

File

CITY OF SILVER LAKE COUNCIL MEETING

CITY HALL

August 21, 2023

5:30 P.M.

ORDER OF BUSINESS MEETING

Pledge of Allegiance

**\*\*\*2024 Revenue Neutral Rate Hearing**

**\*\*\*2024 Budget Hearing**

Public Comments

Minutes

Appropriation Ordinance

Business Items:

1. Kansas Pride Rising Star Award-Melinda Field
2. Pat Cox-City Engineer
3. Boil Water Advisory Discussion
4. KDHE Water Operator Plan
5. Personnel Manual Ordinance
6. OneGas Franchise Fee Agreement
7. Sales Tax Flyer & Website Information
8. City Facebook Page Discussion

\*\*\*\*PLEASE NOTE: This agenda is subject to additions or changes as may be necessary.

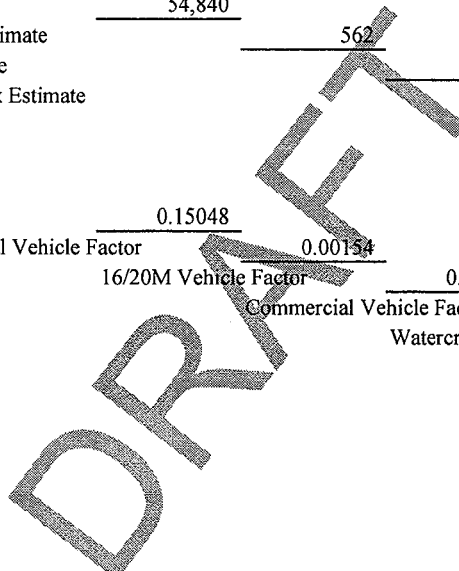


Allocation of MV, RV, 16/20M, Commercial Vehicle, and Watercraft Tax Estimates

Budgeted Funds for 2023	Ad Valorem Levy Tax Year 2022	Allocation for Year 2024				
		MVT	RVT	16/20M Veh	Comm Veh	Watercraft
General	364,439	54,840	562	481	1,394	391
Debt Service						
Library						
TOTAL	364,439	54,840	562	481	1,394	391

County Treas Motor Vehicle Estimate 54,840  
 County Treas Recreational Vehicle Estimate 562  
 County Treas 16/20M Vehicle Estimate 481  
 County Treas Commercial Vehicle Tax Estimate 1,394  
 County Treas Watercraft Tax Estimate 391

Motor Vehicle Factor 0.15048  
 Recreational Vehicle Factor 0.00154  
 16/20M Vehicle Factor 0.00132  
 Commercial Vehicle Factor 0.00383  
 Watercraft Factor 0.00107















City of Silver Lake

2024

Adopted Budget General Fund - Detail Expenditures	Prior Year Actual for 2022	Current Year Estimate for 2023	Proposed Budget Year for 2024
Expenditures:			
Administrative			
Salaries & Benefits	56,868	61,000	72,000
Contractual	108,933	100,000	123,500
Commodities	38,293	10,435	15,000
Capital Outlay	3,980	85,000	81,000
Misc	6,277	10,000	15,000
<b>Total</b>	<b>214,351</b>	<b>266,435</b>	<b>306,500</b>
Law Enforcement			
Salaries & Benefits	226,888	270,000	305,000
Contractual	38,527	38,700	39,000
Commodities	31,059	33,000	43,000
Capital Outlay	28,800	50,000	67,000
<b>Total</b>	<b>325,274</b>	<b>391,700</b>	<b>454,000</b>
Street			
Salaries & Benefits	49,932	56,000	61,000
Contractual	19,583	12,500	25,000
Commodities	988	3,500	7,000
Capital Outlay	3,255	5,500	0
<b>Total</b>	<b>73,758</b>	<b>77,500</b>	<b>93,000</b>
Park			
Salaries			
Contractual	4,475	5,000	5,500
Commodities	1,145	2,000	2,000
Capital Outlay		2,000	2,000
<b>Total</b>	<b>5,620</b>	<b>9,000</b>	<b>9,500</b>
Street Lighting			
Salaries			
Contractual	7,897	7,000	9,000
Commodities			
Capital Outlay			
<b>Total</b>	<b>7,897</b>	<b>7,000</b>	<b>9,000</b>
Transfers			
Transfer to Capital Improvement	65,000		0
Contractual			
Commodities			
Capital Outlay			
<b>Total</b>	<b>65,000</b>	<b>0</b>	<b>0</b>
Salaries			
Contractual			
Commodities			
Capital Outlay			
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>
Salaries			
Contractual			
Commodities			
Capital Outlay			
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Page Total</b>	<b>691,900</b>	<b>751,635</b>	<b>872,000</b>

(Note: Should agree with general sub-totals.)

City of Silver Lake

2024

**FUND PAGE FOR FUNDS WITH NO TAX LEVY**

Adopted Budget	Prior Year	Current Year	Proposed Budget
<b>Special Highway</b>	Actual for 2022	Estimate for 2023	Year for 2024
Unencumbered Cash Balance Jan 1	109,434	70,020	33,700
Receipts:			
State of Kansas Gas Tax	36,927	38,330	38,040
County Transfers Gas	22,492	20,350	20,240
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
<b>Total Receipts</b>	<b>59,419</b>	<b>58,680</b>	<b>58,280</b>
<b>Resources Available:</b>	<b>168,853</b>	<b>128,700</b>	<b>91,980</b>
Expenditures:			
Capital Outlay	98,833	95,000	50,000
Cash Forward (2024 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>98,833</b>	<b>95,000</b>	<b>50,000</b>
Unencumbered Cash Balance Dec 31	70,020	33,700	41,980
2022/2023/2024 Budget Authority Amount:	126,500	120,000	50,000

Adopted Budget

	Prior Year	Current Year	Proposed Budget
<b>Special Parks &amp; Recreation</b>	Actual for 2022	Estimate for 2023	Year for 2024
Unencumbered Cash Balance Jan 1	15,388	17,087	17,230
Receipts:			
alcohol tax	1,699	1,143	1,545
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
<b>Total Receipts</b>	<b>1,699</b>	<b>1,143</b>	<b>1,545</b>
<b>Resources Available:</b>	<b>17,087</b>	<b>18,230</b>	<b>18,775</b>
Expenditures:			
Capital Outlay		1,000	18,000
Cash Forward (2024 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>0</b>	<b>1,000</b>	<b>18,000</b>
Unencumbered Cash Balance Dec 31	17,087	17,230	775
2022/2023/2024 Budget Authority Amount:	13,000	11,000	18,000

<b>CPA Summary</b>
--------------------

City of Silver Lake

2024

**FUND PAGE FOR FUNDS WITH NO TAX LEVY**

Adopted Budget <b>Water/Sewer Utility</b>	Prior Year Actual for 2022	Current Year Estimate for 2023	Proposed Budget Year for 2024
Unencumbered Cash Balance Jan 1	162,428	160,495	219,895
Receipts:			
Charges for Service	460,259	561,000	561,000
Intrest	1,023	1,500	1,500
Tower Rent		27,900	27,000
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
<b>Total Receipts</b>	<b>461,282</b>	<b>590,400</b>	<b>589,500</b>
<b>Resources Available:</b>	<b>623,710</b>	<b>750,895</b>	<b>809,395</b>
Expenditures:			
Salaries & Benefits	209,280	245,000	285,000
Contractual	86,282	95,000	100,000
Commodities	56,160	40,000	50,000
Capital Outlay	5,704	75,000	100,000
Debt Service	64,946	65,000	65,000
Transfers	40,000	10,000	5,000
Cash Forward (2024 column)			
Miscellaneous	843	1,000	1,000
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>463,215</b>	<b>531,000</b>	<b>606,000</b>
Unencumbered Cash Balance Dec 31	160,495	219,895	203,395
2022/2023/2024 Budget Authority Amount:	517,000	535,000	606,000

Adopted Budget

<b>Dare</b>	Prior Year Actual for 2022	Current Year Estimate for 2023	Proposed Budget Year for 2024
Unencumbered Cash Balance Jan 1	3,311	1,556	1,556
Receipts:			
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
<b>Total Receipts</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Resources Available:</b>	<b>3,311</b>	<b>1,556</b>	<b>1,556</b>
Expenditures:			
Commodities	1,634		1,556
Miscellaneous	121		
Cash Forward (2024 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>1,755</b>	<b>0</b>	<b>1,556</b>
Unencumbered Cash Balance Dec 31	1,556	1,556	0
2022/2023/2024 Budget Authority Amount:	3,854	3,211	1,556

<b>CPA Summary</b>
--------------------



# City of Silver Lake



**RESOLUTION TO EXCEED RNR  
2023-05**

**A RESOLUTION OF THE CITY OF SILVER LAKE, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE;**

**WHEREAS**, the Revenue Neutral Rate for the City of Silver Lake was calculated as 28.219 mills by the Shawnee County Clerk; and

**WHEREAS**, the budget proposed by the Governing Body of the City of Silver Lake will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

**WHEREAS**, the Governing Body held a hearing on August 21, 2023 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

**WHEREAS**, the Governing Body of the City of Silver Lake, having heard testimony, still finds it necessary to exceed the Revenue Neutral Rate.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SILVER LAKE:**

The City shall levy a property tax rate exceeding the Revenue Neutral Rate of 28.219 mills.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

**ADOPTED** this 21<sup>st</sup> day of **August, 2023** and Signed by the Governing Body.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attested:

\_\_\_\_\_



General Fund	Budget	Request	Budget	Request	Budget	Request	Budget	Request	Budget	Request	Budget	Request	Budget	Request	Budget	Request	Budget	Request
General Capital Outlay	2024	2024	2023	2023	2022	2022	2021	2021	2020	2020	2019	2019	2018	2018				
Mower/Equipment (repair) Generator	5,000.00	5,000.00	11,000.00	50,000.00	30,000.00	30,000.00	20,000.00	20,000.00	40,000.00	40,000.00	15,000.00	15,000.00	15,000.00	15,000.00				
Vehicle/UTV	20,000.00	20,000.00	-	35,000.00	35,000.00	35,000.00	27,500.00	27,500.00	2,500.00	2,500.00	2,500.00	2,500.00	5,000.00	5,000.00				
Computer for City Hall	2,500.00	2,500.00	2,000.00	2,000.00	3,000.00	3,000.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	5,000.00	5,000.00				
Office Equipment/Office Carpet	6,000.00	6,000.00	7,500.00	7,500.00	-	11,000.00	11,000.00	11,000.00	11,600.00	11,600.00	10,000.00	10,000.00	1,500.00	1,500.00				
City Hall Exterior Repairs	15,000.00	15,000.00	8,500.00	16,500.00	-	11,000.00	11,000.00	11,600.00	11,600.00	11,600.00	10,000.00	10,000.00	1,500.00	1,500.00				
Council Room Repairs/updates	10,000.00	10,000.00	20,000.00	20,000.00	88,000.00	88,000.00	67,500.00	67,500.00	42,500.00	42,500.00	36,575.00	17,500.00	30,000.00	20,000.00				
Shop update	22,500.00	10,000.00	20,000.00	20,000.00	88,000.00	88,000.00	67,500.00	67,500.00	42,500.00	42,500.00	36,575.00	17,500.00	30,000.00	20,000.00				
Miscellaneous	10,000.00	10,000.00	-	-	-	-	-	-	-	-	-	-	-	-				
General Fund-General Capital Outlay Total	81,000.00	68,500.00	89,000.00	182,000.00	88,000.00	88,000.00	67,500.00	67,500.00	42,500.00	42,500.00	36,575.00	17,500.00	30,000.00	20,000.00				
Law Enforcement Capital Outlay																		
Building Expansion	42,000.00	42,000.00	35,000.00	333,000.00	35,000.00	35,000.00	120,000.00	120,000.00	1,200.00	1,200.00	500.00	14,000.00	4,500.00	4,500.00				
New Vehicle	14,000.00	14,000.00	10,000.00	10,000.00	9,000.00	9,000.00	9,000.00	9,000.00	4,000.00	4,000.00	4,000.00	4,000.00	3,000.00	3,000.00				
Misc Equip (Radar/Car Camera)	4,000.00	4,000.00	12,000.00	12,000.00	8,000.00	8,000.00	11,600.00	11,600.00	11,600.00	11,600.00	10,000.00	10,000.00	1,500.00	1,500.00				
Bulletproof Vests	2,000.00	2,000.00	6,000.00	6,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00				
Computer and Software	5,000.00	5,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00				
Office Furniture	5,000.00	5,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00				
New Sign at 100 Beaubien	67,000.00	67,000.00	79,000.00	412,000.00	52,000.00	112,000.00	13,600.00	13,600.00	16,800.00	16,800.00	14,500.00	14,000.00	4,500.00	4,500.00				
Miscellaneous	67,000.00	67,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00				
Law Enforcement Capital Outlay Total	67,000.00	67,000.00	79,000.00	412,000.00	52,000.00	112,000.00	13,600.00	13,600.00	16,800.00	16,800.00	14,500.00	14,000.00	4,500.00	4,500.00				
General Street																		
Miscellaneous	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00				
General Street Capital Outlay Total	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00				
General Park																		
Miscellaneous	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00				
General Park Total	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00				
Special Highway																		
Street Repairs & maintenance	50,000.00	50,000.00	120,000.00	80,000.00	126,500.00	80,000.00	156,000.00	80,000.00	147,000.00	80,000.00	150,000.00	80,000.00	120,000.00	84,000.00				
Special Highway Capital Outlay Total	50,000.00	50,000.00	120,000.00	80,000.00	126,500.00	80,000.00	156,000.00	80,000.00	147,000.00	80,000.00	150,000.00	80,000.00	120,000.00	84,000.00				
Special Park & Rec																		
Miscellaneous	8,000.00	8,000.00	11,000.00	2,000.00	13,000.00	11,000.00	11,000.00	10,000.00	10,000.00	10,000.00	9,000.00	10,000.00	10,000.00	10,000.00				
Special Park & Rec Capital Outlay Total	8,000.00	8,000.00	11,000.00	2,000.00	13,000.00	11,000.00	11,000.00	10,000.00	10,000.00	10,000.00	9,000.00	10,000.00	10,000.00	10,000.00				
Water/Sewer Utility																		
Backhoe Repair	20,000.00	20,000.00	-	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00				
Fire Hydrant	-	-	-	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00				
Water Main & Leaks	50,000.00	50,000.00	7,500.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00				
Water Main Replacement	100,000.00	100,000.00	-	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00				
Upgrade Billing Software	3,500.00	3,500.00	2,500.00	2,500.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00				
RWR #2 Connection	-	-	-	125,000.00	100,000.00	100,000.00	30,000.00	30,000.00	30,000.00	30,000.00	30,000.00	30,000.00	30,000.00	30,000.00				
Radio Read Water Meters	3,000.00	3,000.00	3,000.00	3,000.00	250,000.00	250,000.00	175,000.00	150,000.00	150,000.00	150,000.00	150,000.00	150,000.00	150,000.00	150,000.00				
Water Tower (200,000 gallons)	-	-	-	30,000.00	60,000.00	125,000.00	125,000.00	125,000.00	125,000.00	125,000.00	125,000.00	125,000.00	125,000.00	125,000.00				
Well/Liftstation Notification System	-	-	-	125,000.00	60,000.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00				
Water Well	-	-	-	-	60,000.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00				
Generator Well House	2,500.00	2,500.00	2,000.00	2,000.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00				
Computers for City Hall	20,000.00	20,000.00	40,000.00	40,000.00	20,000.00	17,500.00	17,500.00	17,500.00	17,500.00	17,500.00	17,500.00	17,500.00	17,500.00	17,500.00				
Vehicle (UTV)	31,000.00	50,000.00	5,000.00	15,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00				
Valve Replacement	10,000.00	10,000.00	20,000.00	20,000.00	15,500.00	22,000.00	22,000.00	40,000.00	40,000.00	40,000.00	36,500.00	36,500.00	36,500.00	36,500.00				
Tools	10,000.00	10,000.00	20,000.00	20,000.00	15,500.00	22,000.00	22,000.00	40,000.00	40,000.00	40,000.00	36,500.00	36,500.00	36,500.00	36,500.00				
Misc	100,000.00	119,000.00	80,000.00	530,500.00	121,000.00	730,500.00	105,000.00	733,000.00	255,500.00	640,500.00	520,000.00	485,500.00	485,000.00	485,000.00				
Water Sewer Capital Outlay Total	100,000.00	119,000.00	80,000.00	530,500.00	121,000.00	730,500.00	105,000.00	733,000.00	255,500.00	640,500.00	520,000.00	485,500.00	485,000.00	485,000.00				





**DRAFT**  
**City of Silver Lake**  
**Regular Session Minutes**  
**Monday, August 7, 2023**

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening August 7, 2023, with Mayor Mack Smith conducting the meeting and the following Councilmembers present: Brad Bryant, Jake Fisher, Steve Pegram, Heath Robinson, and Larry Ross (5). Also present were City Attorney Todd Luckman, Full-Time Police Officer Doug Ashcraft, Public Works Superintendent Cary Deiter, City Clerk Liz Steckel, and Assistant Clerk Marie Beam.

American Legion representative, Jim Thompson returned to Council to request the City's cooperative funds towards the American Legion Memorial improvements. The Legion's estimated expenditures for the project total 28,479.00 dollars. The Legion is asking that the City contribute an additional 3,400.00 dollars to install rip rap in the ditch in front of the memorial. Public Works Superintendent Deiter stated that he checked with Kansas Department of Transportation and they approved the work. Councilmember Ross made a motion to spend 3,400.00 from the Capital Improvement Fund on the memorial project. The motion was seconded by Councilmember Pegram and carried. The City expects to save money on maintenance when this project is complete which is estimated to be in the next 2 months.

An amended order of agenda was presented by Mayor Mack Smith.

A motion was made by Councilmember Ross to approve the Regular Meeting minutes of the July 17, 2023 meeting as written. The motion was seconded by Councilmember Bryant and carried.

Councilmember Bryant presented the monthly financial report.

Claim vouchers in the amount of 48,860.52 dollars were submitted to the Council for appropriation. Councilmember Robinson made a motion to approve the following emergency expenditures; a fire hydrant from Schulte Supply, Inc. in the amount of 4,784.35 dollars, hauling of millings from Crow Trucking in the amount of 2,401.87 dollars, and a water main break repair from RDR Excavating II, LLC in the amount of 4,468.33 dollars. The motion was seconded by Councilmember Ross and approved.

An Ordinance entitled "An Ordinance Appropriating Money to Pay Certain Claims" was introduced. A motion was made by Councilmember Bryant and seconded by Councilmember Fisher that said Ordinance be accepted as read and was then placed on final passage by a roll call vote: AYE: Brad Bryant, Jake Fisher, Steve Pegram, Heath Robinson, and Larry Ross.(5) NAY: None. With no further discussion the Ordinance was declared passed and was given No. 2573.

City Attorney Luckman presented to Council the question of whether to raise the franchise fee rate for Kansas Gas Service, a Division of One Gas, Inc. as it is time to renew the agreement for a 20-year term. Council opposed the idea of increasing the franchise rate. Council directed City Clerk Steckel to prepare an agreement reflecting a franchise rate of 2% for the next for the next meeting.

City Attorney Luckman reviewed changes made to the employee handbook by himself and Mayor Mack Smith.

City Attorney Luckman discussed that in the current handbook, certain Councilmembers are named supervisors of certain departments, but that Councilmembers do not have the legal authority to supervise. Luckman stressed that the changes in the new handbook will reflect that Councilmembers' authority is only in the Council room. According to Luckman, outside of the Council room, Councilmembers should only act as a liaison between the Mayor and the departments. The new handbook will state that the Mayor is the immediate supervisor of the City Clerk, Police Chief and the Public Works Superintendent, and those department heads are the immediate supervisors of the assistants and other employees.

City Attorney Luckman presented a sample "on-call" policy that would allow the City to compensate staff for being available outside of the employee's regularly scheduled work hours. Luckman advised that this policy would ensure the City that a staff member is always available within a specified response time. Council directed Luckman to further develop the language for an on-call policy for the City of Silver Lake, and to return with the new language at the next meeting.

City Attorney Luckman noted two additions on page 27 of the new handbook. First, "Work Area and Products," which specifies that no employee has a privacy interest in work areas. Luckman noted that he may revisit the language in the section. The purpose of this section is to prevent Fourth Amendment issues that can arise for municipalities. Second, the "social media" clause that was added was taken straight from the League of Kansas Municipalities samples for handbooks.

Mayor Mack Smith noted that the new personnel handbook with all of the edits mentioned this evening will be included in the next Council packet. Mayor Smith also added that the residency requirements for employment as well as the performance evaluations have been eliminated from the new handbook. Mayor Smith explained that after the new handbook is approved, vacation time will be prorated from January 2023 for current employees.

Councilmember Robinson inquired about a drug and alcohol policy for the City. City Attorney Luckman noted that drug and alcohol testing was limited to safety-sensitive employees.

Council reviewed the Standard Traffic Ordinance. Motion was made by Councilmember Fisher and seconded by Councilmember Pegram that said ordinance be accepted as written and was then placed on final passage by roll call of the following vote: AYE: Brad Bryant, Jake Fisher, Steve Pegram, Heath Robinson and Larry Ross (5). Ordinance was declared passed and was given No. 2575.

Council also reviewed the Uniform Public Offense Code. Motion was made by Councilmember Robinson and seconded by Councilmember Fisher that said ordinance be accepted as written and was then placed on final passage by roll call of the following vote: AYE: Brad Bryant, Jake Fisher, Steve Pegram, Heath Robinson and Larry Ross (5). Ordinance was declared passed and was given No. 2576.

USD 372 Superintendent Brad Womack presented an update to Council on the USD 372 and City of Silver Lake Land Swap. USD 372, Silver Lake Schools proposes that the school district and the City of Silver Lake adjust the boundary lines between adjoining properties to benefit the district and the patrons of the City of Silver Lake. Council directed Superintendent Womack to work with the engineering firm and to return to Council with a formal request. City Attorney Luckman noted that the current Council cannot bind future Councils at this time, but that it is the general sense of Council to proceed.

City Attorney Luckman left the meeting.

City Clerk Steckel presented the quarterly financial report to Council.

Police Officer Doug Ashcraft presented the monthly activity report to Council. Officer Ashcraft reported that the marked 2020 Durango was back in service after having the air conditioner repaired. Officer Ashcraft thanked Council for allowing him to get the air conditioner fixed in his vehicle. Officer Ashcraft reported that the marked 2020 Durango still needs to have the radar fixed but that it is in the budget for 2024. Officer Ashcraft requested to send the Police Department Administrative Assistant to a car seat safety technician class for three days, from September 19<sup>th</sup> through September 21<sup>st</sup>, in Wamego, Kansas. The price of the class is 95.00 dollars. Council directed Officer Ashcraft to send the Police Department Administrative Assistant to the class. Officer Ashcraft reported that Police Department Staff will be serving hot dogs for the United Methodist Church's Annual Back-to-School Bash on August 13<sup>th</sup>.

Public Works Superintendent Cary Deiter presented the monthly public works report to Council. Deiter reported that there had been a water main break last Sunday, under a driveway in town. During the emergency, Cary's team had shut down six valves but were not able to get the water off at that particular main. Deiter reported that they were still waiting on Evergy to move their power pole to give the City access to shut off a fire hydrant that needs to be replaced. Deiter stated that he did not want to shut water off due to a lack of valves because if we did so, we would end up in a boil advisory. Superintendent Deiter and Councilmember Fisher discussed a need to strategically install new valves throughout the City. Deiter would like to start this process next June and install 4 new valves at a time (done in a single day), and install a total of 16 each year, until the project is complete. The cost to replace a valve is approximately 3000 dollars with labor. Mayor Mack Smith recommended that Cary speak with City Engineer Pat Cox and one of the commissioners to begin planning this project.

Council directed Superintendent Deiter to proceed with park improvements to include removing the fence enclosing the shelter house, improvements of the pickleball court, and opening up the fence around the court to allow the planting of grass and mowing.

City Clerk Steckel presented a list of budgeted, actual and potential future donations to Council. Council directed City Clerk Steckel to include a total of 15000 dollars for donations in the 2024 budget.

The updated Capital Improvement Plan was presented to Council. Councilmember Robinson made a motion to adopt the Capital Improvement Plan as amended. The motion was seconded by Councilmember Ross and passed.

Council discussed potential uses for a sales tax revenue that would be generated if the citizens of Silver Lake vote yes to the question on the ballot in November. Additional revenue generated from such sales tax would provide an adequate level of public services within the City, including funds for repairs, replacements and improvements of City infrastructure and other capital improvements as may be in the best interest of the City. Councilmember Pegram reminded Council that a 1% sales tax could have produced 124000 dollars in 2023. The City's assessed valuation is 12900 dollars. This means that in order to generate the same revenue as a 1% sales tax, the City would need to raise the mill levy by ten(10) or more. The difference between a sales tax and a mill increase is that a sales tax would add 1% to each dollar spent in Silver Lake, no matter who is spending it. A mill increase would only effect property owners in the City limit. Council directed City Clerk Steckel to place an informative flyer including the ballot question for November, on the City's website, as well as on a flyer to be distributed at Wehner's Thriftway.

Council approved the final draft of the 2024 budget to be reviewed at the Budget Hearing, Monday, August 21, 2023 at 5:30 PM.

Assistant Clerk Marie Beam informed Council that office staff was unaware of a potential on-call policy while composing the 2024 budget, and she reminded them that they have not budgeted for such policy for 2024. Mayor Mack Smith assured Mrs. Beam that the on-call policy is a tool to be used if the City needs it.

Council directed City Clerk Steckel to approve a temporary road closure request for Lake Days, for October 7. Mrs. Steckel was also directed to donate the use of the Community Center to Lake Days from 2pm on October 6<sup>th</sup> through the end of the day on October 7<sup>th</sup>.

Council directed City Clerk Steckel to donate the use of the Shelter House to Silver Lake United Methodist Church on September 10<sup>th</sup>, from 9 AM until 1 PM for a community church service.

City Clerk Steckel proposed September 16<sup>th</sup> as a potential day for the City's Fall Clean-up, a semi-annual event where free dumpster service is provided to the citizens. Council directed Mrs. Steckel to proceed with planning the event for that day.

City Clerk Steckel requested to renew the City's annual Neptune subscription, which exceeds the 800-dollar spending limit at a cost of 1177.89 dollars. Councilmember Ross made a motion to pay 1177.89 dollars for the annual subscription for Neptune. The motion was seconded by Councilmember Bryant and carried.

Councilmember Ross thanked the Public Works team for quickly taking care of a dead tree situation in town.

Councilmember Pegram announced to Council that the barbers next door at Priddy Parlor gave out 43 free back-to-school haircuts at an event last Friday, along with school supplies to the children. Pegram noted that it was nice having such an event in town, and the food and coffee trucks stayed busy for that entire day.

Councilmember Fisher thanked City Clerk Steckel and Assistant Clerk Beam for going over the budget for water meters and hydrants, as well as for brainstorming a long-term valve plan with him and Mr. Deiter.

Councilmember Fisher suggested that the City start a Facebook Page for the purpose of promoting City events and as a method of communicating with the citizens. Superintendent Deiter noted that during the recent water main break, he reached out to City Clerk Steckel and she was able to use public Facebook pages of local community organizations to get the word out to citizens. Deiter added that it would be ideal to have a City page for this purpose. Mayor Mack Smith asked City Clerk Steckel to add this to the next agenda and to come back with something to make people feel more comfortable with the idea of a City Facebook Page.

Council directed Mayor Smith to renew the annual agreement with Meals on Wheels. Mayor Smith asked that everyone help spread the word about the services provided in Silver Lake by Meals on Wheels.

Mayor Mack Smith informed Council that City Engineer Pat Cox checks in with Mayor Smith each week. Mayor Smith encouraged Council and Staff to consult with Cox on any large City projects.

The next meeting is scheduled for Monday, August 21, 2023, at 5:30 PM. The 2024 Revenue Neutral Rate Hearing and the 2024 Budget Hearing will take place on August 21, 2023 at the beginning of the meeting.

The following two meetings are scheduled for Thursday, September 7 and Monday, September 18, both at 5:30 PM.

Councilmember Ross made a motion to adjourn the meeting at 7:33 PM. Councilmember Robinson seconded the motion and with nothing further to come before Council, the meeting was adjourned.

Liz Steckel, City Clerk

**City of Silver Lake  
Record of Ordinance  
August 21, 2023**

An Ordinance making appropriation for the payment of certain claims. Be it ordained by the Governing Body of the City of Silver Lake, Kansas. 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.

Check #	Type	Name	Memo	Amount
<b>General Operating</b>				
<b>General Fund</b>				
EFT	GEN	Evergy	Electricity	-1,197.1
EFT	GEN	Verizon Wireless	Cellular Service	-92.7
8558	GEN	Logan Business Machines	Copy Contract	-73.6
8561	GEN	The Topeka Metro News	Publish 2nd QTR Financial Report & 2024 Notice to Exceed RNR	-156.0
8559	GEN	Menards	City Hall Remodel Supplies	-880.3
EFT	GEN	Card Service Center	Postage for Nuisances, Code Book, Bills	-103.9
EFT	GEN	Card Service Center	Supplies	-112.5
EFT	GEN	Card Service Center	Cleaning Supplies	-17.2
EFT	GEN	Card Service Center	Office Supplies	-106.7
EFT	GEN	Card Service Center	Quickbooks Monthly Fee	-95.0
EFT	GEN	Card Service Center	Publish 2024 Budget Notice & RNR	-334.6
EFT	GEN	Card Service Center	City Hall Remodel	-794.6
<b>Total General Fund</b>				<b>-3,964.4</b>
<b>Law Enforcement</b>				
EFT	LAW	Verizon Wireless	Cellular Service	-243.6
8561	LAW	The Topeka Metro News	Publish 2023 STO & UPOC	-205.0
EFT	LAW	Card Service Center	Fuel	-228.9
EFT	LAW	Card Service Center	Uniforms	-324.9
EFT	LAW	Card Service Center	Holsters	-258.3
EFT	LAW	Card Service Center	Kansas Peace Officers Association Training	-175.0
EFT	LAW	Card Service Center	24 Logo Coffee Mugs	-419.7
EFT	LAW	Card Service Center	Car Washes	-30.0
EFT	LAW	Card Service Center	Supplies	-69.7
EFT	LAW	Card Service Center	Office Chair	-313.4
EFT	LAW	Card Service Center	Office Supplies	-11.3
EFT	LAW	Evergy	Electricity	-274.1
<b>Total Law Enforcement</b>				<b>-2,555.1</b>
<b>Street</b>				
EFT	SDP	Evergy	Electricity	-1,112.7
<b>Total Street</b>				<b>-1,112.7</b>
<b>Park</b>				
EFT	PRK	FreeState Electric Cooperative	Electricity	-112.0
EFT	PRK	Card Service Center	Weed Spray	-164.7
<b>Total Park</b>				<b>-276.7</b>
<b>Street Lighting</b>				
EFT	STL	FreeState Electric Cooperative	Electricity	-151.0
EFT	STL	Evergy	Electricity	-476.0
<b>Total Street Lighting</b>				<b>-628.0</b>
<b>Total General Operating</b>				<b>-8,537.1</b>

**City of Silver Lake  
Record of Ordinance  
August 21, 2023**

**Waterworks Fund**

WW	Schulte Supply, Inc.	Annual Neptune Subscription	-1,177.89
WW	FreeState Electric Cooperative	Electricity	-387.54
WW	Verizon Wireless	Cellular Service	-81.36
WW	Department of Health & Environment	Semi-Annual Loan Repayment	-11,150.37
WW	Department of Health & Environment	Semi-Annual Loan Repayment	-21,322.49
WW	Universal Chemical LLC	Shop Towels	-208.33
WW	Card Service Center	Mileage	-26.56
WW	Card Service Center	Uniforms	-136.86
WW	Card Service Center	Cellular Data Charge	-0.99
WW	Card Service Center	Supplies	-18.54
WW	Card Service Center	Saws/Tools	-534.97
WW	Adam McMillan	Emergency Water Main Repair Labor	-1,068.00
WW	Adam McMillan	Water Main Repair Supplies	-4,632.00
WW	Evergy	Electricity	-751.56

**Total Waterworks Fund** -41,497.46

**Special Highway Fund**

SPH	Bettis Asphalt & Construction, Inc.	2023 Street Project	-93,347.50
-----	-------------------------------------	---------------------	------------

**Total Special Highway Fund** -93,347.50

**Dare Fund**

DARE	Card Service Center	Back to School Bash Donations	-143.41
------	---------------------	-------------------------------	---------

**Total Dare Fund** -143.41

**TOTAL** -143,525.52

That this Ordinance shall take effect and be in force from and after its passage.

Passed this 21st day of August, 2023

Signed or Approved this 21st day of August, 2023

---

**City Clerk**

**Mayor**



# *Congratulations* TO OUR GRANT WINNERS



**Kansas PRIDE Inc.  
Grant Awardees**

## **COMMUNITY OF ACTION**

Alton PRIDE  
Arlington Community PRIDE  
Blue Rapids CAT  
Highland PRIDE  
Iola CITF/PRIDE

**Kansas Masonic  
Partnership  
Grant Awardees**



**KANSAS FREEMASONS  
ON THE LEVEL**

## **COMMUNITY PROMOTION**

Blue Rapids CAT  
Energize Erie  
Highland PRIDE  
We are Silver Lake/PRIDE

## **EMERGENCY GRANT**

We are Silver Lake/PRIDE

Division of Environment  
Curtis State Office Building  
1000 SW Jackson St., Suite 400  
Topeka, KS 66612-1367



Phone: 785-296-1535  
Fax: 785-559-4264  
www.kdheks.gov

Janet Stanek, Secretary

Laura Kelly, Governor

August 9, 2023

Mack Smith, Mayor  
City of Silver Lake  
218 W. Railroad St.  
Silverlake, Kansas 66539

Re: Kansas Public Water Supply Loan Fund (KPWSLF)  
Replace Waterlines ;KPWSLF Project No. 3238

In a letter dated July 10, 2023, you were notified that the project referenced above was not ranked high enough on the Project Priority List of the 2024 Intended Use Plan (IUP) to receive first round funding from the Kansas Public Water Supply Loan Fund. However, municipalities with projects that were above the funding line have notified the Kansas Department of Health and Environment that they will not complete applications. This opens up second-round funding to projects that were below the original funding line. We are happy to notify you that the City of Silver Lake has been selected in the KDHE 2024 Intended Use Plan (IUP) to apply for a loan in the amount of \$1,925,313 from the Kansas Public Water Supply Loan Fund (KPWSLF).

Please note, projects needed solely for fire flow or future projected growth, are not eligible. Also, if the municipality does not currently have an annual financial audit performed, the KDHE loan agreement will require one. The cost of this annual audit can be significant for small systems, please keep this in mind if applying for a loan. If the project and a KDHE loan are still being considered, the City of Silver Lake must submit a completed Drinking Water Loan Application which can be downloaded at [www.kdhe.ks.gov/516/Applications](http://www.kdhe.ks.gov/516/Applications). Instructions for completing the application are included in the application file. The City of Silver Lake can apply for more than the loan amount listed above. If you cannot access our web page, please contact Brenda Diegel at (785) 296-4262, to obtain a hard copy through regular mail.

If KDHE receives no response from the City of Silver Lake by November 16, 2023, the project will be removed from our funding list and will need to re-apply for consideration. **If the City of Silver Lake decides not to pursue funding for the project or cannot meet the application deadline but wants to remain on the funding list for future consideration, please contact Brenda Diegel at 785-296-4262 or [Brenda.Diegel@ks.gov](mailto:Brenda.Diegel@ks.gov) as soon as possible, so KDHE can work with other municipalities to award the money.**

Free technical assistance with completing the loan application can be provided. Should you have any questions, or need assistance in completing your application, please feel free to call contact Brenda Diegel at (785) 296-4262.

*William J. Carr*

William J. Carr  
Assistant Director  
Bureau of Water  
Kansas Department of Health and Environment

WJC:lw

pc: NE District  
City of Silver Lake KPWSLF Project No. 3238

Division of Environment  
Curtis State Office Building  
1000 SW Jackson St., Suite 400  
Topeka, KS 66612-1367



Phone: 785-296-1535  
Fax: 785-559-4264  
[www.kdheks.gov](http://www.kdheks.gov)

Janel Stanek, Secretary

Laura Kelly, Governor

## **For Immediate Release**

August 16, 2023

For more information, contact:

Matthew Lara  
[Matthew.lara@ks.gov](mailto:Matthew.lara@ks.gov)  
785-296-1317

## **Boil Water Advisory Rescinded for the City of Silver Lake, Shawnee County**

**TOPEKA** – The Kansas Department of Health and Environment (KDHE) has rescinded a boil water advisory for the City of Silver Lake water supply system located in Shawnee County. The advisory was issued because of a loss of pressure in the system. Failure to maintain adequate pressure may result in a loss of chlorine residuals and bacterial contamination.

Public water suppliers in Kansas take all measures necessary to notify customers quickly after a system failure or shutdown. Regardless of whether it's the supplier or KDHE that announces a boil water advisory, KDHE will issue the rescind order following testing at a certified laboratory.

Laboratory testing samples collected from the City of Silver Lake indicate no evidence of bacteriological contamination and all other conditions that placed the system at risk of contamination are deemed by KDHE officials to be resolved.

For consumer questions, please contact the water system at: 785-582-4280, or you may call KDHE at 785-296-5514. For consumer information please visit KDHE's PWS Consumer Information webpage: [kdhe.ks.gov/waterdisruption](http://kdhe.ks.gov/waterdisruption).

###



## City

---

**From:** Clinton Schuckman [KDHE] <Clinton.Schuckman@ks.gov>  
**Sent:** Wednesday, August 16, 2023 10:22 AM  
**To:** City  
**Cc:** Sara Ridinger [KDHE]  
**Subject:** RE: Water OIT no longer employed, new hire application

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Liz,

Unfortunately, we are not able to issue two consecutive OIT certificates, as it raises concerns with the system being under the supervision of individuals with little to no operating experience for an extended period of time. The options at this point would be to either enter a contractual agreement with or employ a current Class II drinking water operator to be the operator in responsible charge of the system. We will follow up with a letter specifying that you have 30 days to provide us a plan of how you intend to resolve this matter. Let me know if you have any questions in the mean time.

Thanks,

**Clinton Schuckman**  
Drinking Water Coordinator  
Operator Certification  
KDHE – Bureau of Water  
785.296.2976



**From:** City <city@silverlakeks.gov>  
**Sent:** Friday, July 28, 2023 10:11 AM  
**To:** Clinton Schuckman [KDHE] <Clinton.Schuckman@ks.gov>  
**Subject:** Water OIT no longer employed, new hire application

*EXTERNAL:* This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good Morning, Clinton,  
I know that I faxed this application over in mid-June, but I hadn't heard anything from you, so I wanted to let you know that Bill Berndt, our Water OIT has left his role with the City of Silver Lake, and we have a new Public Works Assistant who would like to apply as the Water OIT for us. I've attached that application. Please let me know if or what else I need to do at this time.

Thank you,

Liz Steckel, City Clerk

# City of Silver Lake



ORDINANCE NO. 2578

**AN ORDINANCE CONCERNING OFFICERS AND EMPLOYEES OF THE CITY OF SILVER LAKE, KANSAS AND PERSONNEL AND EMPLOYEE BENEFITS; ADOPTING A NEW EMPLOYEE HANDBOOK AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SILVER LAKE, KANSAS:**

**SECTION 1.** The Code of the City of Silver Lake, Kansas is hereby amended to add the official Employee Handbook of The City of Silver Lake version 2023.

**SECTION 2. REPEAL.** All ordinances in conflict herewith are hereby repealed.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall take effect and be in full force from and after its publication in the official City newspaper as provided by law.

**PASSED AND APPROVED,** by the governing body of the City of Silver Lake this **21<sup>st</sup>** day of **August**, 2023.

\_\_\_\_\_  
**MACK SMITH, Mayor**

**Attest:**

\_\_\_\_\_  
**LIZ STECKEL, City Clerk**

**Welcome  
To  
The City of Silver Lake**

*Home of the Silver Lake Eagles*

EMPLOYEE HANDBOOK

# City of Silver Lake, Kansas

## Employee Handbook

Formatted: Centered

---

Employees serve at the pleasure of the City of Silver Lake in accordance with the applicable laws of the State of Kansas. No statement in this handbook creates an express or implied contract of employment.

This employee handbook, adopted by the Governing Body of the City of Silver Lake, \_\_\_\_\_, by Ordinance Number \_\_\_\_\_, shall take effect upon publication of said ordinance.

Much of the information in the fringe benefit and holiday/leave portions of this handbook are based on ordinances, statutes, and contracts. The handbook is intended to summarize the information and not replace the legal documents nor contain a current statement of laws and regulations. In case of a discrepancy, the legal document, statute or contract will govern.

Note: City clerk and assistant city clerk are used synonymously in this handbook.

---

### Table of Contents

Place your cursor over the topic you wish to view. Push control and click your left mouse button. You will be taken to the page containing that information.

City of Silver Lake .....	5
Employment General.....	7
I. Equal Employment Opportunity .....	7
II. Job Security.....	7
III. Definitions.....	7
Human Resource Office .....	8
I. Statement.....	8
II. Employee Files.....	8
Employment Process.....	8
I. Statement.....	8
II. Vacancies .....	8
III. Selection Procedure .....	8
IV. Residency .....	<a href="#">Error! Bookmark not defined.</a> 9
Probationary Period/Evaluations .....	9
I. Statement.....	9

II.	Probation.....	9
III.	Performance Evaluations/Performance.....	<u>Error! Bookmark not defined.</u> 9
<b>Grievance Procedure</b>	.....	940
I.	Statement.....	940
II.	Procedure.....	940
<b>Resignations</b>	.....	10
I.	Statement.....	10
II.	Written Notice.....	10
<b>Nepotism</b>	.....	1044
<b>Employee Supervision</b>	.....	1243
<b>Pay Date</b>	.....	1243
<b>Pay Increases</b>	.....	1243
<b>Longevity Bonus</b>	.....	1243
<b>Overtime, Compensatory Time, Call Back, Equivalent Time Off, Holiday Pay</b>	.....	1243
I.	Statement.....	1243
II.	Guidelines.....	1243
<b>Benefits</b>	.....	16
I.	Statement.....	16
II.	Health Insurance.....	16
III.	Life Insurance.....	16
IV.	Kansas Public Employees Retirement System (KPERS).....	16
V.	Workers' Compensation.....	1647
<b>Holidays</b>	.....	19
I.	Statement.....	19
II.	Observance of Holidays.....	19
<b>Leave Time</b>	.....	19
I.	Statement.....	19
II.	Authorized Leave.....	19
III.	Unauthorized Leave.....	19
IV.	Funeral or Death Leave.....	20
V.	Jury Duty or Other Required Appearance Before a Court or Other Public Body.....	20
VI.	Leave of Absence.....	20
VII.	Military Leave.....	20
VIII.	Sick Leave.....	20
IX.	Extended Illness Benefit.....	21
X.	Personal Days.....	22
XI.	Vacation Leave.....	22
<b>Human Resource Policies</b>	.....	24
I.	Statement.....	24
II.	Personal Conduct.....	24
III.	Personal Relations.....	24
IV.	Confidentiality.....	24
V.	Work Hours.....	24
VI.	Lunch Hours and Breaks.....	24
VII.	Flex Time.....	25
VIII.	Telephone Usage.....	25
IX.	Dress.....	26

X.	Tobacco Products.....	26
XI.	Work Products .....	26
	<b>Discipline Policy</b> .....	<u>2726</u>
I.	Statement.....	<u>2726</u>
II.	Disciplinary Procedure.....	<u>2726</u>
	<b>Political Activity</b> .....	<u>2827</u>
	<b>E-mail/Internet Policy</b> .....	<u>2827</u>
I.	Statement.....	<u>2827</u>
II.	Privacy .....	<u>2928</u>
III.	Non-official Use.....	<u>2928</u>
IV.	Disclosure of Information .....	<u>2928</u>
V.	Deletion of Messages/Files .....	<u>3029</u>
VI.	Suspicious E-mails and Attachments.....	<u>3029</u>
VII.	Unauthorized Usage.....	<u>3029</u>
VIII.	Non System Software .....	<u>3029</u>
IX.	City of Silver Lake’s Right to Monitor E-mail/Internet Usage .....	<u>3130</u>
	<b>Sexual Harassment Policy</b> .....	<u>3130</u>
I.	Statement.....	<u>3130</u>
II.	Definition .....	<u>3130</u>
III.	Examples.....	<u>3130</u>
IV.	Complaint Mechanism.....	<u>3130</u>
	<b>Workplace Violence Policy</b> .....	<u>3231</u>
I.	Workplace Violence Policy .....	<u>3231</u>
II.	Protective or Restraining Order .....	<u>3231</u>
III.	Reporting Procedures.....	<u>3231</u>
	<b>Purchasing</b> .....	<u>3433</u>
I.	Statement.....	<u>3433</u>
II.	Purchases Exceeding \$800 (excluding training).....	<u>3433</u>
III.	Contracts .....	<u>3433</u>
	<b>Training</b> .....	<u>3433</u>
I.	Statement.....	<u>3433</u>
II.	Approval .....	<u>3433</u>
	<b>Discipline Record</b> .....	<u>3635</u>
	<b>Handbook Signature Form</b> .....	<u>3736</u>

## City of Silver Lake

The City of Silver Lake is a third class municipality located approximately eight miles west of Topeka on US Highway 24. The City operates with a mayor/city council form of government and currently has five full-time employees. The 2020 census figures show 1,345 residents in the City of Silver Lake.

The City of Silver Lake boasts the following businesses: a library, two banks, a grocery store with deli, two gas stations with convenience items and food, Chinese restaurant, Mexican restaurant, pizza parlor, liquor store, barber shop, beauty shops, laundromat, auto repair shop, accountant's office, certified financial planner, two veterinary clinics, construction company, self-storage facilities, apartment complexes, and a car wash. We also have several businesses on the fringe of the city: a hardware store, siding and window sales and installation, insurance agency, seamstress/wedding consignment shop, and a chiropractor.

There is currently one church located in the city—Silver Lake United Methodist Church. The Lakeside Southern Baptist Church and Silver Lake First Baptist Church are located just outside the city limits of Silver Lake.

Calendar year 2023 brings additional construction to the school systems.

**BRIEF HISTORY:** In the spring of 1871 the City of Silver Lake was incorporated. We are proud of other events, described below, that have made Silver Lake what it is today.

- Telephones were installed in 1885, but it wasn't until 1907 that a switchboard system was added.
- In 1911 a six room brick school building replaced the original two room structure and the first high school class was organized. In 1928 that building became the grade school. In 1952 the high school burned and a new high school was completed the following year. New grade school construction was completed in 1961 and in 1970 and again in the mid 1990's the schools saw additional construction.
- The two lane hard-surfaced road through the city was completed in 1928 and was later known as US Highway 40 and still later became US Highway 24.
- The original waterworks system, including a 50,000 gallon water tower was completed in 1946. A new 200,000 gallon water tower was constructed in 1996.
- A volunteer fire department was established in 1949. In 1964 Shawnee County Rural Fire District #1 was organized and currently has two full-time employees.
- In 1959, street signs were added to the city. The Lions club numbered all homes in 1965.
- The Silver Lake community Center was built in 1969 and City park shelter house in 1970.
- Construction of the sewer and main facility was begun in 1976 and was completed in 1977. Improvements to the lagoon were completed in 2007.

Welcome to the City of Silver Lake. We are proud of our City and are pleased you have decided to join our city staff. The governing body looks forward to working with you.

# **Employment Information**



## Employment General

### I. Equal Employment Opportunity

The City of Silver Lake does not discriminate on the basis of race, color, age, gender or disability in the employment and treatment of its employees or the admission or access to its programs and activities. The City is an equal opportunity employer.

### II. Job Security

All officers of the City of Silver Lake are appointed by the mayor, with the approval of the council, as defined in K.S.A. 15-204. While some employees are not appointed officers, all employees are governed by the Mayor and City Council.

### III. Definitions

- A. Exempt position: An employee who is in a position that is not required to be compensated (in excess of 40 hours in a work week) for overtime according to the Fair Labor Standards Act (FLSA) is considered exempt. No City employee is exempt.
- B. Non-exempt position: An employee who is in a position which is required to be compensated with overtime pay or compensatory time according to FLSA is non-exempt. All City employees are non-exempt.
- C. Full-time employee: A person employed to work a 37.5 to 40-hour work week as determined at hiring date on a regular and continuing basis. A full-time employee is eligible to receive the fringe benefits and leave time described later in this handbook.
- D. Part-time employee: A person employed to work 999 hours or less per year on a regular and continuing basis. In most cases, a part-time employee is not eligible to receive the fringe benefits and leave described later in this handbook.
- E. Seasonal Employee: A person employed to work during a specific season or portion of the year. In most cases, a seasonal employee is not eligible to receive the fringe benefits and leave described later in this handbook.
- F. Family member: 1) persons related to the employee by blood, marriage, or adoption; 2) minors residing in the employee's residence as a result of court proceedings pursuant to the Kansas code for care of children or the Kansas juvenile offenders code.

## **Human Resource Office**

### **I. Statement**

The city clerk's office maintains employee personnel files, processes payroll, administers employee benefits, assists with the recruitment of new employees and conducts new employee orientation. Questions relating to these issues should be directed to the city clerk.

### **II. Employee Files**

The city clerk's office maintains a **confidential** personnel file on each employee. All materials placed in the employee's file are available for inspection upon the employee's request at a time convenient to the city clerk or mayor and the employee. All inspections shall be made in the presence of the city clerk or mayor.

## **Employment Process**

### **I. Statement**

The goal of the City of Silver Lake is to appoint the best available candidates in compliance with the equal employment opportunity plan of this office.

### **II. Vacancies**

Recruitment is initiated by one or more of the following:

- Sending a vacancy announcement to organizations and businesses as determined by the mayor, city council or city clerk
- Placing an advertisement in the newspaper
- Advertising on the City web site as well as with other applicable web sites and organizations

### **III. Selection Procedure**

- A. All candidates for full-time employment must submit an employment application and resume and pass a background check including drug screening.
- B. Full-time law enforcement officers must pass a psychological evaluation (paid for by the City).
- C. Selected candidates will be invited to an interview.
- D. The successful applicant will be appointed by the mayor and approved by the city council.

- E The mayor has the authority to appoint an individual in lieu of the procedures outlined in Steps A through D above. The council must approve the appointment.

### **Probationary Period/Evaluations**

#### **I. Statement**

To maintain high standards of job performance, the City of Silver Lake understands the need for employees to have the opportunity to establish acceptable behaviors and modify unacceptable behaviors. During the probationary period, employees are evaluated twice.

#### **II. Probation**

- A. A new full-time employee must complete a six month probationary period to achieve regular full-time status. An employee transferring to another position within City government must also complete a six month probationary period. The length of the probationary period may be changed at the request of the mayor or city council.
- B. An employee may, at any time, be placed on probation for one to six months in an attempt to correct unacceptable behavior. If an employee fails to correct unacceptable behavior within this period, termination may result. An employee does not have to be placed on probation to be disciplined or terminated.

### **Grievance Procedure**

#### **I. Statement**

On occasion, an employee may have a concern or grievance that he/she would like to discuss. The employee must adhere to the procedure below in the order listed.

#### **II. Procedure**

Step 1: Visit with immediate supervisor and work to resolve conflict.

Step 2: If Step 1 is unsuccessful, advise supervisor and arrange to visit with the mayor. If the grievance is with the mayor, then arrange to visit with the council president.

Step 3: If Step 2 is unsuccessful, advise the mayor, who will arrange a meeting with the city council.

Note: An employee shall submit written documentation of the grievance.

## **Resignations**

### **I. Statement**

Employees shall submit a written notice of resignation. Once approved, the written notice will become part of the employee's personnel file.

### **II. Written Notice**

A. The notice should be presented to the mayor and council at least two weeks before the anticipated departure. Under appropriate circumstances, a shorter notice may be approved by the council.

B. The notice should contain:

1. Date notice was submitted
2. Date of departure
3. Reason for the departure
4. Signature

Failure to meet the provisions of this section will result in documentation of such in the employee's personnel file. Further, the City can and may report the time and method of resignation to outside entities requesting the same.

## **Nepotism**

No employee shall supervise, advocate for, participate in or cause the appointment, promotion, transfer, demotion or discipline of a member of the employee's household or a family member.

# **Supervision and Compensation**

**Employee Supervision**

The mayor shall be the immediate supervisor of the city clerk. The city clerk shall be the immediate supervisor of the assistant city clerk. The mayor shall be the immediate supervisor of the chief of police. The chief of police shall be the immediate supervisor of the other law enforcement officers. The mayor shall be the immediate supervisor of the public works superintendent. The public works superintendent shall be the supervisor of the utility assistant and all part-time employees of the public works department.

Formatted: Highlight

**Pay Date**

City employees shall be paid on the fifteenth and last work day of each month. When a pay day falls on a weekend or city holiday, employees will be paid the Friday before the weekend or city holiday.

**Pay Increases**

Pay increases shall not be routine or automatic and are determined by the mayor and council. The salary of each city employee shall be reviewed at least annually.

**Longevity Bonus**

Each full-time employee that meets the service requirements below shall be paid a longevity bonus. The payment shall be made in the payroll period in which the eligible employee's service anniversary date occurs. The amount of the longevity bonus will be calculated as follows:

<u>Years of Service Completed</u>	<u>Amount per Year</u>
Five to nine years	\$25 per year
Ten plus years	\$40 per year

Note: A longevity bonus will never exceed \$800.00 per year.

**Overtime, Compensatory Time, Call Back, Equivalent Time Off, Holiday Pay and On-Call Time**

I. Statement

It is the philosophy of the City that with good planning and employee efficiency, overtime will not be necessary. However, on occasion, overtime will occur and employees shall adhere to the established guidelines.

II. Guidelines

- A. The work week is comprised of seven days, beginning Sunday and ending Saturday.
- B. An employee must have prior approval from a supervising council member or supervisor prior to working more than 40 hours in a work week. If the council member or supervisor is unavailable, the mayor may approve.
- C. In the event of a public emergency endangering the welfare of the residents of the City, the employee shall be deemed to have approval from his or her supervisor.
- D. Unauthorized overtime may result in disciplinary action.
- E. Overtime hours shall be compensated at the rate of one and one-half times the regular hourly rate of pay or in the form of compensatory time off at the rate of one and one-half hours off for each hour of overtime worked.
- F. An employee called back to work during a time that he/she is not scheduled to work shall be entitled to either time off or paid compensation for the time worked during the call back. The employee shall not be paid for less than two hours. The employee shall take time off during the pay period in which the call back occurred if feasible.  
*Extension of the normal workday is not considered call back.*
- G. Eligible employees shall not accrue more than 60 hours of compensatory time.
  - 1. Upon termination of employment, an employee shall be paid for unused compensatory time.
  - 2. An employee who has accrued compensatory time and who has requested the use of the time, shall be granted such request so long as it does not unduly disrupt the normal operations of the City.
  - 3. An employee must use the compensatory time within a reasonable period after it is accrued.
- H. When an employee works additional time which could result in overtime hours, the employee is encouraged to take equivalent time off on an hour for hour basis within the same work week in which the additional time is worked.
- I. Only actual hours worked are used when calculating compensatory time or overtime pay for a work week. Neither paid leave nor paid holidays shall count toward overtime.
- J. Employees required to work on a holiday will be compensated at one and one-half the employee's regular rate of pay for each hour worked. In addition, the employee will receive the normal holiday pay.

K. On-Call Time means a period of time outside an employee's regularly scheduled work hours during which the employee is required to remain available to the City within a specified response time. The department supervisors, with the input of the Mayor, shall establish on-call schedules for any required City needs.

Formatted: Highlight

1. Policy Specifics:

- a. On-call assignments shall be limited to work situations where a probability of recall of employee(s) exists as determined by department supervisors.
- b. The on-call employee must remain within a 30-minute response time to City Hall throughout the duration of the on-call period.
- c. The on-call employee must remain fit for duty throughout the duration of the on-call period in compliance with these regulations.
- d. An employee who is unfit for duty as a result of violating these regulations is subject to disciplinary actions, up to and including termination.
- e. Any on-call employee who is not available when called or fails to fulfill the responsibilities assigned to on-call status and who does not present a reasonable justification (as determined by the supervisor) for failure to report, may lose on-call compensation for the entire on-call period and may be subject to disciplinary action, up to and including termination.
- f. Other details including the rotation of on-call duty shall be determined by the supervisor.

2. Compensation

- a. The on-call employee will be compensated at the rate described below:
  - Monday through Friday: \$ \_\_\_ per day
  - Saturday or Sunday: \$ \_\_\_ per day
  - City Observed Holiday: \$ \_\_\_ per day
- b. The time during which an employee is on-call is not considered work time and, thus, any compensation for it is considered gratuitous by the City.
- c. On-call time will not count as part of the employee's hours worked for determining whether an employee should be paid at an overtime rate or for the purpose of calculating eligibility or allowance of any leave or benefits.
- d. An on-call employee who is called into work shall be compensated a minimum of one (1) hour of actual time worked.
- e. Actual time worked while on-call will be calculated at the employee's regular rate of pay. Overtime compensation is applicable only when total hours worked (plus any applicable holiday hours) exceed 40 hours in a workweek.



# **Fringe Benefits**

## **Benefits**

### **I. Statement**

The following information is a summary of benefits primarily available to full-time employees of the City of Silver Lake.

### **II. Health Insurance**

Full-time employees are eligible to enroll in the group health insurance plan provided by the City.

- A. The employee contribution shall be determined by the council at the time of the annual renewal of the group health insurance policy.
- B. All health insurance costs shall be paid by the employee during any period the employee is not in pay status.

### **III. Life Insurance**

**Group Life Insurance:** Full-time employees are covered by a term life insurance policy. This policy is paid for by the City and is administered through the Kansas Public Employees Retirement System (KPERS).

**Optional Group Life Insurance:** Full-time employees may elect to purchase optional group life insurance coverage through payroll deduction at a group rate.

### **IV. Kansas Public Employees Retirement System (KPERS)**

- A. Upon employment, full-time employees become members and begin contributing to KPERS.
- B. Employee contributions are fixed by statute. Employer contributions fluctuate depending on the funding needs of KPERS.

#### **C. Retirement**

- 1. Employees are encouraged to meet with a KPERS' representative prior to retirement to ask questions about benefits and options specific to their situation.
- 2. Employees are encouraged to meet with the city clerk at least two to three months in advance of retirement so the appropriate forms can be completed to initiate the process.

### **V. Workers' Compensation**

City employees are covered by workers' compensation. This provides an employee possible benefits for a personal injury caused by an accident arising out of and in the course of employment. Disabilities that are a result of the natural aging process or ones that are the result of normal activities of day-to-day living are not covered by workers' compensation. If an employee suffers an aggravation of a pre-existing condition in a work related accident, only treatment for the aggravation is covered. Sports and recreational activities are not covered by workers' compensation.

All work-related injuries or incidents should be reported immediately to the city clerk so the necessary paperwork can be prepared.

# **Holidays and Leave Time**

## Holidays

### I. Statement

City employees shall be paid for the following: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving, Christmas Day and two discretionary days. The discretionary days must be taken during the calendar year and must be taken in increments of eight hours.

Employees required to work on a holiday will be compensated at one and one-half times the employee's regular rate of pay for each hour worked. In addition, the employee will receive the normal holiday pay.

### II. Observance of Holidays

When a legal holiday falls on a Sunday, the following Monday is the officially observed holiday. If the legal holiday falls on a Saturday, the preceding Friday is the officially observed holiday.

## Leave Time

### I. Statement

All leave requests must be approved in advance by the city clerk and must be in accordance with all other requirements stated in the leave portion of this handbook. The police chief will notify the city clerk of leave relating to his/her employees. Leave usage shall be recorded on the employee's time sheet.

### II. Authorized Leave

Leave that is requested as stated above, and approved, shall be termed authorized leave.

### III. Unauthorized Leave

Leave that is not requested as above, or not approved, shall be termed unauthorized leave unless the employee furnishes the city clerk with satisfactory evidence proving that circumstances made it impossible to request the leave as prescribed above.

Use of unauthorized leave shall be entered into the employee's official personnel file. Habitual or flagrant use of unauthorized leave shall be grounds for disciplinary action including suspension, dismissal or other disciplinary action as recommended by the mayor and approved by the city council.

#### IV. Funeral or Death Leave

Each full-time employee shall be allowed a maximum of three days paid leave for the death of a family member.

#### V. Jury Duty or Other Required Appearance Before a Court or Other Public Body

Each employee in a full-time position shall be granted leave with pay if 1) summoned for jury duty or 2) required to represent the City before a court, legislative committee, or other official judicial or quasi-judicial body. If jury duty exceeds one week, the employee will reimburse the city for his/her jury duty compensation excluding mileage (starting with the sixth day of jury duty).

#### VI. Leave of Absence

A leave of absence (without pay) may be granted by the mayor for a reasonable period of time for a sufficient reason. Such absence may require use of accumulated vacation leave and accumulated sick leave before approval of leave without pay.

#### VII. Military Leave

Employees will be afforded all rights concerning employment and re-employment in accordance with the Uniformed Services Employment and Re-Employment Rights Act of 1994 (USERRA) as amended.

#### VIII. Sick Leave

A. A full-time employee shall accrue four hours of sick leave upon completion of each pay period. Any unused sick leave days at the time of termination of employment will not be paid by the city. Employees will not accrue sick leave during an unpaid leave of absence.

B. Full-time employees shall be entitled to sick leave with pay for the following reasons:

- illness or disability of the employee or employee's family member including surgery, pregnancy, childbirth, miscarriage, and recovery there from.
- personal appointment or family member's appointment with a physician, dentist or recognized health practitioner that requires the employee to be absent from work.

C. An employee may be required to provide evidence necessary to establish that the employee is entitled to use sick leave under the circumstances of the request. If the employee fails to provide this evidence, 1) the use of sick leave may be denied, 2) the leave may be deemed unauthorized, and/or 3) the employee may be required to have an examination by a licensed health or mental health care professional ultimately responsible for the patient's health care as designated by the City and at the City's expense.

D. When an employee does not have enough sick leave to cover a requested absence, the employee may use vacation or personal days. If an employee has no leave available, 1) the employee may be required to take leave without pay, and 2) the leave may be considered unauthorized.

E. If an employee cannot perform the duties of the job because of illness, injury or disability, the City may require the employee to use sick leave and, upon the exhaustion of sick leave, vacation leave, personal days, then leave without pay. The City may request a written release by a licensed health or mental health professional ultimately responsible for the employee's care before the employee is allowed to return to work.

F. Notification of Use

1. At the beginning of each work day, unless medically impossible, the employee must personally notify his/her immediate supervisor or the city clerk of the need to use sick leave. If the supervisor or clerk is not available, the employee shall speak with the person designated by the supervisor or clerk. Failure to speak with the designee may result in the leave being denied and/or considered unauthorized.
2. In the case of an extended absence (illness, surgery, pregnancy, etc), the employee does not need to call daily if the supervisor and employee have agreed it is not necessary.
3. The supervisor must be notified of the need to use sick leave for a personal appointment or a family member's appointment with a physician, dentist or other recognized health practitioner as far in advance as possible.

IX. Extended Illness Benefit: Ordinance No. 2091, Section 9.1-410, effective December 1, 2008

This policy applies only to those full-time employees who had accrued, unused benefit weeks prior to the effective date of this ordinance.

- A. An employee shall carry forward his/her accrued benefit weeks.
- B. An employee shall not accrue additional benefit weeks after the effective date of this ordinance.
- C. An employee shall not be entitled to use any of his/her accrued benefit weeks until he/she has been off work for four consecutive weeks due to an illness or accident. The employee shall be paid the amount of compensation necessary to equal the employee's regular salary for the time period after taking into account workers compensation benefits, disability insurance and other collateral sources of income being paid to the employee as a result of the disabling illness or accident.

D. To be eligible to use accrued benefit weeks, an employee must submit biweekly a written statement from a licensed physician stating the employee is unable to perform his/her regular employment duties.

E. The employee shall not be paid for unused, accrued benefit weeks upon termination of employment.

#### X. Personal Days

Full-time employees shall accrue one personal day upon completion of each six months worked. Each personal day must be used within twelve months of accrual or the day shall be forfeited. Any unused personal days upon termination of employment will be paid for by the City. An employee may not have more than two personal days accrued at any given time.

#### XI. Vacation Leave

Effective January 1, 2023, upon employment full-time employees shall earn four hours paid vacation leave for every pay period. Full-time employees who have completed five full years of employment shall earn five hours of paid vacation leave every pay period. Completion of ten successive years of full-time employment shall earn the employee 6 hours of paid vacation leave every pay period. After 15 successive years of full-time employment the employee shall earn 7 hours paid vacation leave for every pay period.

An employee shall not accrue vacation leave while on an unpaid leave of absence. All vacation time must be taken in the calendar year it is accrued except an employee can carry over up to a maximum of 40 100 hours of unused vacation time to the following year. An employee must take vacation leave in increments of one hour.

An employee will be paid for any unused, accrued vacation leave upon termination of employment.



# **Office Policies**

## **Human Resource Policies**

### **I. Statement**

This section is intended to give employees an understanding of the expectations of City employment. Knowledge of these policies is essential for proper job performance.

### **II. Personal Conduct**

Employees are to conduct themselves in a courteous and professional manner in all dealings which affect the City of Silver Lake.

### **III. Personal Relations**

Employees are expected to adhere to the following guidelines in an effort to develop a cohesive staff:

- Respect the significance of a co-worker's position.
- Be courteous to fellow employees.
- Ask prior to using another employee's equipment or desk.

### **IV. Confidentiality**

Because of the nature of this office, some information handled by City employees shall be held in strict confidence. Employees are to only review files, documents or information with which they are working unless they have authorization from a supervisor. Confidential information shall not be shared.

### **V. Work Hours**

Employees are expected to start and finish the workday on time. Full-time employees are expected to work their regular scheduled hours each week unless using leave or holiday time.

City council meetings are normally held the first and third Monday of each month. At least one employee from each department shall attend each council meeting. The mayor or council may change the attendance requirement as needed. The city clerk shall attend all city council meetings. Employees will be compensated at their regular rate of pay while attending a city council meeting.

### **VI. Lunch Hours and Breaks**

Employees normally receive one hour for lunch and two 15 minute breaks (except for police officers). The times are to be observed and not abused. Breaks cannot be used at the beginning or end of the work day nor can they be used to extend the lunch hour.

## VII. Flex Time

- A. Flex time allows employees to arrange their 40-hour work week in non-traditional ways to better accommodate individual needs. Yet at the same time, the needs of the city must be met. Flex time is a privilege for employees and should be viewed as such. All employees are eligible to apply for flex time privileges. The following examples are illustrative, not exhaustive:
1. An employee may come to work at 7:00 am and leave at 4:00 pm, or come at 9:00 am and leave at 6:00 pm.
  2. An employee may work four 10-hour days and take one day off.
- B. The following parameters have been approved by the governing body:
1. Employees may take 30 minute lunch breaks.
  2. The flex time policy is effective year round.
  3. Implementing flex time is a managerial task of the department heads and mayor. Department heads and the mayor are encouraged to provide this opportunity to employees whenever possible. However, if it is determined that the flex time schedule is detrimental to the efficient and effective operation of that department, either generally or during a specific time period, the department head and the mayor have the managerial authority to enforce the traditional work schedule.

Note: The chief of police has the authority to set the schedule for his employees.

4. The commissioner granting flex time must report the hours to the mayor and council at the meeting immediately following approval.

Formatted: Highlight

## VIII. Telephone Usage

Telephone services are maintained to conduct official City business. All long distance charges are monitored by the city clerk.

- A. Long distance business calls (using regular city phones)
1. Collect calls will not be accepted.
  2. 800 numbers should be used whenever available.
- B. Personal calls (using regular city phones)
1. Local calls are discouraged.
  2. Long distance calls must be made using a calling card or by reversing the charges.
- C. City cell phones
1. The city maintains a basic cell phone plan.
  2. Usage in excess of this plan shall be paid by the employee.
- D. Personal Cell Phones
1. Excessive use of a personal cell phone for personal business during duty hours is prohibited.
  2. Employees should refrain from using personal cell phones while operating City vehicles and equipment.

3. The City assumes no responsibility for loss or damage to employees' personal cell phones. Employees assume the risk of loss or damage to personal cell phones carried by employees during working hours.
4. Having a personal cell phone is a choice the employee makes. When authorized in writing by the mayor or council, the costs associated with using a personal cell phone for official business may be reimbursed to the employee. If the cell phone is used for business purposes, reimbursement will only be made for reasonable costs in excess of the base plan plus any additional fees such as roaming fees or other fees and taxes incurred as a direct result of the business use. The employee will not be reimbursed more than the monthly cost to the employee.
5. Employees are not permitted to receive a monthly allowance from the City for the use of a personal cell phone unless they are specifically granted approval by City Counsel. Any allowance approved will be limited to the amount of the city's current cellphone plan rate.
6. The violation of any provision of this policy may result in disciplinary action.

IX. Dress

City employees are expected to have a professional appearance. City police officers are expected to adhere to the policy in the police manual.

X. Tobacco Products

Use of tobacco products is prohibited in City buildings and vehicles.

XI. Work Area and Products

Any area used by an employee for his or her tasks is to be considered a common area and no City employee has a right to maintain private information on City computers or in the area the employee works. The City reserves the right to search work areas and City computers at any time, and to monitor work areas by any means available, including, but not limited to, video recording. The City shall give notice to employees if electronic or video monitoring is to be employed upon any City property. All documents, records, products, etc. developed, maintained, altered and/or used by employees of the City while performing business functions shall be considered the property of the City and shall remain accessible by the City.

Formatted: Highlight

XII. Social Media

A. Use of Social Media outside of work hours or for personal use:

—Social media includes all means of communicating or posting information or content of any sort on the internet, including your own, or someone else's website or other form of electronic communication whether or not associated or affiliated with the city. Be respectful and always be fair and courteous to fellow employees and members of the public. Be honest and accurate when posting information or news. If you make a mistake, correct it quickly. Never post any information or rumors you know to be false

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

Formatted: Normal, Indent: Left: 0.75", Tab stops: Not at 0.5" + 0.6" + 0.7" + 0.8" + 0.9"

Formatted: Highlight

about the city. Never represent yourself as a spokesperson for the city. If the city is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the city, fellow employees, customers, other citizens, or people working on behalf of the city. Refrain from using social media for personal use while on work time or on equipment provided by the city unless it is work-related as authorized by your supervisor. Do not use your city email addresses to register online tools utilized for personal use.

Formatted: Highlight  
Formatted: Highlight

#### B. Use of Social Media for the City:

Social Media accounts held by the City are to be used only for providing information to the public, and not for providing any personal information or to discuss actions or statements of individual citizens, city officers, city employees, or the governing body members outside of a meeting. The mayor and supervisors shall determine a list of pre-approved postings regarding meetings, permits, applications, office hours and similar established information for the benefit of the public. Employees may provide information or links regarding community events that are approved by a supervisor. Emergency information may be posted without prior approval if needed for the safety of the public, or to inform the public to avoid confusion regarding emergency issues. Employees should not speak to the media on the city's behalf. All media inquiries should be directed to the mayor or the mayor's designee. Do not use your city email addresses to register online tools utilized for personal use. Employees should not speak to the media on the city's behalf. All media inquiries should be directed to the mayor or the mayor's designee.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"  
Formatted: List Paragraph, Indent: Left: 0.75", Tab stops: Not at 0.5" + 0.6" + 0.7" + 0.8" + 0.9"  
Formatted: Indent: Left: 0.5"

## Discipline Policy

### I. Statement

When an employee and supervisor are unable to resolve a problem(s), disciplinary action will be administered per this policy. Some situations may be immediately escalated to one of the following steps.

### II. Disciplinary Procedure

Violations of City policies/ordinances or other performance/behavior issues may result in disciplinary action. Each procedure may be applied alone or in conjunction with another. Discipline need not be administered with any particular series of steps, and any procedure described below may be administered at any given time in the discretion of the employer. The employee discipline form (see appendix) or some other form of written documentation shall be completed for each incident and placed in the employee's personnel file.

A. Written Reprimand

A written reprimand shall be placed in the employee's personnel file.

B. Probation

This is a period of one to six months during which an employee is required to fulfill a set of conditions, to improve work performance, or to improve job-related behavior. Failure to meet the probationary requirements may result in additional disciplinary actions.

C. Suspension (without pay)

Severe violations and reoccurring violations may require that the employee meet with the mayor, and/or the council. The employee may be suspended without pay for a number of days to be determined based on the severity of the violation.

D. Dismissal

Severe and reoccurring violations may result in dismissal.

E. Council and/or Mayor Action

An officer or employee may be removed by a majority vote of the council or suspended at any time by the mayor (K.S.A. 15-204).

**Political Activity**

There will be no soliciting, contributing, or participating in politically-related activities on City property during work hours. Wearing campaign buttons during work hours and transporting campaign materials in City vehicles is prohibited. Employees may engage in political activities on their own time.

**E-mail/Internet Policy**

I. Statement

The e-mail and internet systems were installed by the City for the purpose of communicating with others in the City and individuals and entities outside the City on matters relating to business conducted by the City. These systems belong exclusively to the City. Each use of the internet and each e-mail must be able to withstand public scrutiny without embarrassment to the City.

The purpose of this policy is to:

1. Ensure that employees are aware of acceptable and unacceptable uses of the City's office e-mail and internet systems.
2. Inform employees that by using office e-mail and internet services, the employee agrees to comply with the policy and waives any right of privacy in any e-mail or internet usage.
3. Notify employees that the City can and will monitor the use of e-mail and internet without prior notification.

The City reserves the right to take disciplinary action, including termination, or legal action if there is evidence that this policy was violated.

## II. Privacy

By using the City's e-mail and internet systems, employees waive any right of privacy regarding data that is composed, transmitted, accessed, or received via the agency e-mail and internet systems. Employees shall have no expectation of privacy when using these systems.

## III. Non-official Use

Employees may use the City e-mail and internet systems on a limited basis for non-official business. Such use must occur before or after the employee's business hours or during an employee's lunch break. Such use shall not disrupt or interfere with the employee's work or official City business. Excessive printing of personal documents (more than 5 pages per day) is an expense and disruption to City business and is therefore prohibited, unless exercised before or after business hours or during an employee's lunch break and paid for by the employee. The employee must reimburse the City for the copies at the rate of \$.05 per page. Employees shall remit the money to the city clerk.

## IV. Disclosure of Information

- A. E-mail and internet usage are not secure and therefore messages transmitted on the City systems are not confidential. Users are advised not to transmit sensitive or personal information using this system.
- B. Even though passwords appear to provide confidentiality, privacy of messages cannot be assumed. This means that e-mail and internet transmissions can be read, altered or deleted by unknown parties without the knowledge or permission of the user who composed, sent or received the message or its attachment(s).
- C. The city reserves the right to access and disclose the contents of employee e-mail/internet messages sent over its electronic mail systems for any purpose.
- D. The City may be required by law or by legal obligation to third parties to disclose the contents of employee e-mail messages or internet usage, including any private/intimate messages that the employee may have sent. Such messages could

constitute a public record subject to the Kansas Open Records Act or the Government Records Preservation Act.

E. Users are responsible for all activity initiated under their e-mail identification (ID), user ID, password or personal workstation (computer). Users must not disclose internal City information via the internet or e-mail system that in any way adversely affects the City's customer relations or public image.

#### V. Deletion of Messages/Files

Deletion of e-mail/internet messages and files may not permanently erase them. Users should note that when e-mail messages or internet files are deleted or erased, it may still be possible to recreate the original message or file. Such data may constitute public records subject to the Kansas Open Records Act and the Government Records Preservation Act.

#### VI. Suspicious E-mails and Attachments

Suspicious e-mails and attachments should be deleted and not opened.

#### VII. Unauthorized Usage

Data that is composed and/or transmitted via the City e-mail and internet systems must not contain content and/or language that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person.

Examples of unacceptable content/language may include, but are not limited to, profanity, obscene or pornographic materials, copyright/licensing infringement, wagering or selling chances, making derogatory comments about City employees, political activities, any illegal activity, sexual harassment, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The e-mail/internet systems shall not be used to transmit messages that would embarrass or denigrate the City or expose the office to legal liability.

An employee shall not:

- Access or use another employee's e-mail
- Access or use another person's internet connection

#### VIII. Non System Software

All software must be approved by the mayor. Employees shall not install or download any type of software on a City computer.



IX. City of Silver Lake's Right to Monitor E-mail/Internet Usage

The City has the right to monitor employee's e-mail and internet usage to ensure efficiency and effectiveness in the office and to prevent excessive or improper use. If a supervisor suspects that an employee is using his or her access to e-mail or the internet in violation of this policy or in any other illegal or inappropriate manner, the City may monitor an employee's use without prior notification.

Any one of the following constitutes notice and consent to the monitoring of an employee's computer system (including but not limited to e-mail and internet usage):

- Employee handbook e-mail/internet policy and/or other handbook policies
- Employee's written acceptance of the employee handbook

**Sexual Harassment Policy**

I. Statement

Employees of the City shall not be subject to sexual harassment by another employee. Any employee who engages in behavior which constitutes sexual harassment may be terminated immediately.

II. Definition

The Equal Employment Opportunity Commission (EEOC) Guidelines define sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

III. Examples

- A. Verbal: sexual innuendos, suggestive comments, insults, humor and jokes about sex or gender-specific traits, sexual propositions, threats
- B. Non-verbal: Suggestive or insulting sounds, leering, whistling, obscene gestures
- C. Physical: touching, pinching, brushing the body, coerced sexual intercourse, assault

IV. Complaint Mechanism

Any incident of discrimination, insult, intimidation or sexual harassment should be promptly reported. Complaints should be made to the employee's immediate supervisor, unless such incident involves conduct by such supervisor, in which case the

incident shall be reported to the city clerk or mayor in writing. Complaints involving the mayor should be made to the council president.

## **Workplace Violence Policy**

### **I. Workplace Violence Policy**

The safety and security of City employees and customers are very important. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance or the City's ability to execute its mission will not be tolerated.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on city-owned property may be removed from the premises pending the outcome of an investigation.

Violations of this policy will lead to disciplinary action that may include dismissal, arrest, and prosecution. In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the person(s) from City property, terminating business relationships with that individual, and/or prosecuting the person(s) involved.

Employees are responsible for notifying the employee's immediate supervisor, unless such incident involves conduct by such supervisor, in which case the incident shall be reported to the city clerk or mayor either verbally or in writing.

### **II. Protective or Restraining Order**

Each employee who receives a protective or restraining order shall provide the city clerk and/or mayor with a copy of the order.

### **III. Reporting Procedures**

A. Report the following, no matter how minor the act appears. The list is illustrative, not exhaustive.

1. incidents of threats, harassment, or other aggressive behavior
2. conditions where employees are subjected to excessive or unnecessary risk of violence
3. suggestions for reducing risk of violence or improving negative working conditions

B. As a follow-up, provide a written report to the city clerk or mayor documenting the incident.

Always feel free to contact local law enforcement authorities when threatening incidents occur. Immediately notify the mayor after notifying law enforcement. This is in addition to internal reporting procedures.

# **Office Procedures**

## **Purchasing**

### **I. Statement**

City employees are encouraged to plan for major purchases in advance. Each employee shall provide a list of proposed purchases prior to the preparation of the annual budget. Inclusion in the budget does not constitute purchase approval.

### **II. Purchases Exceeding \$1,000 (excluding training)**

A. The employee making the purchase must obtain council approval. In the event of an emergency, the mayor may approve the purchase and report to the council at the next meeting.

B. The request shall include: 1) name of the item, 2) reason for the purchase and 3) approximate cost.

### **III. Contracts**

The mayor and council shall review contracts or agreements before they are executed.

## **Training**

### **I. Statement**

In an effort to improve the services provided to customers, as well as to cultivate and promote excellence within the workforce, the City supports opportunities for employees to enhance their knowledge and skills whenever possible.

Each employee is required to maintain full certification for his/her position. A copy of all current training certificates must be submitted to the city clerk for placement in the employee's personnel file.

### **II. Approval**

Prior approval for training must be granted by the mayor and council. In most cases, the City shall pay for registration, travel, and lodging directly related to the training. A cost estimate, including work hours to be utilized, must be provided to the City when requesting approval.

# Appendix

**Discipline Record**

Employee \_\_\_\_\_ Department \_\_\_\_\_

**Describe each incident on the lines provided or attach a separate sheet of paper.**

Written Reprimand \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I have read and understand this warning.

Employee _____	Date Signed _____
Mayor _____	Date Signed _____
Supervisor/Council Member _____	Date Signed _____

Suspension \_\_\_\_\_  
\_\_\_\_\_

Suspension Date(s): \_\_\_\_\_ to \_\_\_\_\_

I have read and understand this warning.

Employee _____	Date Signed _____
Mayor _____	Date Signed _____
Supervisor/Council Member _____	Date Signed _____

Probation \_\_\_\_\_  
\_\_\_\_\_

Probation Date(s): \_\_\_\_\_ to \_\_\_\_\_

I have read and understand this warning.

Employee _____	Date Signed _____
Mayor _____	Date Signed _____
Supervisor/Council Member _____	Date Signed _____

Dismissal \_\_\_\_\_  
\_\_\_\_\_

Dismissal Date: \_\_\_\_\_

Employee _____	Date Signed _____
Mayor _____	Date Signed _____
Supervisor/Council Member _____	Date Signed _____

**Handbook Signature Form**

I have read the employee handbook and hereby acknowledge that I understand the contents of the handbook and will adhere to the policies set forth in the handbook.

---

Date

---

Employee's Signature

# City of Silver Lake



(Published in *Topeka Metro News* on August 28, 2023)

## ORDINANCE NO. 2577

AN ORDINANCE, granting to Kansas Gas Service, a Division of ONE Gas, Inc., and its successors and assigns, a natural gas franchise, prescribing the terms thereof and relating thereto, providing definitions of terms, prescribing a franchise fee, providing terms and conditions for the use of public rights-of-way, requiring advance notice of work and duty to repair, providing for indemnification and a hold harmless agreement, providing for rules and regulations, prescribing insurance requirements, reserving certain rights, providing for revocation and termination, providing for an acceptance of the terms of the franchise, providing for a reopener, providing for notice of annexations, prescribing relevant governing law, providing for transfer and assignment of the franchise, providing for points of contact and notifications, providing for an agreement to renegotiate, and repealing all ordinances or parts of ordinances inconsistent with or in conflict with the terms hereof.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SILVER LAKE, KANSAS:

### SECTION 1. DEFINITIONS.

For purposes of this Franchise Ordinance the following words and phrases shall have the meanings given herein. When not inconsistent within the context, words used in the present tense include the future tense and words in the single number include the plural number. The word "shall" is always mandatory, and not merely directory.

**"City"** shall mean the City of Silver Lake, Kansas, and, where appropriate by the context, each of its departments, divisions and component units, including public trusts or authorities of which the City is a beneficiary.

**"Company"** shall mean Kansas Gas Service, a Division of ONE Gas, Inc.

**"Consumer"** shall mean any Entity located within the municipal corporate limits of the City and serviced by the Company through any use of the Public Ways.

**"Distribution" or "Distributed"** shall mean all sales, distribution, or transportation of natural gas to any Sales Consumer or Transportation Consumer for use within the City by the Company or by others through the Distribution Facilities of Company in a Public Way.

**"Distribution System" or "Distribution Facilities"** shall mean a pipeline or system of pipelines, including without limitation, mains, pipes, boxes, reducing and regulating stations, laterals, conduits and services extensions, together with all necessary appurtenances thereto, or any part thereof located within any Public Way, for the purpose of Distribution or supplying natural gas for light, heat, power and all other purposes.



**"Effective Date"** shall mean the date the Company files its written acceptance with the City following the final passage and approval of this Franchise Ordinance by the City, as set forth in Section 10 of this Franchise Ordinance.

**"Entity"** shall mean any individual person, governmental entity, business, corporation, partnership, firm, limited liability corporation, limited liability partnership, unincorporated association, joint venture trust, and any forms of business enterprise not specifically listed herein.

**"Facility" or "Facilities"** refers to the Company's Distribution System or Distribution Facilities.

**"Franchise"** shall mean the grant of authority, set forth in Section 2 of this Franchise Ordinance, by the City to the Company for the Distribution of natural gas to the inhabitants of the City and to operate a Distribution System or Distribution Facilities.

**"Franchise Fee"** shall refer to the charges as prescribed in Section 3 of this Franchise Ordinance.

**"Franchise Ordinance"** shall mean this Ordinance granting a natural gas Franchise to the Company.

**"Gross Receipts"** shall mean any and all compensation and other consideration derived directly by the Company from any Distribution of natural gas to Consumers within the City. Such term shall not include revenue from certain miscellaneous charges and accounts including but not limited to: connection fees, disconnection and reconnection fees, temporary service charges, delayed or late payment charges, collection fees, bad debts, customer project contributions, meter test fees, revenues received by Company from Consumers as Franchise Fee reimbursement, and returned check charges. Additionally, Gross Receipts shall not include credit extended pursuant to the Cold Weather Rule (or substitute rule) of the Kansas Corporation Commission for natural gas sold within the corporate limits of the City, nor Volumetric Rate Fees collected by Company and remitted to City in accordance with Section 3 of this Franchise Ordinance.

**"MCF"** shall mean a measurement of natural gas equal to one thousand cubic feet. It is assumed for purposes of this Franchise Ordinance that one MCF equals one million British Thermal Units.

**"Public Improvements"** means any public facilities, buildings, or capital improvements, including, without limitation, streets, alleys, sidewalks, sewer, water, drainage, right-of-way improvements, and other Public Projects.

**"Public Project"** means any project planned or undertaken and financed by the City or any governmental entity for construction, reconstruction, maintenance, or repair of public facilities or improvements, or any other purpose of a public nature paid for with public funds.

**"Public Way" or "Public Ways"** shall mean the area on, below or above the present and future public streets, avenues, alleys, bridges, boulevards, roads, highways, parks, parking places and other public areas, and general utility easements, dedicated to or acquired by the City. The term does not include easements obtained by private entities providing utilities services or private easements in platted subdivisions or tracts.

**"Sales Consumer"** shall mean, without limitation, any Entity that purchases natural gas within the corporate City limits from Company for delivery to such Consumer within the City through the Company's Distribution System or Distribution Facilities.

## **SECTION 2. GRANT OF FRANCHISE.**

A. In consideration of the benefits to be derived by the City and its inhabitants, there is hereby granted to the Company (said Company operating a Distribution System in the State of Kansas), a non-exclusive Franchise for a period of twenty (20) years from the Effective Date, to construct, maintain, extend and operate its Distribution Facilities along, across, upon or under any Public Way for the purpose of selling and distributing natural gas for all purposes to the City, and its inhabitants, and through said City and beyond the limits thereof; to obtain said natural gas; and/or comparable blends of combustible gasses, from any source available; and to do all things necessary or proper to carry on said business.

B. The grant of this Franchise by the City shall not convey title, equitable or legal, in a Public Way and shall give only the right to occupy the Public Way for the purposes and for the period stated in this Franchise Ordinance. This Franchise Ordinance does not:

- (1) Grant the right to use facilities or any other property, natural gas-related or otherwise, owned or controlled by the City or a third party without the consent of such party;
- (2) Grant the authority to construct, maintain or operate any Facility or related appurtenance on property owned by the City outside of a Public Way;
- (3) Excuse the Company from obtaining appropriate access or attachment agreements before locating its Facilities on property owned or controlled by the City (other than a Public Way) or a third party; or
- (4) Unless explicitly set forth herein, excuse the Company from obtaining and being responsible for any necessary permit, license, certification, grant, registration or any other authorization required by any appropriate governmental entity, including, but not limited to, the City or the Kansas Corporation Commission.

## **SECTION 3. FRANCHISE FEE.**

A. As further consideration for the granting of this Franchise, and in lieu of city occupation, license or permit fees, or revenue taxes, except as expressly provided herein, the Company shall pay to the City during the term of this Franchise, a Franchise Fee of: (i) two percent (2%) of the actual Gross Cash Receipts collected by the Company from the Distribution of natural gas to all Sales Consumers within the corporate limits of the City, all such payments to be made monthly for the preceding monthly period.

B. The Company's obligation for payments of the Franchise Fee shall commence with the first cycle of the monthly billing cycle following the Effective Date of this Franchise Ordinance. Prior to that date, payments shall continue to be calculated and be paid in the manner previously provided in Ordinance No. 1932, and amendments thereto.

C. In the event a Consumer of Company does not pay a monthly bill from Company in full, Company shall prorate its payments of remissions to the City for sums due on that particular bill so that the amount actually paid by the Consumer to Company on the bill is distributed to Company for the natural gas commodity and transportation or distribution service and to the City for sums due on the bill in proportion to the percentage of the total bill actually paid by the Consumer. In the event Company actually collects any outstanding amounts due on a past due, unpaid, or partially paid monthly bill to a customer, the Company shall pay City its proportionate share of sums due to the City on such bill.

D. Upon written request by the City (but no more than once per quarter), the Company shall submit to the City a certified statement showing the manner in which the Franchise Fee was calculated. The City shall have the right to examine within the corporate limits of the City and during regular business hours, upon reasonable advance written notice to the Company, all books, papers and records kept by the Company in the ordinary course of business and pertaining to its business carried on by it in or through the City, necessary to verify the correctness of the Franchise Fee paid by Company.

E. No acceptance by the City of any Franchise Fee shall be construed as an accord that the amount paid is in fact the correct amount, nor shall acceptance of any Franchise Fee payment be construed as a release of any claim of the City. Any dispute concerning the amount due under this Section shall be resolved in the manner set forth in K.S.A. 12-2001, and amendments thereto.

F. The Franchise Fee required herein shall be in lieu of all taxes, charges, assessments, licenses, fees, and impositions otherwise applicable that are or may be imposed by the City under K.S.A. 12-2001, K.S.A. 17-1902, and amendments thereto. From and after the date hereof, the permit fees required of the Company by any ordinance (presently in effect or hereafter adopted) for a permit to excavate in, or adjacent to, any Public Way shall be deemed a part of the compensation paid pursuant to this Franchise Ordinance and shall not be separately assessed or collected by the City; in no event, however, shall this provision be interpreted to waive the requirement of notice to the City and the procedural requirements of such ordinance. The Franchise Fee is compensation for use of the Public Way.

#### **SECTION 4. USE OF PUBLIC RIGHT-OF-WAY.**

A. Except as provided herein or as regulated by state or federal law, the use of any Public Way under this Franchise by the Company shall be subject to all laws, statutes, regulations and/or city policies (including, but not limited to those relating to the construction and use of the Public Way or other public property) now or hereafter adopted or promulgated. Unless specifically provided, herein, the Company shall be subject to all rules, regulations and policies now or hereafter adopted or promulgated by the City relating to permits, sidewalk and pavement cuts, utility location, construction coordination, and other requirements on the use of a Public Way; provided however, that nothing contained herein shall constitute a waiver of or be construed as waiving the right of the Company to oppose, challenge, or seek judicial review of, in such manner as is now or may hereafter be provided by law, any such rules, regulation, or policy proposed, adopted, or promulgated by the City and, further provided other than the items enumerated in this Section 4 herein, that such rules, regulations or policies shall not require the payment of additional fees or additional costs for the use of a Public Way.

B. All mains, services, and pipe which shall be laid or installed under this Franchise shall be so located and laid as not to obstruct or interfere with any water pipes, drains, sewers, or other structures already installed. The Company shall provide, prior to commencing work, information to the City concerning work to be performed in the streets, avenues, bridges, parking areas, and public places of the City, as the City may from time to time require for purposes of record keeping. The City may require that the information be provided on its standard permit form, but without requiring approval, consent, or fees. In the event of an emergency, the Company shall have the right to commence work without having first provided such information or form(s).

C. The Company's use of any Public Way shall always be subject and subordinate to the City's use of the Public Way for any public purpose. The City may exercise its home rule powers in its administration and regulation related to the management of the Public Way; provided that any such exercise must be competitively neutral and may not be unreasonable or discriminatory, nor in conflict with state or federal law.

D. The City reserves the right to lay or permit to be laid cables, electric conduits, water, sewer, gas, or other pipelines and to do or permit to be done any underground work deemed necessary and proper by the City, along, across, over, or under any Public Way. In permitting such work to be done, the City shall

not be liable to the Company for any damage to the Company's Facilities unless the City or its agents or contractors are negligent in causing said damage.

E. Whenever by reason of establishing a grade or changing the grade of any street, or the location or manner of construction of any Public Way, the City deems it necessary to alter, change, adapt, or conform any portion of the Company's Facilities located in the Public Way, the City shall provide reasonable notice and such alterations or changes shall be made within a reasonable time by the Company, as ordered in writing by the City, without claim for reimbursement or compensation for damages against the City; provided, however, that this provision is not intended to require the Company to alter, change, adapt, or conform any portion of its Facilities without reimbursement or compensation where the right to locate the same (whether by private right-of-way grant, utility easement or otherwise), was acquired prior to the designation of the location as a Public Way.

F. If the City shall require the Company to adapt or conform its Facilities or in any way to alter, relocate or change its property to enable any other person, firm, corporation, or Entity (whether public or private), other than the City, to use the Public Way, the Company shall be reimbursed by the person, firm, corporation, or Entity desiring or occasioning such change for any and all loss, cost, or expense occasioned thereby. "Person," "Firm," "Corporation," and "Entity" as used in this paragraph shall not include regular departments of the City, or any trust or authority formed by or for the benefit of the City for public utility purposes, but shall include any other agency or authority of the City, whether acting in a governmental or non-governmental capacity, including, but not limited to, any urban renewal authority, or any other agency or authority, which as a part of its program clears whole tracts of land within the municipal corporate limits and relocates citizens for the purpose of urban development or similar aims.

G. The Company and the City shall participate in the Kansas One-Call utility location program. The Company shall cooperate promptly and fully with the City and take all reasonable measures necessary to provide accurate and complete information regarding the location of its Facilities located within a Public Way when requested by the City. Such location and identification shall be promptly communicated in writing to the City without cost to the City, its employees, agents or authorized contractors. The Company shall designate and maintain an agent familiar with the Facilities, who is responsible for providing timely information needed by the City for the design and replacement of Facilities in a Public Way during and for the design of Public Improvements.

H. The Company shall be subject to the following fees and costs in connection with its use and occupancy of any Public Way: (i) in the event that the repairs or replacements set forth under Section 5 below, have not been timely completed by Company, the City may charge an excavation fee for each street or pavement cut to recover the costs associated with construction and repair activity; (ii) inspection fees to recover all reasonable costs associated with City inspection of the work of the Company in the Public Way when the Facilities are of such a scope and magnitude so as to require the City to incur such inspection costs by an outside party; and (iii) the repair and restoration costs associated with repairing and restoring the Public Way because of damage caused by the Company, its assigns, contractors, and/or subcontractors in the Public Way.

## **SECTION 5. NOTICE OF WORK AND DUTY TO REPAIR.**

A. Prior to commencing any activities related to the construction, maintenance, or extension of its Facilities along, across, upon, or under the Public Way, the Company shall submit to the City written plans detailing all such activities in the manner required by the City by Ordinance. In the event of an emergency, Company shall have the right to commence work without providing such plans, provided such plans are submitted within five business days of commencement of the work. The Company's Facilities shall be so constructed and maintained as not to obstruct or hinder the usual travel or public safety on such Public Ways or unreasonably obstruct the legal use by other utilities.

B. Prior to beginning work, the Company will inspect existing pavement within and/or adjacent to the work area and will report any existing damage or concerns. All earth, materials, sidewalks, paving, crossings, utilities, Public Improvements, or improvements of any kind located within the Public Way that are damaged, displaced, or removed by the Company shall be fully repaired or replaced to their prior condition or to existing municipal standards as are then in existence, and in a manner satisfactory to the duly authorized representative of the City, after completing such activity as is permitted under this Franchise Ordinance and without cost to the City.

#### **SECTION 6. INDEMNITY AND HOLD HARMLESS.**

The Company, its successors and assigns, in the construction, maintenance, and operation of its Facilities, shall use all reasonable and proper precaution to avoid damage or injury to persons and property, and shall indemnify, defend, hold, and save the City harmless from any and all claims, damage, judgements, and reasonable expense, including attorney fees, caused by the negligence of the Company, its successors and assigns, or their agents or servants. The Company or the City shall promptly advise the other in writing of any known claim or demand against the Company or the City related to or arising out of the Company's activities in any Public Way.

#### **SECTION 7. RULES AND REGULATIONS.**

The Company shall have the right to make and enforce such reasonable rules and regulations as it may deem necessary for the extension of its Facilities, the sale of its gas, and the prudent conduct of its business, provided that such rules and regulations shall neither be in conflict with the laws of the State of Kansas, with the orders, rules, or regulations of the Kansas Corporation Commission or other regulatory authority having jurisdiction, nor with the ordinances and regulations of the City insofar as they are consistent with the jurisdiction of the Kansas Corporation Commission or such other regulatory authority.

#### **SECTION 8. REVOCATION AND TERMINATION.**

In case of failure on the part of the Company to comply with any of the provisions of this Franchise Ordinance, or if the Company should do or cause to be done any act or thing prohibited by or in violation of the terms of this Franchise Ordinance, the Company may be subject to forfeiture of all rights, privileges and Franchise granted herein, and all such rights, privileges and franchise hereunder be deemed ceased, terminated, null, and void, and this Franchise Ordinance shall be deemed revoked or terminated, provided that said revocation or termination shall not take effect until the City has completed the following procedures: Before the City proceeds to revoke and terminate this Ordinance, it shall first serve a written notice upon Company, setting forth in detail the neglect or failure complained of, and the Company shall have sixty (60) days thereafter in which to comply with the conditions and requirements of this Franchise Ordinance. If at the end of such sixty (60) day period the City determines that the neglect or failure complained of has not been cured, the City shall take action to revoke and terminate this Franchise Ordinance by an affirmative vote of the governing body present at a public meeting and voting; setting out the grounds upon which this Franchise Ordinance is to be revoked and terminated; provided, to afford the Company due process, the Company shall first be provided reasonable notice of the date, time, and location of the governing body's consideration and shall have the right to address the governing body regarding such matter; and further provided, if the nature of the default is such that it cannot be reasonably cured within the above said sixty (60) -day period, and the governing body believes the Company has in good faith timely commenced its cure and is diligently pursuing the completion of the same, the Company may, in the City's sole discretion, be given a reasonable additional period of time to complete its cure. Nothing herein shall prevent either party from invoking any other remedy that may otherwise exist at law. Upon any determination by the governing body to revoke and terminate this Franchise Ordinance, the Company shall have thirty (30) days to appeal such decision to the District Court where the City is located or in the District

Court of Johnson County, Kansas. This Ordinance shall be deemed revoked and terminated at the end of this thirty (30) -day period, unless the Company has instituted such an appeal. If the Company does timely institute such an appeal, such revocation and termination shall remain pending and subject to the court's final judgment. Provided, however, that the failure of the Company to comply with any of the provisions of this Franchise Ordinance or the doing or causing to be done by the Company of anything prohibited by or in violation of the terms of this Franchise Ordinance shall not be a ground for the revocation or termination thereof when such act or omission on the part of the Company is due to any cause or delay beyond the control of the Company or to bona fide legal proceedings.

#### **SECTION 9. RESERVATION OF RIGHTS.**

A. In granting its consent hereunder, the City does not in any manner waive its regulatory or other rights and powers under and by virtue of the laws of the State of Kansas as the same may be amended, applicable Federal laws or regulations as the same may be amended, its home rule powers under the Constitution of the State of Kansas, nor any of its rights and powers under or by virtue of present or future ordinances of the City.

B. In adopting and passing this Ordinance, neither the City's nor the Company's present or future legal rights, positions, claims, assertions or arguments before any administrative agency or court of law are in any way prejudiced or waived. By the City's adopting and passing this Franchise Ordinance and the Company's acceptance hereof as provided in Section 10, neither the City nor the Company waive any rights, but instead expressly reserve any and all rights, remedies, and arguments the City or the Company may have at law or equity, without limitation, to argue, assert, and/or take any position as to the legality or appropriateness of any present or future laws, non-franchise ordinances and/or rulings.

#### **SECTION 10. ACCEPTANCE OF TERMS.**

A. This Franchise Ordinance shall take effect and be in force from and after its passage, approval by the City, acceptance by the Company, and publication in the official City newspaper. The Company shall have sixty (60) days after the final passage and approval of this Franchise Ordinance to file with the City Clerk its written acceptance of the provisions, terms, and conditions of this Franchise Ordinance and when so accepted, this Franchise Ordinance and acceptance shall constitute a contract between the City and the Company and such contract shall be deemed effective on the date Company files its acceptance with the City.

B. This Franchise Ordinance, when accepted as provided above, (i) shall constitute the entire agreement between the City and the Company relating to this Franchise, and the same shall supersede and cancel any prior understandings, agreements, or representations regarding the subject matter hereof, or involved in negotiations pertaining thereto, whether oral or written, (ii) shall be binding upon the parties, including their successors and assigns, and (iii) shall not be amended or further obligations imposed without mutual consent of the parties hereto.

#### **SECTION 11. REOPENER PROVISION.**

A. Upon written request of either the City or the Company, this Franchise may be reviewed once after five (5) years from the effective date of this Franchise Ordinance, and once every (5) five years thereafter, to review the Franchise Fee set forth in Section 3 above. Said request must be served upon the other party at least 120 days prior to the end of each period set forth above, and shall state specifically the amendment(s) to the Franchise Fee desired. The City and the Company shall negotiate in good faith in an effort to agree upon a mutually satisfactory amendment of the Franchise.

B. Upon written request of the Company, the Franchise shall be reopened and renegotiated at any time upon a change in federal, state, or local law, regulation, or order which materially affects any rights or obligations of the Company, including, but not limited to, the scope of the grant to the Company or the compensation to be paid to the City.

C. The Franchise Fee percentage rate set forth in Section 3 shall in no event exceed the percentage rate hereafter approved to calculate any fee paid to the City by any Entity for use of the Public Ways, if such fee is based in any way on the amount of revenues or gross receipts from the sale, transportation and/or distribution of natural gas or electric energy (excluding any municipally-owned electric utility) by such other Entity to customers within the City. If at any time after the Effective Date of this Franchise Ordinance, the fee or rate required to be paid by another Entity selling, transporting, and/or distributing natural gas or electric energy (excluding any municipally-owned electric utility) is less than the Franchise Fee percentage rate set forth in Section 3, then this Franchise shall become automatically subject to reopen upon notice by the Company for purposes of negotiation of a new lower Franchise Fee percentage rate.

#### **SECTION 12. NOTICE OF ANNEXATION.**

The City shall promptly notify the Company in writing (to include a map) of areas newly annexed into or deannexed from the corporate limits of the City, and the Company shall update its records for the purpose of payment of Franchise Fees as soon as reasonably practicable after receiving such notice. Notwithstanding anything to the contrary in this Franchise Ordinance, the Franchise Fees provided for in Section 3 shall not become effective within any area annexed by the City until the beginning of the monthly billing cycle which begins no more than sixty (60) days after the date that the City provides the Company with a certified copy of the annexation ordinance, proof of publication as required by law and a map of the City detailing the annexed area.

#### **SECTION 13. RELEVANT LAW.**

This Franchise Ordinance is granted pursuant to the provisions of K.S.A. 12-2001 and amendments thereto. Any and all ordinances or parts of ordinances in conflict with the terms hereof are hereby repealed or considered as having no effect as of the first cycle of the monthly billing cycle as referenced in Section 3 of this Franchise Ordinance.

#### **SECTION 14. TRANSFER AND ASSIGNMENT.**

Company shall not have the right to assign, sell, lease, or otherwise transfer in any manner whatsoever to any third party not affiliated with Company the rights and privileges granted under this Franchise Ordinance except as hereinafter provided. Any assignment, sale, lease, or other transfer by the Company of the Franchise granted herein to any third party not affiliated with Company shall be ineffective and void unless:

- (1) The proposed assignment, sale, lease or transfer shall be in writing;
- (2) The prospective assignee, buyer, lessee or other transferee shall agree in writing to accept and become responsible for full performance of all conditions, covenants, obligations, and liabilities contained in this Franchise Ordinance; and

(3) Such writing shall be submitted to the City Clerk of the City.

**SECTION 15. POINT OF CONTACT AND NOTICES.**

The Company shall at all times maintain with the City a local point of contact who shall be available at all times to act on behalf of Company in the event of an emergency. Company shall provide the City with said local contact's name, address, telephone number, fax number, and e-mail address. Emergency notice by either party to the other may be made by telephone to the City's designee as listed below. All other notices between the parties shall be in writing and shall be made by personal delivery, depositing such notice in the U.S. Mail, Certified Mail (return receipt requested), or via the email addresses provided below. Any notice served by U.S. Mail or Certified Mail (return receipt requested) shall be deemed delivered upon actual receipt unless otherwise provided. Other than emergencies, notices to the parties shall be to the following:

**The City:**

The City of Silver Lake  
Attn: City Clerk  
Liz Steckel  
Silver Lake, Kansas 66539

Phone: 785-582-4280  
Fax: (785) 319-6009  
Email: [city@silverlake.gov](mailto:city@silverlake.gov)

**Emergency Contact Information:**

Emergency Designee: Cary Deiter  
Emergency Contact No.: 785-221-0937

Emergency Email: [city@silverlakeks.gov](mailto:city@silverlakeks.gov)

**Company:**

Kansas Gas Service, a Div. of ONE Gas, Inc.  
Attn: Legal Department  
7421 W. 129<sup>th</sup> Street  
Overland Park, KS 66213-2713

Phone: (913) 319-8619  
Fax: N/A  
Email: [kgsfranchises@onegas.com](mailto:kgsfranchises@onegas.com)

Natural Gas Emergency No: 888-492-4950  
KGS Dispatch email:  
[kansascitygasdispatch@onegas.com](mailto:kansascitygasdispatch@onegas.com)

(or to replacement addresses that may be later designated in writing).

**SECTION 16. AGREEMENT TO RENEGOTIATE.**

Should the Kansas Corporation Commission take any action with respect to this Franchise Ordinance and any amendment thereto which precludes Company from recovering from its customers any costs or fees provided for hereunder, the parties hereto shall renegotiate this Franchise Ordinance in accordance with or to conform to the Commission's ruling.

**PASSED, ADOPTED AND APPROVED** this 21<sup>st</sup> day of August, 2023.

[seal]

**CITY OF SILVER LAKE, KANSAS**

\_\_\_\_\_  
**MACK SMITH, Mayor**

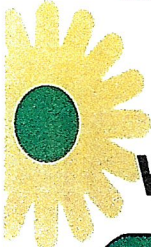
**ATTEST:**

\_\_\_\_\_  
**LIZ STECKEL, City Clerk**





# ELECTION 2023



## CITY OF SILVER LAKE LOCAL SALES TAX WHAT DOES THAT MEAN FOR ME?

**INTERESTING FACTS:**

- If the City of Silver Lake had a 1% sales tax it could have produced 124000 dollars in additional revenue for the City in 2023.
- The City's assessed valuation for 2024 is 12900 dollars. This means that in order to generate the same revenue as a 1% sales tax, the City would need to raise the mill levy by ten (10) or more.

**WHAT'S THE DIFFERENCE BETWEEN LOCAL SALES TAX AND PROPERTY TAX?**

- The difference between a sales tax and a mill increase is that a sales tax would add 1% to each dollar spent in Silver Lake, no matter who is spending it. A mill increase would only effect property owners within the City limit.

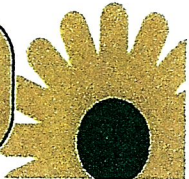
**THE PROPOSITION SHALL APPEAR ON THE NOVEMBER BALLOT AS FOLLOWS:**

Shall the following be adopted?

Shall a retailers' sales tax in the amount of one percent (1.0%) be levied in the City of Silver Lake, Kansas, for the special purpose of providing an adequate level of public services within the City, including funds for repairs, replacement of City infrastructure and other capital improvements as may be in the best interest of the City, to take effect April 1, 2024, and be to be limited to the term of ten (10) years pursuant to Kansas law.

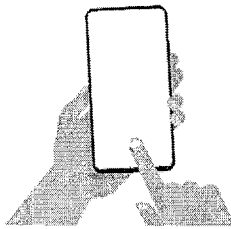
Find out more information:  
[www.silverlakeks.gov](http://www.silverlakeks.gov)  
785-532-4700

**ELECTION DAY 2024:**  
Tuesday, November 7, 2023



# IS FACEBOOK FOR SILVER LAKE?

## HOW CAN THE CITY LEVERAGE SOCIAL MEDIA FOR CUSTOMER SERVICE?



### ENGAGEMENT WITH CITIZENS

Digital engagement could lead to enhanced communication within the community.



### CRISIS COMMUNICATION

People are looking at the City for direction and how to cope with new events.



### PUBLIC SERVICE ANNOUNCEMENTS

Help spread the word about community events and services such as Community Clean-up, Street Projects, and Sewer Cleanouts.



### PUBLIC MEETINGS

Reminders for City Council meetings could be posted on a Facebook Page.



### SAFETY ANNOUNCEMENTS SUCH AS SEVERE WEATHER UPDATES

Social Media provides a place for these helpful community announcements.



# SILVER LAKE COMMUNITY CLEAN-UP

• **FREE DUMPSTERS PROVIDED!** •

**OPEN FROM 8 AM UNTIL DUMPSTERS FULL**

COURTESY OF BAHM DEMOLITION & THE CITY OF SILVER LAKE

DUMPSTERS PROVIDED FOR TRASH, CONCRETE, YARD WASTE, CARDBOARD & GLASS

**SATURDAY, SEPTEMBER 16<sup>th</sup>**



LOCATION: LITTLE LAKE PARK