

RESOLUTION 11-1

A resolution declaring the policy of the City of Sedan, Kansas, regarding open public records.

Be it Resolved by the Governing Body of the City of Sedan, Kansas:

SECTION I

It is hereby declared to be the policy of the City of Sedan, that all public records which are made, maintained or kept by or are in the possession of the city, its officers and employees, shall be open for public inspection as provided by, and subject to the restrictions imposed by, the Kansas Open Records Act (KORA) (K.S.A. 45-215 et seq.)

SECTION II

Any person, upon request, shall have access to such open public records for the purpose of inspecting, abstracting or copying such records while they are in the possession, custody and control of the appointed or designated records custodian thereof, or his or her designated representative.

SECTION III

The records custodian(s) appointed and designated pursuant to Resolution No. 11-1 shall preserve and protect all public records from damage, disorganization and theft and shall assist, in a timely and efficient manner, any person making request for access to any open public record.

SECTION IV

All city offices keeping and maintaining open public records shall establish office hours during which any person may make a request for access to an open public record. Such hours shall be no fewer than the hours each business day the office is regularly open to the public. For any city office not open Monday through Friday, hours shall be established by the records custodian for each such day at which time any person may request access to an open public record.

SECTION V

All city offices keeping and maintaining open public records shall provide suitable facilities to be used by any person desiring to inspect and/or copy an open public record. The office of the City Clerk, being the principal recordkeeper of the City, shall be used as the principal office for providing access to and providing copies of open records to the maximum extent practicable. Requesters of records shall be referred to the office of the City Clerk except when the requested records are not in that office and are available in another City office.

SECTION VI

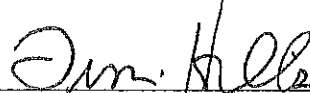
Any person requesting access to an open public record for purposes of inspecting or copying such record, or obtaining a copy thereof, shall abide by the procedures adopted by the Governing Body for record inspection and copying, including those

procedures established by records custodians as authorized by the Governing Body. Such procedures shall be posted in each city office keeping and maintaining open public records.

SECTION VII

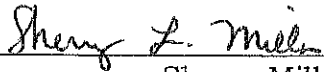
The records custodian(s) of the City is/are hereby charged with carrying out the intent of this resolution and KORA.

Adopted by the Governing Body of the City of Sedan, Kansas, this 6th day of September, 2011.



Tim Hills, Mayor

Attest:



Sherry Miller, City Clerk

City Seal:

RESOLUTION 11-2

A resolution providing for the maintenance, preservation and protection of public records, and establishing procedures for accessing and copying open public records.

Be it Resolved by the Governing Body of the City of Sedan, Kansas:

SECTION I

Procedures Regarding Both Inspection and Copy of Open Public Records. The following procedures are hereby adopted and shall be applied by each official custodian and records custodian:

(a) Custodian with the policy, duties and procedures established by the State of Kansas in K.S.A. 45-215 et seq., all City records custodians shall provide full access and assistance in a timely and efficient manner to persons who request access to open public records.

(b) Records custodians shall adopt and apply open public record access and copying procedures consistent with the policies of the City and with the provisions of the Kansas Open Records Act. Specifically, such procedures will inform members of the public of the procedures to be followed in making a request for inspection or a copy of an open public record, including the hours during which record inspection or copy requests may be made; who a request is to be made to; the forms to be completed in making a request; and the schedule of fees charged.

(c) Records custodians shall adopt and apply procedures which will ensure the protection and preservation of public records with respect to the manner in which such records are inspected and copied.

(d) Records custodians shall take necessary measures, not inconsistent with their duties, to provide full public access to open public records, and to ensure that the essential functions of the custodian's office, department or agency is not disrupted by requests for record inspection and copying.

(e) All inspections and copying of open public records shall be performed by, or under the supervision of, the records custodian responsible for such records.

(f) All persons requesting the inspection of or a copy of open public records shall make such request in writing prior to the request being honored, except that no form shall be required for requests made for records which have been reproduced for free public distribution.

(g) Except as permitted otherwise by the records custodian, all record inspection and copying forms are to be completed by the person requesting the record. The records custodian may demand reasonable identification of any person requesting a record.

(h) Any fees for record inspection or for copies are due at the time the records, or copies thereof, are provided to the requester, unless the records custodian has demanded that prepayment of all or part of such fees be made. Fees are to be paid to the records custodian.

(i) The records custodian shall notify the record requester prior to commencing search of the record or copies thereof, of his or her estimate of the fee which will be made for honoring the request whenever such estimate exceeds \$5.00.

(j) The records custodian shall demand full or partial prepayment of fees whenever his or her estimate for such fees exceeds \$5.00. Prepayment may or may not be required of a requester who maintains an account in good standing with the City for purposes of payment of record fees.

(k) The records custodian shall determine and assess a charge covering mailing and handling costs accrued in responding to request through the mail service.

(l) The records custodian may exercise his or her discretion to reduce or waive any inspection or copying fees when such is in the public interest.

(m) No record inspection or copying charge shall be assessed against officers or employees of the City who make requests which are reasonably necessary to the performance of their official duties.

(n) Hours for making requests for inspection or copying shall be all regular working hours for each day the office maintains regular office hours. If an office keeping or maintaining public records does not have regular office hours for each such day when no regular office hours are kept, at which time members of the public may make requests for record inspection or copies of records.

(o) Removal of open public records from the office where kept and maintained, for purposes of inspection and/or the making of copies shall be permitted only with the written permission of the records custodian.

(p) The above procedures, as well as any other inspection and copying procedures shall be posted in a conspicuous place in the office of the records custodian.

SECTION II

Procedures Regarding Inspection of Open Public Records. The following procedures are hereby adopted and shall be applied by every official custodian and records custodian:

(a) Records custodians shall handle all inspection requests in accordance with their duties to protect and preserve public records and to assist persons requesting inspection of open public records.

(b) All request forms must be completed by the party requesting the record. In all cases the party so requesting must sign his or her individual name to the form. Written requests shall be made on the form provided by the records custodian and presented to the records custodian.

(c) A written request is sufficient if it reasonably describes the record sought. In instances where the requester cannot provide sufficient information to identify a record, the custodian shall assist in making such identification.

(d) No inspection fee shall be charged the requester if the actual cost of locating the records pursuant to one request is less than \$1.00 or, in the case of multiple requests brought by the same person or on behalf of the same person, where the actual cost of locating the records pursuant to requests made over a 24-hour period is less than \$5.00.

(e) No inspection fee will be assessed when a denial of a request is made. The records custodian shall, upon making a denial of an inspection request, forward a copy of the denial to the City Attorney.

SECTION III

Procedures Regarding Copies of Open Public Records. The following procedures are hereby adopted and shall be applied by each official custodian and records custodian:

(a) Records custodians shall handle all copy requests in accordance with their duties to protect and preserve public records and to assist persons requesting copies of open public records.

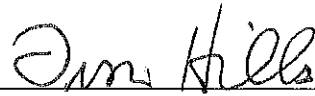
(b) All request forms must be completed by the party requesting the copies. In all cases the party so requesting must sign his or her individual name to the form. Written requests shall be made on the form provided by the records custodian.

(c) Mechanical reproduction of a record shall not be undertaken when it is the judgment of the records custodian that any available means of mechanically reproducing the subject record is likely to cause damage to such record.

(d) No copy fee shall be assessed when multiple copies of the record requested have been prepared for free public distribution, or when the records custodian determines that the cost of charging and handling the fee exceeds the cost of providing a copy without charge.

(e) No copying fee will be assessed when a denial of a request is made. The records custodian shall, upon making denial of a copying request, forward a copy of the denial to the City Attorney.

Adopted by the Governing Body of the City of Sedan, Kansas, this 6th day of September, 2011.



Tim Hills, Mayor

Attest: Sherry L. Miller
Sherry Miller, City Clerk

City Seal:

RESOLUTION 11-3

A resolution appointing custodians for the public records of the City of Sedan, and providing for the designation of additional records custodians.

Be it Resolved by the Governing Body of the City of Sedan, Kansas:

SECTION I

Appointment of Official Custodians. The following city officers are hereby appointed as official custodians for purposes of the Kansas Open Records Act (KORA), K.S.A. 45-215 et seq., and are hereby charged with responsibility for compliance with that Act with respect to the hereinafter listed public records.

City Clerk - All public records kept and maintained in the City Clerk's office and all other public records not provided for elsewhere in this Section.

City Treasurer - All public records not on file in the office of the City Clerk and kept and maintained in the City Treasurer's office.

Chief of Police - All public records not on file in the office of the City Clerk and kept and maintained in the City Police Department.

Fire Chief - All public records not on file in the office of the City Clerk and kept and maintained in the City Fire Chief.

City Attorney - All public records not on file in the office of the City Clerk and kept and maintained in the City Attorney's office.

Director of Public Works - All public records not on file in the office of the City Clerk and kept and maintained in the Public Works Department.

Clerk of the Municipal Court - All public records not on file in the office of the City Clerk and kept and maintained in the Municipal Court.

City Librarian - All public records not on file in the office of the City Clerk and kept and maintained in the City Library.

SECTION II

Designation of Additional Records Custodians. (a) Each of the official custodians appointed in Section 1 is hereby authorized to designate any subordinate officers or employees to serve as records custodian. Such records custodians shall have such duties and powers as are set out in KORA.

(b) Whenever an official custodian shall appoint another person as a records custodian he or she shall notify the City Clerk of such designation and the City Clerk shall maintain a register of all such designations.

SECTION III

Duties of Custodians. All city officers and employees appointed or designated under this Resolution shall: protect public records from damage and disorganization; prevent excessive disruption of the essential functions of the City; provide assistance and information upon request; insure efficient and timely action and response to all applications for inspection of public records; and shall carry out the procedures adopted by this City for inspecting and copying open public records.

SECTION IV

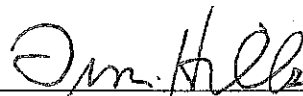
Request to be Direct to Custodians. (a) All members of the public, in seeking access to, or copies of, a public record in accordance with the provisions of KORA, shall address their requests to the custodian charged with responsibility for the maintenance of the record sought to be inspected or copied.

(b) Whenever any city officer or employee appointed or designated as a custodian under this Resolution is presented with a request for access to, or copy of, a public record which record the custodian does not have in his or her possession and for which he or she has not been given responsibility to keep and maintain, the custodian shall so advise the person requesting the record. Further, the person making the request shall be informed as to which custodian the request should be addressed to, if such is known by the custodian receiving the request.

SECTION V

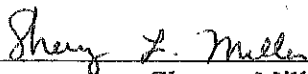
Fee Administration. The City Clerk is hereby authorized to provide the Clerk's office, and the office of each records custodian, with sufficient cash to enable the making of change for record fee purposes. Each custodian shall transmit all record fee moneys collected to the City Treasurer whenever the amount accumulated exceeds \$1.00, but not less than monthly. Each custodian shall maintain duplicates of all records and copy request forms, completed as to the amount of fee charged and collected, which amounts shall be periodically audited by the Clerk-Finance Officer and Treasurer of the City.

Adopted by the Governing Body of the City of Sedan, Kansas, this 6th day of September, 2011.



Tim Hills, Mayor

Attest:



Sherry Miller, City Clerk

City Seal:

RESOLUTION 11-4

A resolution appointing a local freedom of information officer (FIO) for the City of Sedan, Kansas, and providing for the officer's duties.

Whereas, the Kansas Legislature adopted Sub. HB2864 requiring that all public agencies covered by the Kansas Open Records Act (KORA) appoint a local FIO; and

Whereas, the City of Sedan believes the appointment of a local FIO to assist the public with its open records needs is good for public and facilitates the public policy of open government.

Now therefore, Be it Resolved by the Governing Body of the City of Sedan, Kansas on this 6th day of September, 2011:

SECTION I

Appointment. The City Clerk of Sedan, Kansas, is hereby appointed as the local FIO and charged with all of the statutory duties prescribed by Sub. HB 2864 and set forth in Section 2.

SECTION II

Duties. The local FIO or the officer's designee shall:

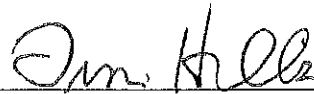
(a) prepare and provide educational materials and information concerning the open records act;

(b) be available to assist the city and members of the general public to resolve disputes relating to the open records act;

(c) respond to inquiries relating to the open records act;

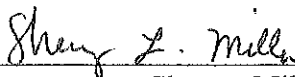
(d) established the requirements for the content, size, shape and other physical characteristics of a brochure required to be displayed or distributed or otherwise made available to the public under the open records act. In establishing such requirements for the content of the brochure, the local FIO shall include plainly written basic information about the rights of a requester, the responsibilities of a public agency, and the procedures for inspecting and obtaining a copy of public records under KORA.

Adopted by the Governing Body of the City of Sedan, Kansas, this 6th day of September, 2011.



Tim Hills, Mayor

Attest:



Sherry Miller, City Clerk

City Seal: