

CHARTER ORDINANCE NO. TWENTY-SEVEN

*(Note: All or parts of this charter ordinance have been repealed. See notes at the end of the ordinance)*

A CHARTER ORDINANCE EXEMPTING THE CITY OF OVERLAND PARK, KANSAS, FROM SECTIONS 13-14a01, 13-14a02, 13-14a03, 13-14a04, 13-14a05, 13-14a06, 13-14a07, 13-14a08, 13-14a09, 13-14a11, 13-14a12, AND 13-14a13 OF THE KANSAS STATUTES ANNOTATED PERTAINING TO FIRE AND POLICE DEPARTMENT RETIREMENT SYSTEMS, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; REPEALING OVERLAND PARK CHARTER ORDINANCE NUMBER EIGHT; REPEALING OVERLAND PARK ORDINANCES PEN-497, PEN-497A, PEN-497B, AND PEN-842.

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

SECTION 1. The City of Overland Park, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the state of Kansas, hereby elects to exempt itself from and make inapplicable to it Sections 13-14a01, 13-14a02, 13-14a03, 13-14a04, 13-14a05, 13-14a06, 13-14a07, 13-14a08, 13-14a09, 13-14a11, 13-14a12, and 13-14a13 of the Kansas Statutes Annotated and provide substitute and additional provisions therefor; Said sections relate to Fire and Police Department Retirement Systems, an enactment of the legislature which is applicable to the City of Overland Park, but not uniformly applicable to all cities.

SECTION 2. The Overland Park, Kansas, Police Department Revised Retirement Plan and Revised Retirement Trust Agreement previously established under authority of Overland Park Charter Ordinance Number Eight and Overland Park Ordinances PEN-497, PEN-497A, PEN-497B and PEN-842 is hereby reestablished and reaffirmed.

The Governing Body is authorized to amend said plan and trust agreement by resolution, provided that such amendments shall not conflict with any provisions of this Charter Ordinance.

SECTION 3. There shall be five trustees to act as provided in the agreement. The Mayor shall appoint one trustee and, in addition thereto, the Mayor shall appoint two additional trustees, the appointment of such two additional trustees shall be with the consent of the City Council. The three trustees to be appointed by the Mayor shall be residents of the City of Overland Park, Kansas. Beginning in 1982, such trustees shall be appointed for designated terms of three years, two years, and one year and until their successors are appointed and qualified. In future years after 1982, each appointed trustee shall serve three years and until their successors are appointed and qualified.

Two additional trustees shall be selected from the participating membership by a majority vote of the participating members of the Police Department. In 1982, trustees elected by the participating members of the Police Department shall serve for specified terms of two years and three years and until their successors are appointed and qualified. At each future election, a trustee elected from the participating membership by a majority vote of the participating

Charter Ordinance No. Twenty-Seven

members of the Police Department shall serve for a period of three years and until their successor is appointed and qualified.

The term of each trustee shall commence on the second Tuesday of April following their appointment or election.

SECTION 4. A "Disability Income Insurance Policy" providing disability income insurance and life insurance for the benefit of police officers and their dependents shall be purchased and maintained to supplement the provisions of the Overland Park Police Department Revised Retirement Plan and Revised Retirement Trust Agreement. Said policy shall provide two thousand dollars of life insurance and the payment of long-term disability benefits of sixty percent of earnings and shall provide a waiting period for accident and sickness benefits of ninety days.

SECTION 5. For the purpose of funding said plan and purchasing the required insurance as set out within this Charter Ordinance, the City shall make annual contributions from the General Fund. Said contributions shall be made in compliance with K.S.A. 1980 Supp. 12-5002 or any amendments thereto, and shall be maintained in order to fund said plan on an actuarially-sound basis.

In addition thereto, funds shall be utilized for said plan and insurance which are obtained by gifts, grants, bequests, gratuities and proceeds from lost or stolen securities, money or personal property which shall remain unclaimed in the possession of the City for six months, together with the proceeds of all unclaimed or confiscated property of any nature which shall have been in the possession of the City for a period of six months, and the City is hereby authorized to sell at public auction any such lost, stolen or unclaimed property.

SECTION 6. Payments upon retirement, discharge, disability, or death to either a member or beneficiary shall be established and paid out in accordance with said plan and trust agreement which has been reestablished and affirmed herein.

SECTION 7. Overland Park Charter Ordinance Number Eight and Overland Park Ordinances PEN-497, PEN-497A, PEN-497B and PEN-842 are hereby repealed.

SECTION 8. This ordinance shall be published once each week for two consecutive weeks in the Overland Park Sun, an official City newspaper.

SECTION 9. This is a Charter Ordinance and shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Section 5, subdivision (c)(3) of the Constitution of Kansas, in which case the ordinance shall become effective if approved by a majority of the electors voting thereon.

Charter Ordinance No. Twenty-Seven

PASSED by the Governing Body not less than two-thirds of the members-elect voting in favor thereof the 18th day of January, 1982.

Ed Eilert  
Mayor

ATTEST:  
Bernice Crummett  
City Clerk

APPROVED AS TO FORM:  
James L. Robinson  
Assistant City Attorney

Passed:	1/18/82
Published:	1/22/82
	1/29/82
Effective:	3/31/82

*Entire ordinance repealed by Charter Ordinance No. Eighty-Three.*

Charter Ordinance No. Twenty-Seven