

CHARTER ORDINANCE NO. EIGHTY-EIGHT

A CHARTER ORDINANCE EXEMPTING THE CITY OF OVERLAND PARK, KANSAS, FROM SECTION 12-1036e OF THE KANSAS STATUTES ANNOTATED; PROVIDING SUBSTITUTE PROVISIONS ON THE SALARIES OF THE MAYOR AND CITY COUNCIL MEMBERS; PROVIDING FOR MAYOR AND COUNCIL MEMBER BENEFITS AND ALLOWANCES; AND REPEALING CHARTER ORDINANCE NO. EIGHTY.

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

SECTION 1. The City of Overland Park, Kansas, a Mayor-Council-City Manager city of the first class, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to and does exempt itself from and make inapplicable to it, Section 12-1036e of the Kansas Statutes Annotated, which law applies only to Mayor-Council-City Manager cities of the first class, and to provide substitute provisions as herein provided.

SECTION 2. Commencing January 1, 2002, the salary of each City Council Member shall be an amount not to exceed \$12,000 per year, payable monthly.

SECTION 3. Commencing January 1, 2002, the City Council Member who serves as President of the Council also shall receive an additional amount not to exceed \$2,400 per year, payable monthly while serving in that capacity.

SECTION 4. Commencing January 1, 2002, the salary of the Mayor shall be an amount not to exceed \$24,000 per year, payable monthly.

SECTION 5. The procedure for determining the amount of the salary of each Council Member, the President of the Council and the Mayor, up to the not to exceed amount, shall be determined by resolution of the governing body.

SECTION 6. The not to exceed amount of the salaries of the Council Members, President of the Council and Mayor shall be reviewed at least once every four years.

SECTION 7. Effective May 1, 2006, the Mayor shall continue to receive a monthly "automobile expense allowance" of \$400 and the Council President and Council members shall receive a monthly "automobile expense allowance" of \$100. In addition to the monthly "automobile expense allowance," the Mayor, Council President and Council members may also receive a mileage reimbursement for "long distance trips." Reimbursement for such "long distance trips" shall be subject to the same standards, limitations and rates applicable to the reimbursement of City employees who receive automobile allowances for comparable long distance mileage expenses at the time the Mayor, Council President or Council members submit a request for reimbursement for such "long distance trips."

SECTION 8. Members of the Governing Body may choose not to receive the monthly “automobile expense allowance.” Members of the Governing Body who choose not to receive the “automobile expense allowance” shall continue to be eligible to submit documented receipts and statements for mileage reimbursement in accordance with existing City policy.

SECTION 9. Future changes in the amount of the “automobile expense allowance” shall be established by ordinary ordinance.

SECTION 10. Governing Body benefits not related to salary or expense allowances shall be established by resolution of the Governing Body.

SECTION 11. Charter Ordinance No. Eighty is hereby repealed.

SECTION 12. This ordinance shall be published once each week for two consecutive weeks in *The Overland Park Sun*, an official City newspaper.

SECTION 13. THIS IS A CHARTER ORDINANCE AND SHALL TAKE EFFECT 61 DAYS AFTER FINAL PUBLICATION UNLESS WITHIN 60 DAYS OF ITS FINAL PUBLICATION A PETITION-SIGNED BY A NUMBER OF ELECTORS OF THE CITY OF OVERLAND PARK EQUAL TO NOT LESS THAN TEN PERCENT OF THE NUMBER OF ELECTORS WHO VOTED AT THE LAST PRECEDING REGULAR CITY ELECTION SHALL BE FILED IN THE OFFICE OF THE CITY CLERK OF OVERLAND PARK DEMANDING AN ELECTION ON THE CHARTER ORDINANCE IN WHICH CASE THE CHARTER ORDINANCE SHALL BECOME EFFECTIVE ONLY IF AND WHEN APPROVED BY A MAJORITY OF THE ELECTORS VOTING THEREON.

PASSED by the Governing Body not less than two-thirds of the members elect voting in favor thereof the 6th day of February, 2006.

(s) Carl Gerlach
Carl Gerlach, Mayor

ATTEST:

(s) Marian Cook
Marian Cook
City Clerk

APPROVED AS TO FORM:

(s) Michael R. Santos
Michael R. Santos
Senior Assistant City Attorney

Passed: 2/6/06
Published: 2/9/06 and 2/16/06
61 days: 4/18/06
Effective: 4/18/06