

CITY COUNCIL MEETING - CITY OF ROELAND PARK  
Council Chambers  
4600 W. 51<sup>ST</sup> Street, Roeland Park, KS 66205  
Monday, July 19, 2010  
7:00 P.M.

Pledge of Allegiance

Approve the Agenda

**I. Consent Agenda**

- A. Approve Appropriation Ordinance No. 776
- B. Approve the City Council Meeting Minutes of July 6, 2010

**II. Business from the Floor**

- A. Applications/Presentations
  - 1. Penny Boettcher Animal Variance
- B. Citizens Comments
  - 1. Linda Mau, 5437 Linden

**III. Mayor's Report**

**IV. Committee Actions/Reports**

- A. Safety (no minutes submitted)
  - 1. STO and UPOC Ordinances (see under Ordinances and Resolutions)
- B. Sustainability (no minutes submitted)
- C. Finance
  - 1. Recommendation for Budget Publication

**V. Unfinished Business:**

- A. MAC Healthcare Discussion

**VI. Ordinance and Resolutions**

- A. Ordinance 848 - AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF ROELAND PARK, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2010; AMENDING AND REPEALING EXISTING SECTIONS 14-101, 14-102, 14-103 AND 14-220 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS AND SECTION 1 OF ORDINANCE NO. 838. (2010 Standard Traffic Ordinance)
- B. Ordinance 849 - AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF ROELAND PARK, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES" EDITION OF 2010, WITH CERTAIN ADDITIONS; ADDING SECTION 11-205 TO THE CODE OF THE CITY OF ROELAND PARK, KANSAS, MAKING URINATING/DEFECATING IN PUBLIC A PUBLIC OFFENSE; AMENDING AND REPEALING EXISTING SECTION 11-101 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS AND SECTION 1 OF ORDINANCE NO. 839. (2010 Uniform Public Offense Code)

**VII. New Business**

- A.

**VIII. Reports of City Officials:**

- A. City Administrator's Report
- B. City Attorney Report
  - 1. Electric Vehicle Charging Station update
  - 2. AG Opinion Update
- C. City Clerk Report
  - 1. Website Discussion
  - 2. EasyRide Update



**I. A.**

# **The City of Roeland Park, Kansas**

4600 West Fifty-First Street

Roeland Park, Kansas 66205

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

Date Issued: July 14, 2010

Re: Appropriation Ordinance No. 776

An Ordinance making Appropriation for the payment of certain claims. Be it ordained by the Governing Body of the City of Roeland Park, Kansas:

Section 1: That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the City Treasury the sum required for each claim.

Section 2: This Ordinance shall take effect and be in force from and after its passage. Passed and approved this Nineteenth day of July, 2010.

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

**Total Appropriation Ordinance**

**\$735,840.06**

Total Appropriation Ordinance includes wire and ACH transfers from July 1 through July 13, 2010.

There are sufficient funds in the General Fund to cover general fund expenditures.

# Check Register Report

APPROPRIATION ORDINACE 776

Date: 07/14/2010

Time: 4:32 pm

Page: 1

CITY OF ROELAND PARK

BANK: USBANK

Check Number	Check Date	Status	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount
30612	07/01/2010	Printed	0015 31481	KISSICK CONSTRUCTION CO 062-000.000-500.244	Pay Request #3 - RC12-014	376,321.26
					Check Amount	376,321.26
30613	07/01/2010	Printed	0033 31482	O'DONNELL-WAY CONTSTRUCTION CO 027-000.000-500.438	2010 Street Maintenance Prog	196,131.01
					Check Amount	196,131.01
30614	07/07/2010	Printed	1705 31483 31483 31483	AFLAC 001-000.000-202.000 001-000.000-202.000 001-000.000-202.000	INSURANCE PREMIUM- 4/10-6/10	359.74 359.74 359.74
					Check Amount	1,079.22
30615	07/07/2010	Printed	NRS-CITY 31489	NATIONWIDE RETIREMENT SOLUTION 001-007.001-500.132	EMPLOYER PAID DEF COMP	1,422.30
					Check Amount	1,422.30
30616	07/07/2010	Printed	NRS-EMPL 31490	NATIONWIDE RETIREMENT SOLUTION 001-000.000-209.001	EMPLOYEE PAID DEF COMP	1,817.92
					Check Amount	1,817.92
30617	07/07/2010	Printed	1786 31491	UNITED WAY OF GREATER KC 001-000.000-202.000	2ND QTR 2010 DEDUCTIONS	72.00
					Check Amount	72.00
30618	07/07/2010	Printed	1718 31495	WILLIAM H. GRIFFIN 001-000.000-209.002	CASE #: 08-22775-13	627.69
					Check Amount	627.69
30619	07/07/2010	Printed	1718 31494	WILLIAM H. GRIFFIN 001-000.000-209.002	CASE #:08-22153-13	263.70
					Check Amount	263.70
30620	07/19/2010	Printed	2168 31488	ABM JANITORIAL SERVICES 001-001.001-500.214	JANITORIAL SERVICE - 07/10	1,171.50
					Check Amount	1,171.50
30621	07/19/2010	Printed	0047 31484 31485 31486 31486 31487 31487	ACE IMAGEWEAR 001-001.001-500.210 001-001.001-500.210 001-006.001-500.210 001-006.001-500.304 001-006.001-500.210 001-006.001-500.304	BLDG M&R	30.00 30.00 38.89 38.41 38.89 38.27
					Check Amount	214.46
30622	07/19/2010	Printed	1558 31520	ADVANCE AUTO PARTS 001-006.001-500.260	PWKS SHOP SUPPLIES	65.49
					Check Amount	65.49
30623	07/19/2010	Printed	1319 31519	ALAMAR UNIFORMS 001-002.001-500.308	PD UNIFORMS	119.97
					Check Amount	119.97
30624	07/19/2010	Printed	0772 31521	AMERICAN MESSAGING 001-002.001-500.214	PAGER RENTAL 7/10	181.96
					Check Amount	181.96
30625	07/19/2010	Printed	1352	ASSESSMENT SERVICES	ADSAP EVALUATIONS- 6 PEOPLE	

# Check Register Report

APPROPRIATION ORDINACE 776

Date: 07/14/2010

Time: 4:32 pm

Page: 2

CITY OF ROELAND PARK

BANK: USBANK

Check Number	Check Date	Status	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount
			31509	001-003.001-500.209		900.00
					Check Amount	900.00
30626	07/19/2010	Printed	5001	AT&T	OLD SCHOOL PHONE CHGS-7/10	
			31492	001-011.001-500.202		42.11
			31518	001-002.001-500.202		45.00
					Check Amount	87.11
30627	07/19/2010	Printed	1723	BLUE SKY CLEANERS	PD DRY CLEANING - 06/10	
			31523	001-002.001-500.224		171.50
					Check Amount	171.50
30628	07/19/2010	Printed	0588	BLUE VALLEY TRACTOR, INC.	MOWER PARTS FOR REPAIR	
			31502	001-006.001-500.211		91.97
					Check Amount	91.97
30629	07/19/2010	Printed	0008	BOARD OF PUBLIC UTILITIES	MISSION RD ELEC SVC - 06/10	
			31531	001-006.001-500.201		54.84
					Check Amount	54.84
30630	07/19/2010	Printed	0069	BOELTE-HALL, LLC	NEWSLETTER & POSTAGE-JULY '10	
			31522	001-001.001-500.205		666.87
			31522	001-001.001-500.208		970.92
					Check Amount	1,637.79
30631	07/19/2010	Printed	1087	CARQUEST AUTO PARTS	REPAIR PARTS	
			31512	001-002.001-500.260		-35.22
			31499	001-006.001-500.211		10.28
			31500	001-002.001-500.260		10.28
			31501	001-006.001-500.211		20.56
			31511	001-002.001-500.260		143.91
					Check Amount	149.81
30632	07/19/2010	Printed	0057	CHOICES	ADSAP EVALUATIONS- 2 PEOPLE	
			31513	001-003.001-500.209		300.00
					Check Amount	300.00
30633	07/19/2010	Printed	0038	CHRIST THE KING	IN MEMORY OF MICHAEL J. MEYER:	
			31517	001-001.001-500.408		50.00
					Check Amount	50.00
30634	07/19/2010	Printed	1353	CINTAS FIRST AID & SAFETY	FIRST AID KIT SUPPLIES	
			31497	001-006.001-500.207		40.75
					Check Amount	40.75
30635	07/19/2010	Printed	1001	CONOCOPHILLIPS	PWKS FUEL CHARGES- 7/10	
			31493	025-000.000-500.302		74.29
					Check Amount	74.29
30636	07/19/2010	Printed	1044	DALTONS FLOWERS, INC	FLOWERS- KATHIE GUNJA	
			31498	001-001.001-500.408		50.00
					Check Amount	50.00
30637	07/19/2010	Printed	0739	FAMILY TREE NURSERY	LABELS/PLANT SUPPLIES	
			31496	001-006.001-500.320		99.57
					Check Amount	99.57
30638	07/19/2010	Printed	0178	FLEET SERVICES	FUEL CHARGES - 06/07-2010	
			31524	001-002.001-500.302		2,672.87
					Check Amount	2,672.87

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CITY OF ROELAND PARK

BANK: USBANK

Check Number	Check Date	Status	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount
30639	07/19/2010	Printed	1161 31516	FUN SERVICES 001-002.001-500.452	NATL NIGHT OUT-TENT, TABLES, ETC	378.25 <u>378.25</u>
30640	07/19/2010	Printed	0056 31503	HALF PRICE BANNERS 001-001.001-500.408	BANNERS-TOWN HALL & SHIPPING	192.00 <u>192.00</u>
30641	07/19/2010	Printed	0026 31526	JO CO HUMAN SERVICES DEPT 029-000.000-500.409	3RD QTR APPROP 2010	9,853.25 <u>9,853.25</u>
30642	07/19/2010	Printed	0144 31527	JO CO SHERIFF'S DEPT 001-003.001-500.227	QTR 2 - PRSNR BOARDING - 2010	525.00 <u>525.00</u>
30643	07/19/2010	Printed	0023 31528 31529 31529 31530	JOHNSON COUNTY WASTEWATER 001-001.001-500.201 001-001.001-500.201 001-001.001-500.201 001-011.001-500.201	WASTEWATER CHGS- 06/10	31.42 23.91 23.91 2.89 <u>82.13</u>
30644	07/19/2010	Printed	0032 31510	KANSAS STATE TREASURER 001-003.001-500.228	CT KS ST FEES APR, MAY, JUN-2010	10,184.00 <u>10,184.00</u>
30645	07/19/2010	Printed	0143 31515	MOSS COPY CENTER 001-002.001-500.203	BUSINESS CARDS	52.00 <u>52.00</u>
30646	07/19/2010	Printed	0059 31514	NATIONAL MS SOCIETY:LONE STAR 001-001.001-500.408	IN MEMORY OF LEOLA MILLER	40.00 <u>40.00</u>
30647	07/19/2010	Printed	0484 31506	NU-LIFE LABORATORIES, INC. 001-006.001-500.306	SUPPLIES FOR PWKS SHOP	664.75 <u>664.75</u>
30648	07/19/2010	Printed	0429 31507	ORR RADIATOR SERVICE 001-006.001-500.260	RADIATOR - 1990 PICK UP	126.41 <u>126.41</u>
30649	07/19/2010	Printed	0055 31508	STRASSER HARDWARE 001-006.001-500.318	SUPPLIES FOR PWKS	49.86 <u>49.86</u>
30650	07/19/2010	Printed	0021 31504 31504 31504 31505 31505 31505	W.B. MCCLOUD & CO. 001-001.001-500.214 001-006.001-500.214 001-002.001-500.214 001-001.001-500.214 001-006.001-500.214 001-002.001-500.214	PEST CONTROL - 06/10	19.50 39.00 19.50 17.25 34.50 17.25 <u>147.00</u>
<b>Total Checks:</b>						<b>39</b>
<b>Bank Total(excluding void checks):</b>						<b>608,163.63</b>
<b>Total Checks:</b>						<b>39</b>
<b>Grand Total(excluding void check):</b>						<b>608,163.63</b>

July 1, 2010- July 13, 2010

Amount	Account	Date	Description	Reference
\$ 63,836.17	Operating	07/06/2010	PAYCOR	Payroll Transfer
\$ 119.51	Operating	07/08/2010	PAYCOR	Payroll Charges
\$ 2,821.38	Operating	07/08/2010	KPERS/KPF TRANSFER	Retirement
\$ 6,209.81	Operating	07/08/2010	KPERS/KPF TRANSFER	Retirement
\$ 72,986.87	Total Operating Account Transfers/ACH Payment			

\$ 17,065.32	Payroll	07/07/2010	PAYCOR	Payroll Taxes
\$ 1,421.07	Payroll	07/07/2010	PAYCOR	Payroll Taxes
\$ 5,080.23	Payroll	07/07/2010	PAYCOR	Payroll by Direct Deposit
\$ 31,122.94	Payroll	07/07/2010	PAYCOR	Payroll by Direct Deposit
\$ 54,689.56	Total Payroll Account Transfers/ACH Payment			

Amount	Account	Date	Description	Reference
\$ -	Total Investment Account Transfers			

\$ 127,676.43	Total Transfers/ACH		
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**MINUTES OF MEETING OF THE CITY COUNCIL  
OF THE CITY OF ROELAND PARK  
July 6, 2010**

The Roeland Park City Council met in regular session on July 6, 2010 in City Hall, 4600 West 51<sup>st</sup> Street.

Mayor Foster declared that a quorum was present and called the meeting to order at 7:00 p.m.

Governing Body Present: Mellor Art Gliniecki Hull  
Gregory England Kohles

Governing Body Absent: Meyers

Staff Present: John Carter, City Administrator  
Debra Mootz, City Clerk  
Rex Taylor, Chief of Police

Others Present: Neil Shortlidge, City Attorney

Pledge of Allegiance

**CONSENT AGENDA**

Approve Appropriation Ordinance No. 775 and City Council Meeting Minutes of June 21, 2010

MOTION: CMBR HULL MADE A MOTION, SECONDED BY CMBR MELLOR TO APPROVE THE  
CONSENT AGENDA. MOTION CARRIED, 7-0.

**Mayor's Report**

Strategic Planning Update – Mayor Foster stated that the committee is to the point of holding a town hall type meeting and inviting neighboring cities, city businesses and residents to attend and give feedback on the city's strengths, weakness, opportunities and threats; although these meetings will not be until August so we will not interfere with the budget process and meetings.

**Committee Actions/Reports**

**Finance**

**One Card Policy**

City Staff proposed a policy for the new credit cards that will be forthcoming. This policy discusses the reconciliation and allowed uses of the cards as well as addresses the measure taken if the card is used incorrectly.

MOTION: CMBR ENGLAND, MADE A MOTION, SECONDED BY CMBR MELLOR TO APPROVE THE  
ONE CARD POLICY AND HANDBOOK. MOTION CARRIED, 7-0.

**Mayors Innovation Project**

Mayor Foster requested approval to attend the Mayor's Innovation Project on behalf of the City. There will be no cost to the city for the Mayor to attend.

MOTION: CMBR ENGLAND MADE A MOTION, SECONDED BY CMBR HULL TO APPROVE THE  
MAYOR TO ATTEND THE MAYORS INNOVATION PROJECT ON BEHALF OF THE CITY OF  
ROELAND PARK AT NO COST TO THE CITY. MOTION CARRIED, 7-0.

## **Admin**

### **Roeland Park Community Center**

In the past, council personnel that work for the county have been asked by county staff to comment on the Roeland Park Community Center. The council felt that this was not appropriate and would request that all comments regarding the Community Center be directed to the City Administrator.

MOTION: CMBR ART MADE A MOTION, SECONDED BY CMBR MELLOR TO REQUEST ANY DISCUSSION REGARDING THE ROELAND PARK COMMUNITY CENTER THAT ORIGINATES FROM JOHNSON COUNTY EMPLOYEES BE DIRECTED TO TALK TO THE CITY ADMINISTRATOR. MOTION CARRIED, 7-0.

### **City Attorney to August Meeting for discussion of Social Media/Ethics Ordinance and Competitive Bidding Process**

MOTION: CMBR ART MADE A MOTION, SECONDED BY CMBR MELLOR TO HAVE THE CITY ATTORNEY ATTEND THE AUGUST MEETING TO DISCUSS SOCIAL MEDIA/ETHICS ORDINANCE AND COMPETITIVE BIDDING PROCESS. MOTION WITHDRAWN.

Cmbr Art stated that the admin committee was requesting the City Attorney review the process of the ethic ordinance with regard to social media policy and the competitive bidding process at the next committee meeting; however, to have Neil at the committee meeting would be an additional expense that at this time the council felt were unnecessary and could be addressed at a later meeting of the council.

### **Shawnee Indian Mission Foundation – Donation**

MOTION: CMBR ART MADE A MOTION, SECONDED BY CMBR GLINIECKI TO HAVE THE 2010 BUDGETED \$5,000 BE FORWARDED TO THE SHAWNEE INDIAN MISSION FOUNDATION ONCE THE ENDOWMENT ACCOUNT HAS BEEN SET UP BY SAID ORGANIZATION AND THAT THIS MONEY CAN ONLY GO TOWARD LONG TERM PRESERVATION OF THE BUILDINGS AT THE SHAWNEE INDIAN MISSION. MOTION CARRIED, 7-0.

## **Public Works**

### **2010 CARS Bid Approval**

Bonding for two cities in an additional \$400 to be split evenly by the two cities. To be paid for short term by cash on hand/temp note and cars will reimburse for 50% which is approx \$60,000. In the end the city would pay this from street improvements with 27a, 27d this would not be something we would want to bond.

MOTION: CMBR GLINIECKI MADE A MOTION, SECONDED BY CMBR MEYERS TO APPROVE THE BID FROM MCANANY CONSTRUCTION FOR CONSTRUCTION OF THE 2010 CARS PROGRAM IN AN AMOUNT NOT TO EXCEED \$118,597.67 AND AUTHORIZE THE MAYOR TO SIGN THE CONTRACTS CONTINGENT UPON RECEIVING PROPER INSURANCE. MOTION CARRIED, 7-0.

## **Parks**

### **Reschedule Joint Parks/Council meeting**

Cmbr England stated that the joint meeting of the council and parks will be rescheduled to August 11, 2010 to allow for budget discussion to conclude. This discussion will be for the Master Plan for all the Parks which was presented to the council a few weeks ago.

**UNFINISHED BUSINESS:**

MAC Healthcare Discussion

Mayor Foster gave an update of where the NE Roe/Johnson Committee stands at this time. The committee received a counter offer of \$385,000 and is recommending a counter offer of \$485,000 for the NE property (1.71 acres). The Mayor and members of the committee request that we come to an agreement on the sale price of the land before we discuss the tax abatements, etc. A letter has been drafted stating this recommendation.

MOTION: CMBR GLINIECKI MADE A MOTION, SECONDED BY CMBR HULL TO APPROVE THE COUNTER OFFER LETTER TO MAC HEALTHCARE CORPORATION. MOTION CARRIED, 7-0.

Mayor Foster stated that, Mr. Pat Daniels, a consultant with the KDADC \$300 per hour to help us with the sale of the property. Mr. Shortlidge stated that this does not meet the competitive bidding process. You must determine the qualifications first.

Meeting of the NE Roe/Johnson Committee will be scheduled for Tuesday, July 13<sup>th</sup> at 6:00 pm.

**Ordinance and Resolutions**

847 ORDINANCE, AN ORDINANCE RELATING TO PARKS; DESIGNATING JUNIPER PARK AS A CITY PARK; AMENDING AND REPEALING EXISTING SECTION 12-101 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS. (Lot A is located on Juniper between Alder Dr and Rosewood Dr) This ordinance adds the Juniper Property to the list of Parks in the City.

Cmbr Art stated that the school/park property needs to be named. Cmbr England stated that the name of the Former Roeland Park School Property at 5535 Juniper would be determined as part of the master plan process. Cmbr Meyers stated that since Roe Park is listed in the ordinance, we would not be able to sell the property without a vote of the people. Mr. Shortlidge stated that the Roe Park property has been designated a park for more than 50+ years in the code book.

MOTION: CMBR HULL MADE A MOTION, SECONDED BY CMBR ENGLAND TO APPROVE ORDINANCES 847. MOTION CARRIED, 7-0.

**Reports of City Officials:**

City Administrator's Report: Nothing Further.

City Attorney Report:

Electric Charging Station - at this time there has not been any contact back from the company regarding the contract.

TIF Attorney General Opinion – Mr. Shortlidge stated that there has been no response at this time from the AG.

City Clerk Report: Reported on the status of the EasyRide program. At this time the committee will be meeting this week to discuss the future of the program.

Recess 5 minutes.

Finance Discussion: Draft Budget 2, discussion to be held in workshop.

MOTION: CMBR GREGORY MADE A MOTION, SECONDED BY CMBR ENGLAND TO ADJOURN. MOTION CARRIED 5-2 (CMBR GLINIECKI AND ART VOTED AGAINST)

Meeting adjourned, 7:55 PM.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Debra L. Mootz, City Clerk

Reviewed by: \_\_\_\_\_  
John E. Carter



# The City of Roeland Park, Kansas

4600 West Fifty-First Street  
Roeland Park, Kansas 66205  
City Hall (913) 722-2600 - Fax (913) 722-3713

II A 1

7/19/10 meeting

## ANIMAL LICENSE VARIANCE REQUEST §2-123(a)

Fee: \$100 <sup>old</sup> New \_\_\_\_\_ Nonrefundable - Nonproratable No. \_\_\_\_\_

Applicant Penny Betcher No. of Dogs 5 No. of Cats \_\_\_\_\_

Address 4707 Canterbury Zip 66205

Telephone: Home - \_\_\_\_\_ Work/Cell - 816-392-2452

1. Requesting variance for Dog Elsie May Peek-a-Poo  
Dog/Cat Animal's Name Breed

2. Reason requesting a variance already have one Peek-a-Poo  
but need to ADD one more dog

### 3. Currently Licensed Animals

City Tag #	Date Issued	Breed	Animal Name	Color	Sex	Veterinarian
670	10/30/09	Peek-a-Poo	Pixie	White	F	Wel Born
669	10/30/09	Peek-Poo	Lilly	Red	F	
671	10/30/09	Pomnivora	BOWTIE	Red	M	
668	10/30/09	Peek-A-Poo	Toosie	BLACK	F	

Animal

Next Steps: Peek-a-Poo Elsie May White F

1. The City will send letters to your surrounding neighbors soliciting their support/objection to the issuance of the Animal License Variance.
2. An Animal Control officer will inspect your property.
3. You will be notified upon the approval/denial of the Animal License Variance.

**For Office Use:**

City Administrator: \_\_\_\_\_ City Clerk: \_\_\_\_\_

On Council Agenda (Date): \_\_\_\_\_  Approved  Denied

If denied, reason(s): \_\_\_\_\_

**City of Roeland Park  
Action Item Summary**

Date: 07/12/2010

Submitted By: Rex Taylor

Committee/Department: Safety Committee

<input type="checkbox"/> <i>Ordinance</i>	<input type="checkbox"/> <i>Resolution</i>	<input type="checkbox"/> <i>Presentation</i>
<input type="checkbox"/> <i>Agreement</i>	<input type="checkbox"/> <i>Discussion</i>	<input type="checkbox"/> <i>Other</i>

**Recommendation: Standard Traffic Ordinance (STO) and Uniform Public Offense Code (UPOC)**

It is recommended that the city council approve the two ordinances adopting each book by reference and authorize Mayor to sign.

MOTION: TO APPROVE ORDINANCE 848 ADOPTING BY REFERENCE THE 2010 STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES.

MOTION: TO APPROVE ORDINANCE 849 ADOPTING BY REFERENCE THE 2010 UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES.

**Details:**

Each year the League of Kansas Municipalities reviews the various Kansas Statutes that have been changed by the legislature. Books are produced for Kansas municipalities that may be adopted by reference so that the city does not have to do the research and publish their own city codes. The City of Roeland Park has used the STO and UPOC books for a number of years and has adopted the new books annually to remain current with state law.

This year the STO has several changes to include diversion agreements not allowed for commercial driver's licenses, obstructing license plate, use of wireless communication devices, equipment for motorcycle operator or rider, one-way glass and sun screening devices and seat belts.

The UPOC has some changes and clarifications from last year to include domestic battery, criminal use of weapons, criminal disposal of firearms, criminal possession of a firearm, and smoking prohibited.

The city attorney was asked to add a section making it a violation to urinate or defecate in public. It seems officers find people late at night (mostly intoxicated) urinating behind the Quick Trip and the city has no ordinance to prevent such behavior. This ordinance will allow officers to take action when they see a person doing such a thing.

**Financial Impact**

Amount of Request:	
Budgeted Item? <input type="checkbox"/> Yes <input type="checkbox"/> No	Budgeted Amount:
Line Item Code/Description:	

**CITY OF ROELAND PARK, KANSAS  
ORDINANCE NO. 848**

**AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF ROELAND PARK, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2010; AMENDING AND REPEALING EXISTING SECTIONS 14-101, 14-102, 14-103 AND 14-220 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS AND SECTION 1 OF ORDINANCE NO. 838.**

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

**SECTION 1.** Section 14-101 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

**14-101. INCORPORATING STANDARD TRAFFIC ORDINANCE.**

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Roeland Park, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2010, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such sections as are hereafter modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. At least one copy of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 848," with all sections or portions thereof intended to be changed clearly marked to show any such change, and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

**SECTION 2.** Section 14-102 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

**14-102. SAME; AMENDMENT TO SECTION 2.** Section 2 of the Standard Traffic Ordinance is hereby amended to read as follows:

**Provisions of Ordinance Refer to Vehicles Upon the Streets and Highways and Other Designated Areas; Exceptions.**

(a) The provisions of this ordinance relating to the parking and other operation of vehicles refer exclusively to the parking and operation of vehicles upon streets and highways and upon any publicly owned property within this city except: (1) where a different place is specifically referred to

in a given section; and (2) the provisions of Sections 29 through 31, inclusive, of this ordinance, and the provisions of Article 10 of Chapter 8 of the Kansas Statutes Annotated, and any acts amendatory thereof, shall apply upon streets and highways and elsewhere throughout the city.

(b) As used in subsection (a) above, the phrase "publicly owned property" shall mean property owned by the City of Roeland Park or any agency thereof or by any other political or taxing subdivision of the State of Kansas, including, but not limited to, U.S.D. No. 512, Johnson County Library, and Johnson County Parks and Recreation.

**SECTION 3.** Section 14-103 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

**14-103. SAME; SUPPLEMENT TO SECTION 33.** The Governing Body having determined upon the basis of an engineering and traffic investigation that the speed limits permitted under state law and Section 33 of the Standard Traffic Ordinance are less than reasonable and safe on some streets and are more than reasonable and safe on other streets, and does determine and declare that the speed limit (except when a special hazard exists that requires lower speed for compliance with Section 32) on the streets hereinafter set forth be the limits specified in this section, and no person shall drive a vehicle at a speed in excess of such maximum limits:

(a) Speed not in excess of 20 miles per hour shall be lawful on the following streets:

- (1) Reinhardt from 53<sup>rd</sup> Street to 48<sup>th</sup> Street;
- (2) 50<sup>th</sup> Street from Mission Road to Reinhardt; and
- (3) Pawnee between 50<sup>th</sup> Street and Reinhardt.

(b) Except as stated below, a speed not in excess of 30 miles per hour shall be lawful for traffic upon Mission Road; Roe Lane; Johnson Drive; 53<sup>rd</sup> Street from Mission Road to Reinhardt; and 47<sup>th</sup> Street from Fontana to Mission Road. Provided, a speed not in excess of 20 miles per hour shall be lawful upon Mission Road from a point 300 feet north of 51<sup>st</sup> Street to 53<sup>rd</sup> Street during the hours of 7:30 a.m. to 8:30 a.m., 10:30 a.m. to 11:30 a.m. and 3:00 p.m. to 4:00 p.m. on days when school is in session. Provided further, a speed not in excess of 20 miles per hour shall be lawful upon Mission Road from 48<sup>th</sup> Street to 49<sup>th</sup> Terrace during the hours of 7:30 a.m. and 8:30 a.m. and 3:00 p.m. to 4:00 p.m. on days when school is in session.

(c) A speed not in excess of 20 miles per hour shall be lawful upon the following streets during the hours of 7:30 a.m. to 8:30 a.m. and from 2:30 p.m. to 3:30 p.m. on days when school is in session: Elledge Drive from a point 100 feet west of Clark Drive to a point 100 feet east of Parish Drive; Parish Drive from Elledge Drive to a point 100 feet south of 48<sup>th</sup> Street; Clark Drive from Elledge

Drive to a point 100 feet south of the south property line of Roesland Elementary School; and 48<sup>th</sup> Street from Parish Drive to a point 150 feet east of Parish Drive.

(d) A speed not in excess of 35 miles per hour shall be lawful on Highway 56 (Shawnee Mission Parkway) and on Roe Boulevard within the city.

(e) On any residential street not otherwise herein designated, a speed not exceeding 25 miles per hour shall be lawful.

(f) The maximum speed in other areas or on streets not specifically designated in this Section shall be as specified in § 33 of the "Standard Traffic Ordinance for Kansas Cities," Edition of 2010.

**SECTION 4.** Section 14-220 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

**14-220. PARKING PROHIBITED ON CERTAIN CITY STREETS.** No person shall stop, stand or park a motor vehicle except when necessary to avoid conflict with other traffic or in compliance with direction of a police officer or traffic control device in any of the following places:

- (a) On the east side of Nall Avenue from the south city limits to 51<sup>st</sup> Street;
- (b) On the south side of 51<sup>st</sup> Street from Briar to Nall Avenue;
- (c) On the south side of 56<sup>th</sup> Street, between the intersections of Granada and Roe Boulevard;
- (d) On any portion of the north side of 51<sup>st</sup> Street from Cedar to Nall Avenue;
- (e) On the west side of Buena Vista on any portion of the street;
- (f) On any portion of Roe Lane;
- (g) On the east side of Reinhardt Street between the intersections of 48<sup>th</sup> Street and 50<sup>th</sup> Terrace; and between the intersection of Lucas Lane and 53<sup>rd</sup> Street;
- (h) On either side of 50<sup>th</sup> Street between the intersections of Reinhardt and Canterbury;
- (i) On any portion of 47<sup>th</sup> Street;
- (j) On the west side of Ash from the intersection of 51<sup>st</sup> to a point 100 feet south of that intersection;
- (k) On the west side of Neosho Lane at the intersection of Neosho Lane and 50<sup>th</sup> Street and Wells Drive, to a point 170 feet north of the crosswalk crossing Neosho at that intersection;

- (l) On any portion of Roe Boulevard;
- (m) On the west side of Parish Drive from the intersection of Elledge Drive and Parish Drive to a point 150 feet south the entrance of the Roesland Elementary School parking lot;
- (n) On the north side of 50<sup>th</sup> Street between Clark Drive and Buena Vista Drive;
- (o) On the west side of Rosewood Drive north of the intersection with 51<sup>st</sup> Street;
- (p) On the west side of Reinhardt between 50<sup>th</sup> Terrace and 52<sup>nd</sup> Place;
- (q) On the east side of Parish from 48<sup>th</sup> Street to a point 250 feet north of that intersection;
- (r) On either side of 55<sup>th</sup> Street between Linden and Roe Boulevard;
- (s) On either side of Ash from Johnson Drive to 58<sup>th</sup> Street;
- (t) On either side of 50<sup>th</sup> Terrace between Briar and Roe Boulevard.

**SECTION 5.** Existing Sections 14-101, 14-102, 14-103 and 14-220 of the Code of the City of Roeland Park, Kansas, and Section 1 of Ordinance No. 838 are hereby repealed.

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

**PASSED** by the City Council the 19th day of July, 2010. **APPROVED** by the Mayor.

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Adrienne Foster, Mayor

**ATTEST:**

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Debra L. Mootz, City Clerk

**APPROVED AS TO FORM:**

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Neil R. Shortlidge, City Attorney

**CITY OF ROELAND PARK, KANSAS  
ORDINANCE NO. 849**

**AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF ROELAND PARK, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES" EDITION OF 2010, WITH CERTAIN ADDITIONS; ADDING SECTION 11-205 TO THE CODE OF THE CITY OF ROELAND PARK, KANSAS, MAKING URINATING/DEFECATING IN PUBLIC A PUBLIC OFFENSE; AMENDING AND REPEALING EXISTING SECTION 11-101 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS AND SECTION 1 OF ORDINANCE NO. 839.**

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

**SECTION 1.** Existing Section 11-101 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

**11-101. INCORPORATING UNIFORM PUBLIC OFFENSE CODE.**

There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Roeland Park, Kansas, that certain code known as the "Uniform Public Offense Code for Kansas Cities," Edition of 2010, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas with certain additions as are provided in Article 2 of this Chapter XI. At least one copy of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 849," and to which shall be attached a copy of this Ordinance, and filed with the City Clerk, to be open for inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the City charged with the enforcement of this ordinance shall be supplied, at the cost of the City, such number of official copies of the ordinance similarly marked, as may be deemed expedient.

**SECTION 2.** Existing Section 11-201 of the Code of the City of Roeland Park, Kansas shall be considered to be an addition to the Uniform Public Offense Code.

**SECTION 3.** Existing Section 11-202 of the Code of the City of Roeland Park, Kansas shall be considered to be an addition to the Uniform Public Offense Code.

**SECTION 4.** Existing Section 11-203 of the Code of the City of Roeland Park, Kansas shall be considered to be an addition to the Uniform Public Offense Code.

**SECTION 5.** Existing Section 11-204 of the Code of the City of Roeland Park, Kansas shall be considered to be an addition to the Uniform Public Offense Code.

**SECTION 6.** Section 11-205 is hereby added to Code of the City of Roeland Park, Kansas, shall be considered to be an addition to the Uniform Public Offense Code, and shall read as follows:

**11-205. URINATING/DEFECATING IN PUBLIC.** It shall be unlawful for any person to urinate or defecate in or upon any street, sidewalk, alley, plaza, park, public building, public property, private parking lot, or in any place open to the public or exposed to public view. This section shall not apply to urination or defecation utilizing appropriate fixtures in any restroom or other facility designed for the sanitary disposal of human waste. Urinating/Defecating in Public is a Class C violation.

**SECTION 7.** Existing Section 11-101 of the Code of the City of Roeland Park, Kansas and Section 1 of Ordinance No. 839 are hereby repealed.

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

**PASSED** by the City Council the 19th day of July, 2010. **APPROVED** by the Mayor.

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Adrienne Foster, Mayor

**ATTEST:**

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Debra L. Mootz, City Clerk

**APPROVED AS TO FORM:**

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Neil R. Shortlidge, City Attorney