

CITY OF MISSION, KANSAS
FINANCE & ADMINISTRATION COMMITTEE

WEDNESDAY, MARCH 7, 2018

7:30 P.M.

(or immediately following 6:30 p.m. Community Development Committee)

Mission City Hall

PUBLIC COMMENTS

PUBLIC PRESENTATIONS / INFORMATIONAL ONLY

ACTION ITEMS

1. Rotary Street Solicitation Application - Martha Sumrall ([page 3](#))

Shawnee Mission Rotary Club is requesting permission to sell Kansas City Star newspapers at four intersections in Mission on Thursday morning, March 29th. Proceeds benefit Rotary Youth Camp and other charities. The sales would be part of the Greater Kansas City Day. A street solicitation application and proof of insurance have been submitted and approved by Chief Hadley, and the Police Department will be providing participants with safety vests.

2. Ordinance Amendments Related to the Duties and Functions of the City Treasurer - Laura Smith ([page 7](#))

Following the retirement of the long-time City Treasurer, staff reviewed the duties and responsibilities of the City Treasurer as currently outlined in the City's codes. It was determined that the City Treasurer had not been performing the majority of these functions for the last 10-15 years. Staff recommends various code revisions which reflect the current duties, roles, and expectations of the City Treasurer.

3. Ordinance Correcting Membership to the Sustainability Commission - Emily Randel ([page 20](#))

The City Council approved the addition of two youth members to the Sustainability Commission in April 2017. At that time, the code language describing the total number of members allowed on the Sustainability Commission was not changed. This action would approve the ordinance amending Chapter 260 to reflect the intent to expand the Sustainability Commission to 11 members when two youth member positions were added in April 2017.

DISCUSSION ITEMS

OTHER

2. Department Updates - Laura Smith

Nick Schlossmacher, Chairperson
Ken Davis, Vice-Chairperson
Mission City Hall, 6090 Woodson St
913-676-8350

City of Mission	Item Number:	1.
ACTION ITEM SUMMARY	Date:	February 22, 2018
Administration	From:	Martha Sumrall

Action items require a vote to recommend the item to full City Council for further action.

RE: Street Solicitation Application - Shawnee Mission Rotary Greater Kansas City Days

RECOMMENDATION: Approve a Street Solicitation Application for Shawnee Mission Rotary Greater Kansas City Day to be held on Thursday, March 29, 2018 at various intersections in Mission.

DETAILS: The Shawnee Mission Rotary Club has requested permission to sell donated special editions of the Kansas City Star newspapers at the following intersections on Thursday, March 29th between the hours of 6:30 - 9:00 a.m.:

- Shawnee Mission Parkway & Nall
- Shawnee Mission Parkway & Lamar
- Johnson Drive & Broadmoor
- Johnson Drive & Lamar

The Police Department will be providing safety vests for all participants to wear when soliciting. Proceeds from these newspaper sales support Rotary Youth Camp and other children's charities in the metro area.

A Street Solicitation Application has been reviewed and approved by Chief Hadley. The Rotary Club has also submitted the appropriate proof of insurance documentation.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	NA
Line Item Code/Description:	NA
Available Budget:	NA



SHAWNEE MISSION ROTARY

February 5, 2018

City of Mission
6090 Woodson
Mission, KS 66202

RE: Shawnee Mission Rotary's Kansas City Day Participation

To Whom it May Concern:

Shawnee Mission Rotary is again participating in Greater Kansas City Day, which will be held Thursday, March 29, 2018. The club will be selling donated special editions of the Kansas City Star on various corners in the metropolitan area, including Mission, KS. The club is again asking permission to sell the papers on the selected corners that we have used in the past in the City of Mission.

The sale proceeds will be used to allow boys and girls with special needs to attend the Rotary Youth Camp located at Lake Jacomo. The sale proceeds will also be used to benefit other local children's charities in the metropolitan area. Since 1924, more than 400,000 children with disabilities and disadvantaged youth have enjoyed a unique camping experience, free of charge, at the Rotary Youth Camp.

The paper sales start around 6:30am and conclude at about 9:00am. Hopefully, the City of Mission will allow us to once again sell papers at the corner of Shawnee Mission Parkway and Lamar, SM Parkway and Nall, Johnson Drive and Lamar and Johnson Drive and Broadmoor. Please contact me if you have any questions or if you have any concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dennis Monahan". The signature is fluid and cursive, written over a white background.

Dennis Monahan
Shawnee Mission Rotary Club
(913)515-4689

**STREET SOLICITATION APPLICATION
CITY OF MISSION**

Please fill out the application completely; incomplete applications will not be accepted.
Name of Organization and Description of Event: _____

Date(s) of Event: March 29, 2018

Hours of Event: Start Time: 6:30 am

Finish Time: 9:00 am

Organization Contact Person: Dennis Monahan

Telephone Numbers: Home 913-515-4689 Work 913-792-9212

Estimated Number of Solicitors: 20

Description of Item(s) to Be Sold, If Any: Newspapers + Flags

List street corners/intersections proposed to be used:

Sm Prky & Wall
Sm Prky & Lamar
Johansen Dr. & Braadmoor
Johansen Dr. & Lamar

PLEASE MARK AFFIRMATIVE RESPONSES, SIGN AND DATE.

The organization and I certify and agree that:

- a) The Mission Police Department (913) 676-8301 has been contacted to review the solicitation plan. Yes X
- b) Safety vests as approved by the Police Department will be worn by all solicitors. Yes X
- c) No more than two persons will solicit at each approach to the intersection, or a maximum of eight per intersection. Yes X
- d) Solicitors must obey all laws and ordinances concerning vehicular and pedestrian movements, and under no circumstances interfere with the normal flow of vehicular movement. Yes X
- e) At least one working cell phone will be available at each intersection in case of emergency. Yes X
- f) No solicitor under the age of 18 will participate. Yes X
- g) The organization has provided a certificate of liability insurance coverage with the City of Mission named as an additional insured. Yes X

Signature of Responsible Person Dennis Monahan

Title President Elect Date 2/5/18

Approved: Chief of Police BWA Date 2/27/18



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
February 5, 2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008	CONTACT NAME: Ali Sulita
	PHONE (A/C, No, Ext): 1-833-3ROTARY FAX (A/C, No): E-MAIL ADDRESS: rotary@ajg.com
INSURED All Active US Rotary Clubs & Districts Shawnee Mission Rotary ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698	INSURER(S) AFFORDING COVERAGE NAIC #
	INSURER A: Lexington Insurance Company 19437
	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:

COVERAGES **CERTIFICATE NUMBER:** 899307648 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			015375594	7/1/2017	7/1/2018	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			015375594	7/1/2017	7/1/2018	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ AGGREGATE \$ \$
	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	NOT APPLICABLE			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The Certificate holder is included as additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER City of Mission 6090 Woodson Mission, KS 66202 KC Day Paper Sales in the City of Mission	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--

City of Mission	Item Number:	2.
ACTION ITEM SUMMARY	Date:	February 28, 2018
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Clean-up of the City of Mission Municipal Code related to the City Treasurer

RECOMMENDATION: Approve the ordinance amending various chapters of the Code of the City of Mission, Kansas to address the duties and responsibilities of the City Treasurer.

DETAILS: Following the retirement of long-time City Treasurer, Don Chamblin, staff reviewed the duties and responsibilities of the City Treasurer, as outlined in the City's codes. It was determined that the City Treasurer had not been performing the majority of these functions for the last 10-15 years. Staff recommends that various sections of the code be revised to reflect the current duties, roles and expectations of the City Treasurer. In most cases, the edits reflect a simple clean-up of titles.

Staff will also review the residency requirement for the City Treasurer. Mission's code currently requires the City Treasurer to be a qualified elector of Johnson County. In a survey of other cities in Johnson County, most do not have a similar requirement. If the Mayor and Council adopt the practice of appointing a current employee to the City Treasurer's position, removing the residency requirement allows more flexibility for future appointments. If desired, this revision would need to be accomplished through a Charter Ordinance.

As a part of the revisions, staff is also recommending to remove the Mayor as a signer on all business licenses. The City Clerk and the City Treasurer would remain as approved signers. This change is recommended to assist in streamlining various approval processes, and is consistent with the practice of most other cities in Johnson County.

A redlined copy of the code sections to be modified is included in the packet for your review. The recommended changes impact the following code sections:

- Chapter 105: Administration, Article IV Open Records
- Chapter 105: Administration, Article VII Investment of Idle Funds
- Chapter 120: Officers and Employees, Article II Oaths and Bonds
- Chapter 120: Officers and Employees, Article V Other City Officials
- Chapter 225: Health and Sanitation, Article II Rodent Control
- Chapter 510: Unsafe or Dangerous Structures, Article III Insurance Proceeds Fund
- Chapter 515: Streets, Sidewalks and Other Public Places, Article II Cutting Pavement and Excavation
- Chapter 515: Streets, Sidewalks and Other Public Places, Article IV Street Construction
- Chapter 605: Business Licenses and Regulations, Article I Business Licenses and Fees
- Chapter 605: Business Licenses and Regulations, Article IV Home Occupations

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	Various (see detail in summary above)
Line Item Code/Description:	N/A
Available Budget:	N/A

Chapter 105: Administration, Article IV Open Records
Section 105.080 Appointment of Official Custodians.
[Code 1987; CC 2000 §1-806]

- A. The following City Officers are hereby appointed as official custodians for purposes of the Kansas Open Records Act and are hereby charged with responsibility for compliance with that Act with respect to the hereinafter listed public records:
1. *City Clerk.* All public records kept and maintained in the City Clerk's office and all other public records not provided for elsewhere in this Section.
 2. ~~*City Treasurer.* All public records not on file in the office of the City Clerk and kept and maintained in the City Treasurer's office.~~
 32. *Chief of Police.* All public records not on file in the office of the City Clerk and kept and maintained in the City Police Department.
 43. *Clerk of the Municipal Court.* All public records not on file in the office of the City Clerk and kept and maintained in the Municipal Court.
 54. *Public Works.* All public records not on file in the office of the City Clerk and kept and maintained in the Public Works' office.
 65. *City Attorney.* All public records not on file in the office of the City Clerk and kept and maintained in the City Attorney's office.

Section 105.120 Fee Administration.
[Code 1987; CC 2000 §1-810]

Each custodian shall transmit all record fee deposits to the ~~City Clerk Finance Officer~~ Finance Department not less than weekly. Each custodian shall maintain duplicates of all records and copy request forms, completed as to the amount of fee charged and collected, which amounts shall be periodically audited by the ~~Clerk Finance Officer and Treasurer~~ Finance Department of the City.

Chapter 105: Administration, Article VII Investment of Idle Funds
Section 105.200 Procedures and Restrictions.
[Code 1983; CC 2000 §1-502]

The ~~City Treasurer~~ Finance Director shall monthly provide a detailed investment report to the City Administrator and the City Clerk. The ~~City Treasurer~~ Finance Director shall provide for an investment program which shall so limit the amounts invested and shall schedule the maturities of investments so that the City will, at all times, have sufficient monies available on demand deposit to assure prompt payment of all City obligations.

Section 105.220 Earnings and Records.
[Code 1974 §1-706; CC 2000 §1-505]

The interest or other earnings from investments made pursuant to this Article shall be credited pro rata to the fund or funds from which the investments were made and shall be used, insofar as possible, to relieve the ad valorem tax levies of the City. The ~~City Treasurer~~ Finance Director shall maintain a complete and detailed record at all times of all investments made pursuant to this Article.

Chapter 120: Officers and Employees, Article II Oaths and Bonds

Section 120.120 Surety Bonds — Filing.

[Code 1974 §1-405; CC 2000 §1-407]

All surety bonds shall be filed with the City Clerk except the City Clerk's bond which shall be filed with the ~~City Treasurer~~ Finance Director.

Chapter 120: Officers and Employees, Article V Other City Officials

Section 120.220 Duties of The City Treasurer.

A. The City Treasurer shall perform such duties as required by law and may assume such duties as are delegated by the City Administrator. ~~Further, the City Treasurer shall exercise delegated authority pursuant to Chapter 105, Article VII, Sections 105.190 et seq. to invest and reinvest money of the City, to sell or exchange securities so purchased, and to deposit such securities for safekeeping, as follows:~~

- ~~1.—*Investment.* The City Treasurer may purchase, as their original sale or after they have been issued, securities which are permissible investments under Chapter 105, Article VII, Section 105.190 et seq. as they may be amended from time to time, and sell or exchange those securities for other eligible securities and reinvest the proceeds of the securities so purchased. Funds for these investments or reinvestments shall be provided from surplus money which the Finance Director has determined is not required to meet the immediate necessities of the City.~~
- ~~2.—*Interest rate.* Pursuant to Chapter 105, Article VII, Section 105.190 et seq. the City Treasurer shall deposit surplus money which the Finance Director has determined is not required to meet the immediate necessities of the City in a depository selected from those banks and those savings and loan associations agreeing to pay the highest rate of interest. Deposits and investments made pursuant to this Section shall mature in accordance with a schedule determined by the City Treasurer and Finance Director.~~
- ~~3.—*Redemptions.* From time to time the City Treasurer shall redeem the securities in which City money has been invested pursuant to this Section so that the proceeds may be applied to the purposes for which the original purchase money was designated or placed in the City Treasury.~~
- ~~4.—*City bonds.* The City Treasurer shall act in an advisory capacity to the City Administrator regarding the issuance, redemption and refunding of bonds.~~

Chapter 225: Health and Sanitation, Article II Rodent Control

Section 225.060 Failure To Comply.

[Code 1974 §6-403; CC 2000 §8-704]

If the owner fails to comply with such written notice or extension, then the Governing Body is authorized to take such action as may be necessary to completely rat-stop the building or structure at the expense of the owner and the City Clerk shall submit bills for the expense thereof to the owner of the building or structure. If the bills are not paid within sixty (60) days, the City Clerk shall certify the amount due to the City ~~Treasurer~~ and the charge shall be a lien against the property where the work has been done and the owner shall be promptly billed therefor. The expense thereof shall include the cost of labor, materials, equipment and any other actual expense necessary for rat-stoppage.

Section 225.080 Notice To Eradicate Rats.

[Code 1974 §6-405; CC 2000 §8-706]

Whenever the Governing Body notifies in writing the owner of any building or structure theretofore rat-stopped, as hereinabove defined, that there is evidence of rat infestation of the building or structure, the owner shall immediately institute appropriate measures for freeing the premises so occupied of all rats.

Unless suitable measures for freeing the building or structure of rats are instituted within five (5) days after the receipt of notice and unless continually maintained in a satisfactory manner, the City is hereby authorized to free the building or structure of rats at the expense of the owner thereof and the City Clerk shall submit bills for the expense thereof to the owner of the building or structure and if the same are not paid, the City Clerk shall certify the amount due from the owner to the City ~~Treasurer~~ and the owner shall be promptly billed therefor. The expense thereof shall include the cost of labor, materials, equipment and any other actual expense necessary for the eradication measures.

Chapter 510: Unsafe or Dangerous Structures, Article III Insurance Proceeds Fund

Section 510.300 Procedure.

[Code 1997; CC 2000 §8-905]

- A. When final settlement on a covered claim has been agreed to or arrived at between the named insured or insureds and the company or companies and the final settlement exceeds seventy-five percent (75%) of the face value of the policy covering any building or other insured structure and when all amounts due the holder of a first (1st) real estate mortgage against the building or other structure, pursuant to the terms of the policy and endorsements thereto, shall have been paid, the insurance company or companies shall execute a draft payable to the City ~~Treasurer~~ in an amount equal to the sum of fifteen percent (15%) of the covered claim payment, unless the Chief Building Inspector of the City has issued a certificate to the insurance company or companies that the insured has removed the damaged building or other structure, as well as all associated debris, or repaired, rebuilt or otherwise made the premises safe and secure.
- B. Such transfer of funds shall be on a pro rata basis by all companies insuring the building or other structure. Policy proceeds remaining after the transfer to the City shall be disbursed in accordance with the policy terms.
- C. Upon the transfer of the funds as required by Subsection (A) of this Section, the insurance company shall provide the City with the name and address of the named insured or insureds, the total insurance coverage applicable to said building or other structure, and the amount of the final settlement agreed to or arrived at between the insurance company or companies and the insured or insureds, whereupon the Chief Building Inspector shall contact the named insured or insureds by registered mail notifying them that said insurance proceeds have been received by the City and apprise them of the procedures to be followed under this Article.

Section 510.310 Fund Created — Deposit of Monies.

[Code 1997; CC 2000 §8-906]

The ~~City Treasurer~~~~Finance Director~~ is hereby authorized and shall create a fund to be known as the "Insurance Proceeds Fund". All monies received by the City ~~Treasurer~~ as provided for by this Article shall be placed in said fund and deposited in an interest-bearing account.

Section 510.320 Building Inspector — Investigation, Removal of Structure.

[Code 1997; CC 2000 §8-907]

- A. Upon receipt of monies as provided for by this Article, the ~~City Treasurer~~~~Finance Director~~ shall immediately notify the Chief Building Inspector of said receipt and transmit all documentation received from the insurance company or companies to the Chief Building Inspector.
- B. Within twenty (20) days of the receipt of said monies, the Chief Building Inspector shall determine, after prior investigation, whether the City shall instigate proceedings under the provisions of K.S.A. Section 12-1750 et seq., as amended.
- C. Prior to the expiration of the twenty (20) days established by Subsection (B) of this Section, the Chief Building Inspector shall notify the ~~City Treasurer~~~~Finance Director~~ whether he/she intends to initiate proceedings under K.S.A. Section 12-1750 et seq., as amended.

- D. If the Chief Building Inspector has determined that proceedings under K.S.A. Section 12-1750 et seq., as amended, shall be initiated, he/she will do so immediately but no later than thirty (30) days after receipt of the monies by the City ~~Treasurer~~.
- E. Upon notification ~~to the City Treasurer~~ by the Chief Building Inspector that no proceedings shall be initiated under K.S.A. Section 12-1750 et seq., as amended, the ~~Finance Director~~ ~~City Treasurer~~ shall return all such monies received, plus accrued interest, to the insured or insureds as identified in the communication from the insurance company or companies. Such return shall be accomplished within thirty (30) days of the receipt of the monies from the insurance company or companies.

Section 510.340 Removal of Structure — Disposition of Funds.
[Code 1997; CC 2000 §8-909]

If the Chief Building Inspector, with regard to a building or other structure damaged by fire, explosion or windstorm, determines that it is necessary to act under K.S.A. Section 12-1756, any proceeds received by the City ~~Treasurer~~ under the authority of Section **510.300(A)** relating to that building or other structure shall be used to reimburse the City for any expenses incurred by the City in proceeding under K.S.A. Section 12-1756. Upon reimbursement from the insurance proceeds, the Chief Building Inspector shall immediately effect the release of the lien resulting therefrom. Should the expenses incurred by the City exceed the insurance proceeds paid over to the City ~~Treasurer~~ under Section **510.300(A)**, the Chief Building Inspector shall publish a new lien as authorized by K.S.A. Section 12-1756 in an amount equal to such excess expenses incurred.

Chapter 515: Streets, Sidewalks and Other Public Places, Article II Cutting Pavement and Excavation

Section 515.330 Application For Permit — Permit Fee.
[Code 1974 §13-806; Code 1987; CC 2000 §13-113]

- A. An application to the Governing Body for a permit to remove and cut back the curbing along any street for the purpose of widening the area for parking of vehicles in the street shall have attached thereto the plans submitted to the City Planning Commission together with its approval, disapproval or recommendations endorsed thereon.
- B. The Governing Body may allow or deny the application for such permit in its discretion. If allowed, the Public Works Department shall issue such permit upon payment of the fee therefor.
- C. The fee for such permit shall be as established in the schedule of fees as set forth in Chapter **103**, which fee shall be paid to the City ~~Treasurer~~ before any such permit is issued.

Chapter 515: Streets, Sidewalks and Other Public Places, Article IV Street Construction
Section 515.460 Alternate Form of Performance and Maintenance Bond.
[Code 1974 §13-1008; CC 2000 §13-308]

In lieu of filing the bonds required in Section **515.450** of this Article, an applicant for a permit for private construction of street improvements may file with the City Clerk a written agreement to construct in accordance with the approved plans and specifications and a written guarantee of the work against faulty workmanship or materials for a period of one (1) year following certification of completion as provided in Section **515.470** of this Article; provided, that at the time any such agreement is filed, the applicant shall guarantee performance by depositing in escrow with the City ~~Treasurer~~ cash or negotiable securities of the United State Government (applicant to retain all income therefrom) in the amount of the estimated cost of such improvement as approved by the City Engineer or Superintendent of Public Works or in such lesser amount as may be approved by resolution adopted by the City Council, together with written instructions to the City ~~Treasurer~~ providing for the return of ninety percent (90%) of the deposited funds when the construction requirements of the bond have been complied with and for the return of the remaining ten percent (10%) of the deposited funds when the maintenance requirements of the bond have been complied with and also providing that such cash or the proceeds of sale of such securities may be

used by the City to complete the construction and/or maintenance of the improvements specified in the written agreement of the applicant if the applicant fails to do so.

Chapter 605: Business Licenses and Regulations, Article I Business Licenses and Fees
Section 605.080 Issuance of License.
[Code 1974 §12-609; CC 2000 §5-110]

All licenses hereinbefore provided shall be issued by the City Clerk upon payment of the proper sum to the City Clerk as hereinbefore set forth. All licenses shall be signed by ~~the Mayor~~, the City Clerk and ~~by~~ the City Treasurer, and the City Clerk shall affix thereto the Seal of the City.

Chapter 605: Business Licenses and Regulations, Article IV Home Occupations
Section 605.260 Licenses.
[Ord. No. 974 §1, 4-5-1999; CC 2000 §5-904; Ord. No. 1430 §3, 10-21-2015]

- A. *Issuance Of License.* All home occupation licenses shall be issued by the City Clerk upon satisfactory completion of the application form and payment to the City Clerk of the fee in accordance with the fee schedule. All licenses shall be signed by ~~the Mayor~~, the City Treasurer and the City Clerk. The City Clerk shall affix the Seal of the City to the license.
- B. *Renewal Of License.* The renewal of each home occupational license shall also require the satisfactory completion of the annual renewal form and payment of the fee in the amount established in the fee schedule.
- C. *Revocation.* A home occupation license may be revoked by the City Clerk for failing to meet home occupation criteria.

ORDINANCE NO. _____

AN ORDINANCE REVISING VARIOUS CHAPTERS OF THE CODE OF THE CITY OF MISSION, KANSAS RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE CITY TREASURER AND FINANCE DEPARTMENT.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS AS FOLLOWS:

Section 1. Chapter 105: Administration, Article IV Open Records, Section 105.080 (A) is amended as follows;

Section 105.080 Appointment of Official Custodians.

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

1. *City Clerk.* All public records kept and maintained in the City Clerk's office and all other public records not provided for elsewhere in this Section.
2. *Chief of Police.* All public records not on file in the office of the City Clerk and kept and maintained in the City Police Department.
3. *Clerk of the Municipal Court.* All public records not on file in the office of the City Clerk and kept and maintained in the Municipal Court.
4. *Public Works.* All public records not on file in the office of the City Clerk and kept and maintained in the Public Works' office.
5. *City Attorney.* All public records not on file in the office of the City Clerk and kept and maintained in the City Attorney's office.

Section 2. Chapter 105: Administration, Article IV Open Records, Section 105.120 is amended as follows:

Section 105.120 Fee Administration.

Each custodian shall transmit all record fee deposits to the Finance Department not less than weekly. Each custodian shall maintain duplicates of all records and copy request forms, completed as to the amount of fee charged and collected, which amounts shall be periodically audited by the Finance Department of the City.

Section 3. Chapter 105: Administration, Article VII Investment of Idle Funds, Section 105.200 is amended as follows;

The Finance Director shall monthly provide a detailed investment report to the City Administrator and the City Clerk. The Finance Director shall provide for an investment program which shall so limit the amounts invested and shall schedule the maturities of investments so that the City will, at all times, have sufficient monies available on demand deposit to assure prompt payment of all City obligations.

Section 4. Chapter 105: Administration, Article VII Investment of Idle Funds, Section 105.220 is amended as follows;

The interest or other earnings from investments made pursuant to this Article shall be credited pro rata to the fund or funds from which the investments were made and shall be used, insofar as possible, to relieve the ad valorem tax levies of the City. The Finance Director shall maintain a complete and detailed record at all times of all investments made pursuant to this Article.

Section 5. Chapter 120: Officers and Employees, Article II, Oaths and Bonds, Section 120.120 is amended as follows;

Section 120.120 Surety Bonds — Filing.

All surety bonds shall be filed with the City Clerk except the City Clerk's bond which shall be filed with the Finance Director.

Section 6. Chapter 120: Officers and Employees, Article V Other City Officials, Section 120.220 is amended as follows;

Section 120.220 Duties of The City Treasurer.

The City Treasurer shall perform such duties as required by law and may assume such duties as are delegated by the City Administrator.

Section 7. Chapter 225: Health and Sanitation, Article II Rodent Control, Section 225.060 is amended as follows;

Section 225.060 Failure To Comply.

If the owner fails to comply with such written notice or extension, then the Governing Body is authorized to take such action as may be necessary to completely rat-stop the building or structure at the expense of the owner and the City Clerk shall submit bills for the expense thereof to the owner of the building or structure. If the bills are not paid within sixty (60) days, the City Clerk shall certify the amount due to the City and the charge shall be a lien against the property where the work has been done and the owner shall be promptly billed therefor.

The expense thereof shall include the cost of labor, materials, equipment and any other actual expense necessary for rat-stoppage.

Section 8. Chapter 225: Health and Sanitation, Article II Rodent Control, Section 225.080 is amended as follows;

Section 225.080 Notice To Eradicate Rats.

Whenever the Governing Body notifies in writing the owner of any building or structure theretofore rat-stopped, as hereinabove defined, that there is evidence of rat infestation of the building or structure, the owner shall immediately institute appropriate measures for freeing the premises so occupied of all rats. Unless suitable measures for freeing the building or structure of rats are instituted within five (5) days after the receipt of notice and unless continually maintained in a satisfactory manner, the City is hereby authorized to free the building or structure of rats at the expense of the owner thereof and the City Clerk shall submit bills for the expense thereof to the owner of the building or structure and if the same are not paid, the City Clerk shall certify the amount due from the owner to the City and the owner shall be promptly billed therefor. The expense thereof shall include the cost of labor, materials, equipment and any other actual expense necessary for the eradication measures.

Section 9. Chapter 510 Unsafe or Dangerous Structures, Article III Insurance Proceeds Fund, Section 510.300 (A) is amended as follows;

Section 510.300 Procedure.

- A. When final settlement on a covered claim has been agreed to or arrived at between the named insured or insureds and the company or companies and the final settlement exceeds seventy-five percent (75%) of the face value of the policy covering any building or other insured structure and when all amounts due the holder of a first (1st) real estate mortgage against the building or other structure, pursuant to the terms of the policy and endorsements thereto, shall have been paid, the insurance company or companies shall execute a draft payable to the City in an amount equal to the sum of fifteen percent (15%) of the covered claim payment, unless the Chief Building Inspector of the City has issued a certificate to the insurance company or companies that the insured has removed the damaged building or other structure, as well as all associated debris, or repaired, rebuilt or otherwise made the premises safe and secure.

Section 10. Chapter 510 Unsafe or Dangerous Structures, Article III Insurance Proceeds Fund, Section 510.310 is amended as follows;

Section 510.310 Fund Created — Deposit of Monies.

The Finance Director is hereby authorized and shall create a fund to be known as the "Insurance Proceeds Fund". All monies received by the City as provided for by this Article shall be placed in said fund and deposited in an interest-bearing account.

Section 11. Chapter 510 Unsafe or Dangerous Structures, Article III Insurance Proceeds Fund, Section 510.320 is amended as follows;

Section 510.320 Building Inspector — Investigation, Removal of Structure.

- A. Upon receipt of monies as provided for by this Article, the Finance Director shall immediately notify the Chief Building Inspector of said receipt and transmit all documentation received from the insurance company or companies to the Chief Building Inspector.
- B. Within twenty (20) days of the receipt of said monies, the Chief Building Inspector shall determine, after prior investigation, whether the City shall instigate proceedings under the provisions of K.S.A. Section 12-1750 et seq., as amended.
- C. Prior to the expiration of the twenty (20) days established by Subsection (B) of this Section, the Chief Building Inspector shall notify the Finance Director whether he/she intends to initiate proceedings under K.S.A. Section 12-1750 et seq., as amended.
- D. If the Chief Building Inspector has determined that proceedings under K.S.A. Section 12-1750 et seq., as amended, shall be initiated, he/she will do so immediately but no later than thirty (30) days after receipt of the monies by the City.
- E. Upon notification by the Chief Building Inspector that no proceedings shall be initiated under K.S.A. Section 12-1750 et seq., as amended, the Finance Director shall return all such monies received, plus accrued interest, to the insured or insureds as identified in the communication from the insurance company or companies. Such return shall be accomplished within thirty (30) days of the receipt of the monies from the insurance company or companies.

Section 12. Chapter 510 Unsafe or Dangerous Structures, Article III Insurance Proceeds Fund, Section 510.340 is amended as follows;

Section 510.340 Removal of Structure — Disposition of Funds.

If the Chief Building Inspector, with regard to a building or other structure damaged by fire, explosion or windstorm, determines that it is necessary to act under K.S.A. Section 12-1756, any proceeds received by the City under the

authority of Section 510.300(A) relating to that building or other structure shall be used to reimburse the City for any expenses incurred by the City in proceeding under K.S.A. Section 12-1756. Upon reimbursement from the insurance proceeds, the Chief Building Inspector shall immediately effect the release of the lien resulting therefrom. Should the expenses incurred by the City exceed the insurance proceeds paid over to the City under Section 510.300(A), the Chief Building Inspector shall publish a new lien as authorized by K.S.A. Section 12-1756 in an amount equal to such excess expenses incurred.

Section 13. Chapter 515: Streets, Sidewalks and Other Public Places, Article II Cutting Pavement and Excavation, Section 515.330 (C) is amended as follows;

Section 515.330 Application For Permit — Permit Fee

C. The fee for such permit shall be as established in the schedule of fees as set forth in Chapter 103, which fee shall be paid to the City before any such permit is issued.

Section 14. Chapter 515: Streets, Sidewalks and Other Public Places, Article IV, Street Construction, Section 515.460 is amended as follows;

Section 515.460 Alternate Form of Performance and Maintenance Bond.

In lieu of filing the bonds required in Section 515.450 of this Article, an applicant for a permit for private construction of street improvements may file with the City Clerk a written agreement to construct in accordance with the approved plans and specifications and a written guarantee of the work against faulty workmanship or materials for a period of one (1) year following certification of completion as provided in Section 515.470 of this Article; provided, that at the time any such agreement is filed, the applicant shall guarantee performance by depositing in escrow with the City cash or negotiable securities of the United State Government (applicant to retain all income therefrom) in the amount of the estimated cost of such improvement as approved by the City Engineer or Superintendent of Public Works or in such lesser amount as may be approved by resolution adopted by the City Council, together with written instructions to the City providing for the return of ninety percent (90%) of the deposited funds when the construction requirements of the bond have been complied with and for the return of the remaining ten percent (10%) of the deposited funds when the maintenance requirements of the bond have been complied with and also providing that such cash or the proceeds of sale of such securities may be used by the City to complete the construction and/or maintenance of the improvements specified in the written agreement of the applicant if the applicant fails to do so.

Section 15. Chapter 605: Business Licenses and Regulations, Article I Business Licenses and Fees, Section 605.080 is amended as follows;

Section 605.080 Issuance of License.

All licenses hereinbefore provided shall be issued by the City Clerk upon payment of the proper sum to the City Clerk as hereinbefore set forth. All licenses shall be signed by the City Clerk and the City Treasurer, and the City Clerk shall affix thereto the Seal of the City.

Section 16. Chapter 605: Business Licenses and Regulations, Article IV Home Occupations, Section 605.260 (A) is amended as follows;

Section 605.260 Licenses.

- A. *Issuance Of License.* All home occupation licenses shall be issued by the City Clerk upon satisfactory completion of the application form and payment to the City Clerk of the fee in accordance with the fee schedule. All licenses shall be signed by the City Treasurer and the City Clerk. The City Clerk shall affix the Seal of the City to the license.

Section 17. This Ordinance shall take effect and be in full force from and after its publication in the official City newspaper according to law.

PASSED AND APPROVED by the City Council this 21st day of March 2018.

APPROVED by the Mayor this 21st day of March 2014.

(SEAL)

Ronald E. Appletoft, Mayor

ATTEST:

Martha M. Sumrall, City Clerk

APPROVED AS TO FORM:

PAYNE & JONES, CHTD.

David K. Martin, City Attorney
11000 King, Suite 200
P. O. Box 25625
Overland Park, KS 66225-5625
Tel: (913) 469-4100
Fax: (913) 469-8182

City of Mission	Item Number:	3.
ACTION ITEM SUMMARY	Date:	February 27, 2018
Administration	From:	Emily Randel

Action items require a vote to recommend the item to full City Council for further action.

RE: Correction to number of members on Sustainability Commission

RECOMMENDATION: Approve the ordinance amending Chapter 260 to reflect the intent to expand the Sustainability Commission to 11 members when two youth member positions were added in April 2017.

DETAILS: In an effort to encourage intergenerational relationships within the community and more diverse input on the City's boards and commissions, the City Council approved the addition of two youth member positions to both the Sustainability Commission and the Parks, Recreation and Tree Commission in April 2017. At that time, the code language describing the total number of members allowed on the Sustainability Commission was not changed to reflect the addition of the two youth positions and remained at nine members. This current action would correct the language of the code to reflect the intent of expanding the Commission. The make-up of the membership would be correctly reflected as:

- 11 members.
- One of whom may be a non-resident of the City of Mission.
- At least one member shall be from each ward.
- Two members may be youth members.

CFAA CONSIDERATIONS/IMPACTS: This action is an administrative correction.

Related Statute/City Ordinance:	260.020 Sustainability Commission
Line Item Code/Description:	N/A
Available Budget:	N/A

CITY OF MISSION
ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 260 OF THE CODE OF THE CITY OF MISSION, KANSAS TO CORRECT THE LANGUAGE ALLOWING FOR TWO ADDITIONAL MEMBERS ON THE SUSTAINABILITY COMMISSION.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Mission, Kansas:

SECTION I: Chapter 260 of the code of the City of Mission is amended as follows:

Section 260.020 MEMBERSHIP.

The Sustainability Commission shall consist of eleven (11) members, one (1) of whom may be a non-resident of the City of Mission. At least one (1) member shall be from each ward. Two (2) members may be youth members.

SECTION II: This Ordinance shall take effect and be in full force from and after its publication as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL this 21st day of March 2018.

APPROVED BY THE MAYOR this 21st day of March 2018.

(SEAL)

Ronald E. Appletoft, Mayor

ATTEST:

Martha M. Sumrall, City Clerk

APPROVED AS TO FORM:

PAYNE & JONES, CHTD.

David K. Martin, City Attorney

11000 King, Suite 200
P. O. Box 25625
Overland Park, KS 66225-5625
Tel: (913) 469-4100
Fax: (913) 469-8182