

RESOLUTION NO. 3777

A RESOLUTION ESTABLISHING A FEE SCHEDULE FOR THE RECOVERY OF CITY PERSONNEL AND EQUIPMENT COSTS TO BE PAID BY APPLICANTS FOR PARADE PERMITS PURSUANT TO OVERLAND PARK MUNICIPAL CODE SECTION 12.16.035.

WHEREAS, the Governing Body of the City of Overland Park, Kansas, finds that the continuing increase in costs associated with providing City services in support of licensed parade activity has created a need for additional funds to provide these support services; and

WHEREAS, the Governing Body of the City of Overland Park, Kansas, has by passage and enactment of Ordinance No. PAR-2842 provided for the recovery of staff personnel and equipment costs incurred in support of licensed parade activity; and

WHEREAS, the Governing Body of the City of Overland Park, Kansas, desires to establish a schedule of recoverable personnel salary and equipment costs related to the issuance of parade permits.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

SECTION 1. Policy and Purpose. It is the purpose and intent of this resolution to establish a schedule of fees to be charged parade permit applicants for the reasonable personnel and equipment costs related to supporting parade activity permitted by Chapter 12.16 of the Overland Park Municipal Code. It is further declared that the speech content of the parade activity shall not be a consideration in assessing the number of City personnel or type of equipment required, nor the amount of fees assessed.

SECTION 2. Recovery Amounts. As set forth in O.P.M.C. Section 12.16.035, the Governing Body declares that one hundred percent (100%) of the City personnel costs related to supporting parade activity shall be assessed to the parade permittee unless the parade permittee presents a tax-exemption certificate issued pursuant to 26 U.S.C. § 501(c), and amendments thereto, in which case fifty percent (50%) of the City personnel costs related to supporting parade activity shall be assessed to the parade permittee. The fee to be assessed for City personnel costs shall be based on the salary and benefit data contained in Section 3 of this resolution. The Governing Body declares that one hundred percent (100%) of the City equipment costs related to supporting parade activity as set out in Section 4 shall be assessed to the parade permittee, unless the parade permittee presents a tax-exemption certificate issued pursuant to 26 U.S.C. § 501(c), and amendments thereto, in which case fifty percent (50%) of the City equipment costs related to supporting parade activity shall be assessed to the parade permittee.

SECTION 3. Schedule of Staff Salary Costs. The Governing Body approves the following schedule of staff salary costs to be used in calculating the fee to be recovered from parade permit applicants. These charges reflect the average salary for City personnel in the respective positions. If it is determined that the actual salary costs of supporting the parade are less than the averaged costs, any excess fee will be refunded to the permittee. The City Manager shall revise this schedule for parades occurring on and after January 1, 2011, and annually thereafter.

	Avg. Monthly Salary	Avg. Hourly Rate	Overtime Rate (150%)**	50% of Reg. Rate	50% of Overtime Rate
Police Officers	\$4,648.00	\$26.82	\$44.76	\$13.41	\$22.38
Sergeants	\$6,100.00	\$35.19	\$58.76	\$17.60	\$29.38
Lieutenants*	\$6,814.00	\$39.31	N/A	\$19.66	N/A
Captains*	\$7,799.00	\$45.00	N/A	\$22.50	N/A
Maintenance Worker	\$2,434.00	\$14.04	\$24.47	\$7.02	\$12.24
Maintenance Worker, Sr	\$2,991.00	\$17.2663	\$30.08	\$8.63	\$15.04
Traffic Control Technician	\$3,337.00	\$19.25	\$33.55	\$9.63	\$16.78
Traffic Control Technician, Sr	\$4,311.00	\$24.87	\$43.34	\$12.44	\$21.67

*These classifications are exempt from overtime and are paid on a salaried basis; however, their monthly salaries have been converted to an hourly basis.

**This rate includes payroll-related benefits, such as pension and social security benefits, associated with overtime.

If during the processing of a parade permit application it is determined that personnel in positions not identified above are needed to support the proposed parade activity, the Director of Human Resources shall provide the City Clerk with the necessary salary data for those positions needed to calculate the proper City Personnel Fees to be charged the applicant.

SECTION 4. Equipment Fees. All reasonable fees for city-owned or controlled equipment deemed necessary by the City Manager or his designee to support the proposed parade activity

shall be assessed to the parade permittee, unless the parade permittee presents a tax-exemption certificate issued pursuant to 26 U.S.C. § 501(c), and amendments thereto, in which case fifty percent (50%) of the City equipment costs related to supporting parade activity shall be assessed to the parade permittee.-

SECTION 5. Payment of Fees. All City Personnel and Equipment Fees shall be paid prior to issuance of the parade permit.

PASSED by the City Council this ____ day of February 2010.

APPROVED by the Mayor this ____ day of February 2010.

Carl Gerlach, Mayor

ATTEST:

Marian Cook
City Clerk

APPROVED AS TO FORM:

John J. Knoll
Senior Assistant City Attorney