

ORDINANCE NO. 1028

AN ORDINANCE AMENDING THE CODE OF THE CITY OF EDWARDSVILLE, KANSAS, ("CODE"), CHAPTER 15 PUBLIC WAYS AND PROPERTY AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.

WHEREAS, certain changes have occurred requiring amendments to the Code of the City of Edwardsville, Kansas ("Code"); and

WHEREAS, such changes require the consolidation of the Parks & Recreation Advisory Board and the Cemetery Board to provide oversight, recommend policy, and offer input on the operations of the Parks & Recreation Department and City cemeteries; and

WHEREAS, such amendments may conflict with other ordinances or parts of ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDWARDSVILLE, KANSAS:

Section 1. Chapter 15 Public Ways and Property, Article 15.02, Division 2 of the Code of the City of Edwardsville is hereby deleted in its entirety and amended to read as follows:

Established

There is hereby created a Cemetery, Parks, and Public Spaces (CPPS) Board of the City.

Membership

The CPPS Board shall consist of not less than seven voting members and may have at least one ex-officio member, all of whom shall be City residents. The initial membership shall be comprised of four representatives from the Edwardsville Cemetery Board and four representatives from the Edwardsville Parks & Recreation Advisory Board. Upon expiration of the terms of the inaugural membership, all members of the CPPS Board shall be appointed by the Mayor and confirmed by the governing body of the City for three-year terms. The ex-officio member shall be from the City Council or its representative.

Terms of members; vacancies

Inaugural members of the CPPS Board shall hold office, two for one year, three for two years, and three for three years from the first day of February following their appointment, and annually thereafter the mayor shall, on or before the first day of February of each year, appoint members to take the place of retiring members who shall hold office for a term of three years until their successors are appointed. The mayor may, by and with the consent of the governing body, remove any member for misconduct or neglect of duty. Vacancies in the board occasioned by removal,

resignation, or otherwise shall be filled in like manner as original appointments for unexpired terms.

Organization

Said directors shall, immediately after their appointment, meet and organize by the selection of one of their number as president, and the election of such other officers as they may deem necessary, and who shall hold office for one year. They shall make and adopt such rules and regulations for their own guidance and for the regulation of the City parks, cemeteries, and public spaces.

Advisory Duties

(a) To the governing body and the City Manager, the board may initiate, review, and recommend proposals and propositions for City construction, reconstruction, and improvements of public parks, recreational facilities, and cemeteries, including the acquisition of land for park purposes, the acquisition of equipment and facilities for operation of parks and cemeteries, and the institution of new recreation programs.

(b) The board shall make reports and recommendations to the governing body and City Manager on all matters referred to it and such further recommendations as deemed advisable.

(c) The board shall initiate recommendations to the governing body and City Manager concerning cemeteries, recreation, and/or parks as deemed desirable from time to time.

(d) The board shall conduct studies to advise the City concerning ways to increase recreational activities and revenue or to promote memorial events at City cemeteries.

(e) The board shall act as the primary resident planning committee for City functions taking place inside of parks, cemeteries, or other public spaces.

(f) The board shall perform any other duties as deemed necessary by the governing body pertaining to cemeteries, parks and recreational programs, and facilities.

Board as successor to prior board, prior acts ratified

The CPPS Board is a continuation and successor to both the Parks & Recreation Advisory Board and Cemetery Board, created pursuant to K.S.A. 12-1420, existing as of this date. All powers and duties of the existing boards shall continue as to members of the consolidated board. All prior acts of the Parks & Recreation Advisory Board and Cemetery Board existing as of this date and of its predecessors are hereby ratified and affirmed.

Section 2. Section 15.03.051 through Section 15.03.059 of the Code of the City of Edwardsville shall be deleted in its entirety.

Section 3. All references to the Park and Recreation Advisory Board and/or the Cemetery

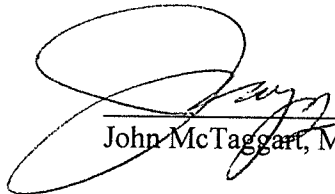
Board shall be hereby amended to refer to the CPPS Board.

Section 4. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and are hereby repealed.

Section 5. This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EDWARDSVILLE, KANSAS ON THIS 24TH DAY OF FEBRUARY.





John McTaggart, Mayor

ATTEST:


Zack Daniel, Assistant City Manager/City Clerk

APPROVED AS TO FORM:


Lisa Dehon, City Attorney