

**City of Mission
Special City Council Meeting
Wednesday, September 30, 2020
6:00 p.m.**

This meeting will be held virtually via Zoom.
Information for the public on how to participate
will be available at missionks.org/calendar prior to the meeting.

AGENDA

1. Revisions to Section 120.130 (B) of Mission Municipal Code Related to Residency Requirements for the City Administrator - Laura Smith
2. Request for Waiver of Residency Requirement - Laura Smith
3. Adjournment



6090 Woodson Road
Mission, KS 66202
(913) 676.8350
www.missionks.org

NOTICE OF SPECIAL GOVERNING BODY MEETING
OFFICE OF THE CITY CLERK
MISSION, KANSAS

TO: Ronald E. Appletoft, Mayor

You are hereby notified that there will be a special meeting of the Governing Body at 6:00 p.m., Wednesday, September 30, 2020 via the virtual platform Zoom for the purpose of discussing the items listed below:

1. Revisions to Section 120.130 (B) of Mission Municipal Code Related to Residency Requirements for the City Administrator - Laura Smith
2. Request for Waiver of Residency Requirement - Laura Smith

Witness my hand and the seal of said city this 29th day of September 2020.

State of Kansas)
Johnson County ss.)
City of Mission)

DocuSigned by:
Audrey McClanahan
5D3F02C23A52410...

Audrey M. McClanahan, City Clerk



6090 Woodson Road
Mission, KS 66202
(913) 676.8350
www.missionks.org

NOTICE FOR SPECIAL GOVERNING BODY MEETING

TO: Ronald E. Appletoft, Mayor

You are hereby requested, in accordance with K.S.A. 14-111, to call a special meeting of the Governing Body of Mission, Kansas, to be held via the virtual platform Zoom on Wednesday, September 30, 2020 at 6:00 pm for the purpose of discussing the items listed below:

1. Revisions to Section 120.130 (B) of Mission Municipal Code Related to Residency Requirements for the City Administrator - Laura Smith
2. Request for Waiver of Residency Requirement - Laura Smith

Dated this 29th day of September 2020

DocuSigned by:
Ken Davis
8384EAB2E954450

Councilmember

DocuSigned by:
Sollie Flora
91A7035EE7504AE...

Councilmember

DocuSigned by:
Alvina King
AA5D6CF8CFA94BE...

Councilmember

City of Mission	Item Number:	1.
ACTION ITEM SUMMARY	Date:	September 30, 2020
Administration	From:	Laura Smith

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

RE: Revisions to Section 120.130 (B) of Mission’s Municipal Code relating to a residency requirement for the City Administrator.

RECOMMENDATION: Approve an ordinance granting the Governing Body the option of waiving the Johnson County residency requirement for the City Administrator.

DETAILS: Currently, Section 120.130 (B) outlines the qualifications for the position of Mission’s City Administrator. The language addresses both a residency requirement (Johnson County) as well as the education/experience required for hire. The code allows for the Governing Body to consider “an equivalent combination of education and experience” providing some degree of flexibility in hiring decisions. There is no similar provision as it relates to residency.

Because this provision is incorporated specifically in the Municipal Code, the Governing Body has no opportunity, other than formal revision of the code, to consider a waiver or exception to the residency requirement. A revision to the current code is proposed which would still communicate a preference for Johnson County residency (if so desired by the Governing Body), but would also provide an opportunity for that requirement to be waived for either an existing employee or a candidate (internal or external) by simple majority vote of the Governing Body.

The flexibility afforded by the opportunity to consider a waiver to the residency requirement provides the City with the greatest opportunity to attract and/or retain the most qualified candidates for the City Administrator’s position.

If the Council is no longer interested in maintaining any sort of residency requirement, that language could be removed entirely from the code via ordinance. As a point of reference, the City previously required Johnson County residency for all members of the Leadership Team (department directors). This was revised several years ago and replaced with a requirement that members of the leadership team live within a 30 mile radius of the City.

If the Council chooses to revise the code as drafted, consideration of a specific waiver

Related Statute/City Ordinance:	Mission Municipal Code Section 120.130 (B)
Line Item Code/Description:	N/A
Available Budget:	N/A

City of Mission	Item Number:	1.
ACTION ITEM SUMMARY	Date:	September 30, 2020
Administration	From:	Laura Smith

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

of the residency requirement for the City Administrator has been included as Item No. 2 on the agenda. If the Council were to elect revising the code to remove any requirement for residency, action on Item No. 2 would be unnecessary.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	Mission Municipal Code Section 120.130 (B)
Line Item Code/Description:	N/A
Available Budget:	N/A

ORDINANCE NO _____

AN ORDINANCE AMENDING SECTION 120.130 OF THE MISSION MUNICIPAL CODE RELATING TO THE RESIDENCY REQUIREMENTS OF THE CITY ADMINISTRATOR

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

SECTION 1: Section 120.130 of the Code of the City of Mission is hereby amended as follows:

Section 120.130. Establishment; Term; Qualification; Compensation; Removal; Vacancy.

- A. There is hereby created and established the position of the City Administrator. The City Administrator shall be hired by the Mayor with the consent of the City Council and shall be the administrative head of the City under the directions of the Mayor and the City Council. The City Administrator shall be hired for an indefinite term, unless an employment agreement with a stated term in writing is negotiated and executed.
- B. The person hired as the City Administrator shall be a resident of Johnson County, Kansas, within six (6) months of the effective date of such appointment. Candidates with a Bachelor of Arts and/or a Bachelor of Sciences degree and a Master's of Public Administration or equivalent Master's degree from an accredited university or college, qualifications and five (5) years' experience in financial and/or public administration fields is preferred. An equivalent combination of education and experience may be considered. Upon request of a candidate for the position or the impacted employee, the Governing Body may, by majority vote, waive the residency requirement for the City Administrator.
- C. The City Administrator shall receive such compensation as the Governing Body shall fix. The salary for the City Administrator shall be within the salary range as set forth and described in the City's approved pay plan. There shall be at least an annual performance evaluation of the City Administrator by the Governing Body. Any changes in the employment agreement with the City Administrator shall require approval of the Governing Body.
- D. Upon recommendation of the Mayor and two (2) members of the City Council, the City Administrator may be removed, following a review, by majority vote of the Governing Body. The City Council alone, following a review, may removal the City Administrator with a super majority vote.

E. In the event the office of the City Administrator is vacant, the Mayor and City Council will appoint an interim Administrator to carry out the duties and responsibilities of the City Administrator. An interim Administrator shall possess all qualifications set forth in Subsection (B).

SECTION 2: This Ordinance shall be in force and take effect from after publication according to law.

PASSED AND APPROVED by the City Council this _____ day of _____, 2020.

APPROVED by the Mayor this _____ day of _____, 2020.

Ronald E. Appletoft, Mayor

ATTEST:

Audrey M. McClanahan, City Clerk

APPROVED BY:

PAYNE & JONES, CHARTERED

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

City of Mission	Item Number:	2.
ACTION ITEM SUMMARY	Date:	September 30, 2020
Administration	From:	Laura Smith

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

RE: Request from City Administrator to waive Johnson County Residency Requirement

RECOMMENDATION: Consider waiver request for City Administrator's residency requirement..

DETAILS: Currently, Section 120.130 (B) outlines the qualifications for the position of Mission's City Administrator which includes a Johnson County residency requirement.

The City Administrator has approached the Council regarding a request to consider waiving this requirement in order to allow her more flexibility in choosing future housing options that aid in balancing work-life responsibilities.

The Council may not provide an exception to the Code requirement without a modification to the existing City Code. The modification was addressed as part of Item No. 1 on the agenda. If the ordinance is modified, the Council would then potentially need to consider approval of a specific request for a waiver. That request is included in the attached letter.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	Mission Municipal Code Section 120.130 (B)
Line Item Code/Description:	N/A
Available Budget:	N/A



September 30, 2020

Mayor and City Council
City of Mission
6090 Woodson
Mission, KS 66202

Dear Mayor and City Council:

Section 120.130 (B) of the Mission Municipal Code requires the City Administrator to reside in Johnson County (or establish residency within 6 months of appointment). I have been a resident of Johnson County throughout my tenure in Mission (15+years) including the last six years that I have served as the City Administrator.

In order to assist in accommodating a more appropriate work-life balance for my family, I would respectfully request the Governing Body consider waiving this residency requirement to allow me the opportunity to explore housing options outside of Johnson County.

I hope that in my tenure with the City I have clearly demonstrated my commitment to not only the organization but the larger community. Regardless of a decision on the waiver request, I can assure you that will not change.

Thank you in advance for your consideration of the request.

Sincerely,

A handwritten signature in black ink that reads "Laura Smith". The signature is written in a cursive style with a large initial "L" and "S".

Laura Smith
City Administrator