conditions governing the contractual relationship between the parties. Nothing in this Agreement shall be interpreted or construed as (1) creating or establishing a partnership, joint venture or similar business relationship between the parties; (2) creating or establishing an exclusive relationship between the parties; or (3) creating or establishing any employment relationship between the parties, which hereby acknowledge that LIFTOFF is an independent contractor under this Agreement.

2. Statements of Work

All services performed under this Agreement will be specified in a Statement of Work ("SOW") to be prepared for each engagement and signed by the parties. The initial SOW is incorporated in this Agreement as Exhibit A, attached hereto. To the extent that any term contained in the SOW may be contradictory to any term contained in this Agreement, the parties agree that the SOW shall govern.

It is agreed that the terms and conditions of this Master Agreement shall govern with respect to the services to be provided to Client by LIFTOFF, in accordance with each SOW executed by the parties. Each SOW shall become an Addendum to this Master Agreement. The terms of this Master Agreement will be incorporated into each SOW by reference.

3. Professional Services Agreement

This Agreement is for the performance of professional services only. LIFTOFF reserves the right to incorporate any techniques, skills, and/or procedures known or acquired from this or any other project into this or any future professional services engagements. Any such techniques, skills, or procedures remain the sole intellectual property of LIFTOFF, and may be used in any contemporaneous or future professional services engagements for this or any other Client, without limitation.

This is not a Work for Hire agreement. LIFTOFF does not sell, assign or transfer ownership of any intellectual property used or developed by LIFTOFF in the performance of any services for the Client pursuant to this Agreement. Nothing contained herein or in any SOW hereunder shall be construed or interpreted as any such sale, transfer, conveyance or assignment of any right, title or interest by LIFTOFF in any of its intellectual property.

4. Invoice Remittance

Invoice payments must be sent to the LIFTOFF main office: 1667 Patrice Circle, Crofton, MD 21114. The LIFTOFF Federal ID number is: 27-1914176.

Payment terms are specified on the SOW. Payments are considered late on the 30th day after the due date. Late payments will incur a 2% late payment fee for each block of 30 or fewer days overdue (payments 30-60 days overdue will be assessed a 2% fee, payments 60-90 days overdue will be assessed a 4% fee, etc...)

5. Expenses

In addition to the charges for services as described above and with prior approval of the Client, the Client shall reimburse LIFTOFF for all reasonably and necessary expenses (including travel, lodging, travel meals, and other related costs) incurred in the course of performing services under this Agreement.

6. Confidentiality

Customer and Client acknowledge that, by reason of this Agreement, each may have access to certain information and materials concerning the others business, plans, customers, technology and products that are confidential. Such information and materials are of substantial value to each party, which value would be impaired if such information were disclosed to third parties. Neither party shall disclose to third parties, or use in any way for its own account or for the account of any third party, any such confidential information disclosed as a result of this Agreement.

7. Termination of Agreement

This Agreement shall be in effect until such time as all services have been fully performed by LIFTOFF and all invoices have been fully paid by the Client. This agreement may be terminated by either party for convenience upon sixty (60) days prior written notice. Termination by client for convenience will result in charges for all in-process work. Upon termination of this Agreement for any reason, Sections 3, 6, 8, 9 will survive and bind the parties in their entirety.

8. Indemnity, Disclaimers, Limitation of Liability

In no event shall LIFTOFF's aggregate liability arising from or relating to the agreement or the services rendered (regardless of the form or action, whether by contract, warranty, tort, malpractice, fraud, and/or otherwise) exceed the amount actually paid by the client to LIFTOFF for services rendered under the agreement.

In no event shall LIFTOFF be liable for any consequential, special, indirect, incidental, or punitive damages, or for any loss of profits, revenue or business opportunities, regardless of the form of action and even if LIFTOFF has been advised of the possibility thereof.

9. Non-Solicitation of Employees

During the term of this Agreement and for twelve (12) months thereafter, neither party will, either directly or indirectly, solicit for employment by itself (or any of its affiliates) any employee of the other party (or any of its affiliates), unless the hiring party obtains the written consent of the other party.

10. Governing Law/Jurisdiction/Venue

This contract will be governed by and construed in accordance with the laws of the State of ~~Kansas~~ ~~Maryland, excluding its con~~

~~flit of laws provisions. Any action to enforce this contract shall be brought in the District Court of Johnson County, Kansas.~~

LiftOff, LLC
Ron Braatz, President
1667 Patrice Circle
Crofton, MD 21114

11. Disputes

LIFTOFF and Client agree that disputes shall first be addressed by negotiations between the parties. If direct negotiations fail to resolve the dispute, the party initiating the claim that is the basis for the dispute shall be free to take such steps as it deems necessary to protect its interests. No dispute resolution shall be a condition precedent to any legal action.
~~The parties agree that any dispute arising from this Agreement shall be settled by arbitration in accordance with the Commercial Rules of the American Arbitration Association. Judgment upon the award rendered by the arbitrators may be entered in any court having jurisdiction thereof. Where disputes are submitted to arbitration, the parties agree to accept the decision of the arbitrators as final and binding on both parties. Arbitration shall be conducted in Maryland in accordance with the laws of Maryland.~~

Such address may be changed from time to time by either Party by providing written notice to the other in the manner set forth above.

14. Credit and Public Awareness

The Client further agrees to allow LIFTOFF to take public recognition of its engagement through the use of press releases, Internet postings, competition entries or other communication materials. This awareness will not violate any confidentiality provisions of this agreement, nor will it disclose any financial terms of the engagement without the prior written consent of the Client.

12. Severability

If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable.

15. Waiver

The failure of either Party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that Party's right to subsequently enforce and compel strict compliance with every provision of this Agreement.

13. Notices

All notices required or permitted under this Agreement shall be in writing and shall be deemed delivered as of the date delivered via facsimile, overnight mail or United States certified or registered mail, addressed as follows:

City of Roeland Park, KS
4600 West 51st Street
Roeland Park, KS 66205

16. Entire Agreement

This Agreement and the referenced SOW constitute the entire agreement between the parties, and supersede all prior or contemporaneous communications between the parties (whether written or oral) relating to the subject matter of this Agreement. This Agreement may only be modified or amended in a writing signed by both parties. There are no representations or commitments relied upon by either party not contained herein.

IN WITNESS WHEREOF, the parties have caused their authorized representatives to execute this Agreement as of the Effective Date.

LiftOff, LLC

City of Roeland Park, KS

By:

Ron Braatz
President

Date

By:

Name:
Title:

Date

Exhibit A – Initial Statement of Work

1. Work to Be Performed

- 1.1. LIFTOFF will provide **Guided Deployment Services** focused on the migration to the Office 365 solution. Specifically, the work will:
 - 1.1.1. Consist of an overall **“Coach/Mentor” approach**, where LiftOff will work with your IT Staff to determine the best approach for the migration and train your IT Staff on the new Microsoft Office 365 system.
 - 1.1.2. Consist of an **Assessment process** where we will complete an analysis of the current email environment and ensure that requirements are captured, core functionality is reviewed, and details for the migration are discussed and reviewed. This will be conducted via phone and typically takes 2-3 hours to complete.
 - 1.1.3. Assist in the purchase of the **Office 365 licenses** and review the licensing agreement with Microsoft.
 - 1.1.4. Consist of **Setup and Pre-Staging in the Office 365 Admin Console** where we will get the domain added, updated, and verified, and the users imported into the cloud system.
 - 1.1.5. Consist of identifying, testing, and implementing the **optimal email migration tools and strategies**. This does not include the setup or configuration of Directory Sync, ADFS or long-term hybrid co-existence migration scenarios.
 - 1.1.6. Consist of **migration wrap-up support** to include modifying the MX record and verifying mail flow.
 - 1.1.7. Consist of consulting on the best way to download and install **Office Professional Plus 2013** for a few users (if applicable).
 - 1.1.8. Consist of consulting on the best way to install and configure **Lync Online** for a few users (if applicable).
 - 1.1.9. Require that the client assign LiftOff, LLC as the **Partner of Record** for a period of 24 months once the solution is purchased. Instructions for this will be provided. LiftOff's Partner ID number is 2823664.
 - 1.1.10. Require that the client purchase via the monthly subscription **Microsoft Online Subscription Agreement (MOSA)**. Instructions for this will be provided.
 - 1.1.11. Conclude with a **Project Close-Out** consisting of tips for managing Microsoft support post-deployment and instructions for reviewing LiftOff's performance in the Microsoft Pinpoint System.
- 1.2. LIFTOFF will provide an **“Office 365 Workshop”** via phone with Client. Specifically, the work will include **mini-training sessions on:**
 - 1.2.1. The Office 365 Admin Center (OAC) and the Exchange Admin Center (EAC)
 - 1.2.2. Exchange Online Protection (EOP)
 - 1.2.3. PowerShell functionality within Office 365
- 1.3. Include the initial setup of **SharePoint Online** (if applicable) for a few users to include adding users and basic branding (logo, colors). **Advanced SharePoint development including data migration requires a separate contract.**
- 1.4. Provide copies of **planning materials and communications** including the Microsoft Office 365 Deployment Guide, LiftOff proprietary training material and prepared staff template communiques, and other migration literature as necessary.
- 1.5. This Statement of Work will commence upon acceptance of documents on dates negotiated between LIFTOFF and Client.

2. Investment & Payment Structure

- 2.1. The cost of the services outlined in Section 1 above is **\$4,000**. This is the client cost and has already factored in any incentives or promotions (2.1.1 below). This pricing is valid for 30 days past the date identified in section 3.1. Invoicing is done after the Assessment Process (1.1.2) and terms are Net 30. All subscription software is licensed directly with Microsoft.
 - 2.1.1. Microsoft occasionally runs various promotions that serve as deployment rebates. Any Microsoft rebate that is applicable to this project has already been factored into the reduced amount listed in 2.1
- 2.2. Migration Wiz Premium, multi-pass licenses may be recommended for the project. These licenses typically cost \$12/user. If Client agrees to use Migration Wiz, Client will be responsible for purchasing licenses for all users. All migration licenses are purchased directly from Migration Wiz.

3. General Terms and Conditions

- 3.1. This Statement of Work will be bound by the terms of the Master Services Agreement between LIFTOFF & Client dated May 8, 2015, to which this Initial Statement of Work is attached as Exhibit A.

4. Signature

Agreed and Accepted by:

LiftOff, LLC

City of Roeland Park, KS

By: _____ Date _____
 Ron Braatz
 President

By: _____

Name: _____ Date _____

Title: _____

Item Number: REPORTS OF COMMITTEES:- II.-9.

Committee 5/11/2015
Meeting Date:



City of Roeland Park Action Item Summary

Date: 5/7/2015
Submitted By: Aaron Otto
Committee/Department: Administration
Title: **Admin – Interim Administrator Discussion**
Item Type: Discussion

Recommendation:

To gain a recommendation of the governing body if an interim administrator should be hired during the summer through the fall and what should be the selection process for making that hiring.

Details:

Most likely from June – September the governing body will be going through the selection process for a City Administrator. During that time the City will be adopting the FY16 budget and continuing discussions on a number of other policy items and economic development opportunities. Does the governing body wish to have an interim administrator, typically a retired city administrator, serve in this role to restore part of the staff capacity? If the answer to this question is yes then the likely situation is a retired administrator in the area who would be willing to work at the same rate of compensation that was allotted to the previous administrator.

Item Number: REPORTS OF COMMITTEES:- II.-10.

Committee 5/11/2015
Meeting Date:



City of Roeland Park Action Item Summary

Date: 3/16/2015
Submitted By: Ted Clemons
Committee/Department: Admin.
Title: **Admin - Draft Naming Policy for City Property**
Item Type: Discussion

Recommendation:

To gain a recommendation of the Governing Body to approve a Naming City Property Policy.

Details:

In 2012, after a public submission process and recommendation from the Parks Committee the City Council named R Park. In 2015, following a recommendation from the City's Arts Committee, the City Council named the large conference room for the current Arts Commission in honor of his decades of service. Some council members have asked that a process be outlined for how naming City assets conducted. The draft policy is attached.

ATTACHMENTS:

Description	Type
 Public Property Naming Property	Cover Memo



I. SCOPE

This naming policy shall apply to the naming of all public property including yet not limited to; parks, buildings, rooms, equipment, or any part of the same. The governing body retains the sole authority to name public property. The policy shall consist of a series of guidelines for the governing body to utilize, at their discretion, in the naming of public property.

II. PURPOSE

To establish guidelines for the naming of public property in the City of Roeland Park. This policy is intended to provide conventions for the most prudent and effective naming procedures. Previously no uniform process seems to exist for naming public property. For example, the City's held an extensive public naming competition for that the naming of R Park while at the same time a citizens advisory committee recommended naming the art gallery in city hall. In both cases the governing body approved the recommendation from either the public process or citizen advisory opinion.

III. RESPONSIBILITY

Governing Body or their designate.

IV. POLICY

A. Unless otherwise provided for by law, the governing body shall retain exclusive jurisdiction over the naming of public property by a sole majority vote. No clause or part thereof herein shall be construed to limit the authority of the governing body in any way.

B. No property shall be named after any person convicted of a felony in the past five (5) years.

C. No property shall be named after any person currently holding public office or currently serving as a paid employee of The City.

D. The naming of a property after a person shall be done only because of that person's work/volunteer for the city or financial donation to the project.

E. No property shall be named or renamed unless significant research into the reason for the naming or renaming occurs and is presented at a committee of the whole meeting and the public is allowed to comment prior to the Governing Body naming the property.

F. The abovementioned significant research shall consist of a publically available write-up on both the significance/source of the new name and reason for the name change, if applicable.

G. Any name should attempt to be timeless and not lead to renaming procedures based on frequent changing usage of the structure/land or for any other reason. Any name should also be timeless so as to not diminish with the passing of time.

H. If the structure falls under the purview of any citizen committee or commission created by the governing body, and then the governing body shall ask the commission or committee for name recommendations from which the governing body may then select a name or use a different name. Adopted m/d/2015

I. If an individual person or group of people gifted or donated the property for the City's use, then such person or group shall be asked to submit a potential name to the Governing Body for the property. This clause also applies if a person or group supplied equal to or in excess of 50% of the funds for the project.

J. Upon the majority vote of The Governing Body, any new name shall be recorded by the City Clerk and be hereby declared as the official and only name for such property.

K. Unless other rules are made, the transfer of any named property of the City of Roeland Park to any other party regardless if they are a public or private party shall immediately cause the property to become nameless until such time as the new owner sees fit to create a name for such property.

L. Ancillary items, including but not limited to, adopting a tree on City property through the memorial tree program or purchasing a bench or other amenity in a park shall be allowed to have a name associated on/near that item in honor/memory of the donor or another individual/organization without the approval of the governing body.

V. PROCEDURES

The above are guidelines for the governing body. There is no uniform procedure that, by rule or law, must be followed.

Item Number: REPORTS OF COMMITTEES:- II.-11.

Committee 5/11/2015
Meeting Date:



Item Number: REPORTS OF COMMITTEES:- II.-12.

Committee 5/11/2015
Meeting Date:



ATTACHMENTS:

Description

Type

 2014 goals with updates

Cover Memo

City Council Goals										
MONETARY GOALS	Readiness for Discussion	Goal	Status	Initials	Cost	Staff Involvement	Immediate	1-3 yr Short-Term	Long-Term	Priority Ranking
2014-5	GOAL COMPLETE	Public Works Salt Dome	By 2015 there should be enough funds saved to pay cash for a salt dome. Next step: location of the dome	Gliniecki			2	4	1	7
2013-2	MODIFIED GOAL Now Non Monetary	Publish Monthly Newsletter (include spotlights, resident recognition)	No monthly newsletter, incorporate spotlights and resident recognition in quarterly newsletter -city committees choose and prepare.	Kelly	\$ 18,000.00			x		7
2014-15	GOAL COMPLETE?	Fully fund the Major/Minor and Utility Assistance Program	Maintained funding for the utility assistance program and minor home program. Increased funding for the Major Home program to 1 home a year (up from approx. .3 per year) to address backlog	Megan / Jennifer G			1	3	1	5
2014-1		Budget Line Item for four committees		JG			1	1	0	2
2013-1	In Process to be completed by April, 2015	Review Programming Needs of Public Works Building	In Process. Building needs have been reviewed. Next step to review findings with new PW Director and present White Paper to Council	Jennifer / Joel	\$ 6,000.00		x			8
2013-4	In Process to be completed by April, 2015	City Strategic Planning / Vision Process / Rebranding / Image (Refresh every 10 yr) Review of the existing documents - ie comp plan, design guidelines; Who we are and where we want to go, Long Range Planning, Vision of the City Future, How do we get there, how often do you update	Following an open house, Statagic Plan Committee will conduct a final survey of the draft plan. Next step to present final report to Council in February.	Strategic Planning Committee	\$ 40,000.00		x			6
2013-5	In Process to be continued through April, 2015	Reconnect to Area Businesses - ie city coffee; Create a Roeland Park Business or Merchants Association, Retail relationship networking process	Held three events in 2014. Next step need council champions to provide direction on details for the next gathering	Teresa/	<\$1,000		x			6
2014-12	In Process to be completed by April, 2015	Begin to rebalance staff salary and benefits in budget	Phase one was implimented in 2015. Phase Two to be drafted for possible inclusion in 2016 budget.	Giniecki/ Kelly			2	3	2	7
2013-6	In Process to be completed by April, 2015	Design Roe Blvd Street Scape (schematic) and Gateway Elements for the City	Mayor's volunteer planning group will make recommendations for budgeting in Spring	Rhoades	\$ 50,000.00			x		6
2014-9	Unlikely to be completed by April 2015	Bring Back Roeland Park Marketing Materials (Shirts/Bumper Stickers/Magnets) "Fun"	Next Steps: Could be an intern project to research companies that will print items on demand for purchase of promotion materials	Jennifer G.			3	2	0	5
2013-3	Unlikely to be completed by April 2015	Use Sales Tax Infrastructure Fund - (27D) only for new infrastructure							x	7
2014-2	Art	Artful solutions to public places and empty spaces and Public Art Murals		ME			2	1	1	4
2014-10	Parks/Trails	Fund Park Master Plan		JG			0	1	3	4
2014-18	Transit	Restore Senior Transit Program and expand transit routes		JG			0	2	2	4
2014-3	Art	Expand 1% for art to all Capital Improvement Projects		ME			2	0	1	3
2014-16	Sustainability	Establish Recycling in Public Places/Business		JG			1	2	0	3
2014-17	Transit	Expand Bike and Pedestrian transportation routes		JG			0	1	2	3
2014-6	Identity	Add Roeland Park Historical Signage (around City)		JG			0	1	1	2
2014-8	Identity	Promo Video as EcoDevo Tool		ME			0	2	0	2
2014-11	Parks/Trails	Connect to Metro Trails System		JG			0	0	2	2
2014-7	Identity	Free Citywide Internet/WiFi		JG			0	1	0	1
2014-13	Sustainability	Publish the Energy Star score of existing City owned buildings and Seek Energy Star Rating		JG			0	1	0	1
2014-4	Education	Explore/Offer Personal Financial Money Management education programs to residents		ME			0	0	0	0
2014-14	Sustainability	Greenhouse gas inventory for City		JG			0	0	0	0

NON MONETARY GOALS	Readiness for Discussion	Goal	Status	Champion	Staff Involvement	Immediate	1-3 yr Short-Term	Long-Term	Priority Ranking
2014-15	GOAL COMPLETE	Code Enforcement Outreach Program	Amnesty period for residents to make corrections to 5 most frequent code violations for three months then follow up enforcement. Door Hangers to residential addresses (v. courtesy letter) for first offense in many cases. Also location of solid waste containers was discussed at the community forum.	staff		0	0	0	0
2013-3	GOAL COMPLETE	Implement an integrated and multifaceted Communication Strategy to residents	IN PROCESS - communications champion work on event by event need. Goal is no longer to publish a monthly newsletter but to include resident recognition and committee spotlights in the quarterly newsletter. Cmbr liaisons will work with their committees regarding newsletter spotlights and resident recognition by City committees. Cmbr Kelly will coordinate. First community feedback forum was held in November	Kelly/Gliniecki	x	x			7
2014-12	GOAL COMPLETE	Creation of Neighborhood Groups (Voluntary) Helps promote community, block captains/block parent, safer, cleaner	Take this on as part of the Safety Committee and talk with the police chief. Cmbr Croston will be a backup.			4	1	0	5
2013-7		Research Interior Rental Inspection	Topic researched and discussed at first community forum. Next Step: Staff will work to create an internal and external inspection check list	Fast/England	Deb	x			5
2014-7	Development	Development of Properties (To Network/Promote quality development) To Get Vacant Properties Developed, Ongoing	Working with Commerce Bank on Traffic Study for the west cloverleaf. Working with Mission on possible development of the east cloverleaf and ready to work with new property owner of 47th and Mission properties.			6	0	0	6
2013-5		Council review Design Guidelines and Comprehensive Plan				x			5
2013-6		Follow-up City Survey	Desire to get emails citywide due to lack of funding. Desire to have a workshop to hone in on what we want to ask. Cmbr Fast says we can wait because the strategic plan was citizen feedback. Cmbr Kelly says when strategic plan is complete we should start this, but delaying it now is fine. We should still prepare and get emails and such. The last follow-up survey had 300 responses. Going door to door may be a good thing. Group ward emails together. Door to door to get emails. Strategic Plan has had two Open house sessions and one email survey this year with the possibility of one more.	Megan / Mel		x			5
2013-2		Start the decision making process regarding the Community Center ie, keep, update, replace, partnerships, etc	Workshops held in Summer 2013, RFP in Process for Roof Replacement. Community Center – Cmbr McNeil will join Cmbrs Kelly and Gunby on this goal. Roof RFP completed summer 2014. Window treatments were indentified as next replacement project at the community center and were completed in November, 2014. Fencing and relocating solid waste and recycling containers will be the next functional area of improvement at the center.	Workshop		x			8
2013-8		Research Stormwater Utility - long term maintenance plan		Gliniecki/Gunby	Deb	x			5
2013-9		Use interns - Urban Planning / EcoDevo		McNeil/Meyers	Aaron	x			5
2014-11	Education	Promote Email System (Collection of Emails)				4	1	0	5

2014-8									
	Development	Encourage Redevelopment of Johnson Drive Corridor	Cmbr Croston and Cmbr Rhoads will serve on it. Deliverables will be considered and reported back to the committee. Crdeated a packet of information about restrictions and background for possible developers to have access to. Gliniecki says dove-tail with the strategic update.			2	1	2	5
2013-1	Similar to business gathering goal	Create a Roeland Park Business or merchants Association	Held three quarterly business gatherings in 2014				x		7
2013-10		Discussion of Redevelopment of Johnson Drive Corridor					x		6
2014-5	Community	On-going community residential improvement projects (Christmas in October, Habitat)				0	5	0	5
2013-11		Establish Guidelines (BMP for Maintenance of City Property, ie Green Space, hardscaping)		Parks Committee			x		5
2014-4	Community	Explore a City off-leash dog park				0	1	3	4
2014-18	Operations	Update Reserve Policy for a target reserve and repayment plan				3	1	0	4
2014-19	Staff	Interns for Urban Planning/Eco Devo				4	0	0	4
2014-22	Sustainability	Low impact development requirements AKA Green Construction Codes				1	1	1	4
2014-1	Arts	Performance Arts				1	2	0	3
2014-2	Community	Promote City for Community Foundation / Projects				1	2	0	3
2014-3	Community	Create a Community Benefit Agreement For Developers with Community Groups (ie churches, schools) The development will benefit the Community.				1	1	1	3
2014-13	Education	Development of Youth Program				2	1	0	3
2014-14	Education	Produce a Block Party How to Guide				1	2	0	3
2014-16	Identity	Monthly Newsletter Electronically				1	2	0	3
2014-21	Sustainability	Explore the opportunity for Wind and other energy resources				0	2	1	3
2014-6	Community	Tel Line (Voluntary Phone Program) At Risk/Vulnerable pop.				0	1	1	2
2014-10	Education	Research Doggie Doo Project (for residential areas)				1	1	0	2
2014-23	Sustainability	Citywide reduction of Single Use Plastic Bags				0	1	1	2
2014-9	EcoDevo	Network Home Businesses				1	0	0	1
2014-17	Identity	Make sure the City is labeled EV ready				0	1	0	1
2014-20	Sustainability	Expand language for Terms and Conditions for RFP/RFO's				1	0	0	1
2014-24	Sustainability	Require Businesses to Recycle (Internal Recycling)				0	1	0	1

Other topics brought during the Codification process to be discussed at a later date

Readiness
for

Discussion	Locations in City Code	Issue	Champion	Current Status / Next Steps
1	Chap. 2 Art. 1 2-108-109	Stockyards -- Prosed to Remove the Section 109 - a exemption - In Process	Sheri / Staff	addressed as part of Chapter 2 discussion
1	Chap. 2 Art. 2-211	Pit Bull Ban v. vicious animals -- In Process	Jennifer	addressed as part of Chapter 2 discussion
1	Chap. 2 Art. 3 2-301	Updating the Exotic Animal list -- in process	Staff - Intern	addressed as part of chap. 2 dicussion
4		Review of the plan review fees for inclusion in Fee resolution -- In Process	staff - Mike/Intern	Reviewed by Building inspector and any possible changes will be forwarded to council for consideration
3	Chapter 5 Art. 6	Home Occupation review -- In Process	Staff Jennifer - Ted	Reviewed by Jennifer and any possible changes will be forwarded to council for consideration
5	Chapter 13 -315	Cleaning sidewalks -- In Process	Deb's capstone project	Debbie to brief staff and any possible changes will be forwarded to council for consideration
6	Chapter 5 art. 1	Occupational Fees for trees, landscaping and contractors and home based businesses	staff	This topic will need additional work depending on the outcome of the home occupation discussion
7	Chap. 2 Art. 4 2-401	Hens at non residntial Locations such as schools/churchs -	Jennifer / Sheri	Needs additional Research
2	Chapter 15 Art. 1	storage of solid waste and recycleable materials -- In Process	Staff	Reviewed by staff and decision brief pending at a future committee of the whole

Item Number: Pending Items- A.-1.

Committee
Meeting Date: 5/11/2015



Item Number: Pending Items- A.-2.

Committee
Meeting Date: 5/11/2015



Item Number: Pending Items- A.-3.

Committee
Meeting Date: 5/11/2015

