

**CITY COUNCIL MEETING MINUTES
CITY OF ROELAND PARK, KANSAS
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, January 17, 2017 6:00 P.M.**

- Joel Marquardt, Mayor
- Becky Fast, Council Member
- Tim Janssen, Council Member
- Ryan Kellerman, Council Member

- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Poppa, Council Member
- Michael Rhoades, Council Member
- Erin Thompson, Council Member

- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. Admin.
- Kelley Bohon, City Clerk
- John Morris, Police Chief
- Jose Leon, Public Works Director

Admin

Poppa
Fast

Finance

Kelly
Janssen

Safety

Thompson
Rhoades

Public Works

Kellerman
McNeil

PLEDGE OF ALLEGIANCE

Mayor Marquardt called the meeting to order and led everyone in the Pledge of Allegiance

ROLL CALL

City Clerk Bohon called the roll noting that all Governing Body members were present

MODIFICATION OF AGENDA

CMBR Kellerman asked to remove Item A, Appropriation Ordinance No. 900 from the Consent Agenda to discuss further under Item IX, Ordinances and Resolutions. Also to remove Item E from the Consent Agenda, Ad-Hoc Development Committee Renewal and place under Item VII, New Business for further discussion.

CMBR Kelly requested to add a reports for First Tier Suburbs and the Back to School Coalition under Item VI, Reports of City Liaisons.

CMBR Thompson added the following items from the previous Workshop to Item VIII, New Business:

- 2 – Roe Boulevard Phase One Engineer Contract
- 3 – Discuss Leaf Pickup Program
- 4 – R Park Master Plan Presentation
- 6 – 4th Quarter Safety Stats
- 7 – Changes to Type 1 Special Event Terms
- 8 – Solid Waste Bid Process for 2018 Services

I. CITIZEN COMMENT

Alan Foley (3920 W. 53rd Street) said he had presented ideas with regards to the City’s leaf program. He also said he engages about 65 people on NextDoor and has made suggestions about a program for the City to better inform its citizens. He provided the information to staff to be given to the Governing Body.

J.P. Hildebrand (5419 Sycamore Drive) said the Council is doing a good job, but wanted to address things from the Strategic Planning Committee regarding putting new business in the city. He spoke to City’s decision not to have a Twin Peaks restaurant at the caves sight and questioned whether the zip line will generate enough revenue. He also expressed concerns about revenue generated from the bank and urgent care center and the expense of trash pickup.

Brent Hall, representative from Commerce Bank, provided an update on the Commerce Bank site. He said they are working with the hospital on the one percent for art and sent information that the bank wants to submit to the Arts

Committee and they are waiting on comments back from hospital. Mr. Hall will get that filed with the Arts Committee for their review as soon he receives it.

II. CONSENT AGENDA

- B. **April 18, 2016 Minutes (not previously approved)**
- C. **November 21, 2016 City Council Meeting Minutes**
- D. **December 19, 2016 City Council Meeting Minutes**
- E. **November 14, 2016 City Council Meeting Minutes**

Items A and F were removed from the Consent Agenda.

MOTION: CMBR POPPA MOVED AND CMBR KELLY SECONDED TO APPROVE THE CONSENT AGENDA AS AMENDED. (MOTION PASSED 8-0).

III. BUSINESS FROM THE FLOOR

A. Applications / Presentations

1. GFOA Certificate of Excellence in Financial Reporting

Ms. Jones-Lacy announced that for the 22nd year in a row Roeland Park has received the GFOA Certificate of Financial Achievement for their 2015 CAFR. This represents a significant accomplishment by a government and its management in financial reporting. Possibly in 2018 or 2019, staff will work towards the Budget Certificate of Achievement, a goal she would like to see Roeland Park achieve as well.

IV. MAYOR'S REPORT

A. Announcements

January 23 - 6:00 p.m., Roeland Park Community Center, **Community Forum**. Topics will include branding, a presentation on the tax lid, and trash bin shielding.

February 4 - Cancelled - **Lovey Dovey Art Mart**

March 25 - 7:00 p.m. to 10:00 p.m., Roeland Park Community Center. **Spring Wine Fling** with funds to be used to construct a shelter at R Park.

April 15 - 11:00 a.m., Nall Park **Easter Egg Hunt**.

April 29 - 11:00 a.m., R Park **Arbor Day Celebration**.

V. WORKSHOP AND COMMITTEE REPORTS

A. Workshop Summaries

CMBR Thompson said the workshop summaries were contained in the packet.

VI. REPORTS OF CITY LIAISONS

A. First Suburbs Coalition

CMBR Kelly extended an invitation to the First Suburbs Coalition meeting on Friday January 27th from 8-10 a.m. at Westwood City Hall. She said that Roeland Park did achieve the silver recognition level for the Community for All Ages and the City will be receiving their plaque that day. She added that they have received the final report from the R Park charrette. They are also awaiting for AARP to approve the logo and then they will be able to distribute the report for everyone to read. Up to this point the Parks Committee had used the raw data and the drawings to help them in the design process for R Park, so it is nice to have the report to back that up.

B. Bike-Pedestrian Ad Hoc Committee

CMBR Kelly reported that the Bike-Ped Ad Hoc Committee approached Roesland Elementary about a Bike to School Day. Since then multiple organizations have gotten on board, including the county and the school district. They

applied for a Safe Kids Johnson County grant and received the full funded amount of \$25,000 to help support Walk to School Day. The grant will pay for a two-day training for people assisting with the school, a walkability assessment for the city to find a safe route to school, and also help fund the development of a work plan. They even believe there will be enough left to help create some type of creatively inspired crosswalk at the school.

VII. UNFINISHED BUSINESS

A. Committee Appointments and Reappointments

City Clerk Bohon read off the reappointment and appointments into the record.

- Reappoint Marek Gliniecki to the Arts Committee.
- Appoint Maddie Kamphaus to the Planning Commission Ward I.
- Appoint Leslee Rivarola to the Aquatic Center Ad-Hoc Committee
- Appoint Tami Janssen to the Aquatic Center Ad Hoc Committee
- Appoint Jared Lube to the Parks Committee
- Appoint Andrea Sexton to the Events Committee
- Appoint Stephanie Newton to the Events Committee.

CMBR McNeil introduced newly-appointed Planning Commissioner Maddie Kamphaus to the Governing Body. Mayor Marquardt welcomed her and thanked her for agreeing to serve on the commission.

MOTION: CMBR POPPA MOVED AND CMBR KELLY SECONDED TO APPOINT AND REAPPOINT AS INDICATED IN THE ACTION ITEM. (MOTION PASSED 8-0)

B. Ad Hoc Development Committee Renewal (Consent Agenda Item E)

CMBR Kellerman said the only reason he removed it from the Consent Agenda is that in renewing this committee he wants to make certain they will present everything to the Council going forward, including any restaurant prospects just so the Council is aware of them and to avoid further rumors based on personal bias.

CMBR Poppa said the restaurant was dismissed in committee and it was reported to the Council. The reason it was dismissed was because they were looking for a local family establishment and that is what they have been pushing for. The committee believed that was the direction they had received from the Council. Dismissal of a Twin Peaks restaurant was not based at all on a moral decision as was indicated, but took in financial considerations and also the type of establishment that would best serve the residents.

CMBR Thompson added that they did look at all of those considerations that were mentioned and added that the meetings are always open and all Councilmembers and community members are always welcome if they are interested.

CMBR Rhoades said that restaurant was only an idea, but nothing came before the committee.

CMBR McNeil said she never heard about the potential restaurant except through NextDoor. She said if there are talks in the works the committee should let everyone know to avoid being blind-sided by residents and the Council not knowing anything about it.

CMBR Thompson said that the CBC representative made a suggestion this might be a prospect and asked what would be the direction of the ad hoc committee. She put it on the agenda for economic development in an effort to be transparent and open, so everybody knows what is going on. Someone saw it and put it on NextDoor.

CMBR McNeil said she appreciated the updates from the committee at Council meetings, but would like to see it brought forward at a Workshop so they can discuss such items.

MOTION: CMBR KELLERMAN MOVED AND SECONDED BY CMBR JANSSEN TO APPROVE THE RENEWAL THE AD HOC DEVELOPMENT COMMITTEE. (MOTION PASSED 8-0)

VIII. NEW BUSINESS

A. Renewal of Code Enforcement Services Agreement with Westwood Hills

Ms. Jones-Lacy said this is the second year renewing this contract. Last year the Westwood Hills requested support from the City's Code Enforcement staff. They like to do one round of proactive enforcement annually and then have Roeland Park's Code Enforcement officer respond to any type of complaints that they have. The terms remain basically the same. Last year there was very little demand on staff time and this gives us an opportunity to be good neighbors and help out another community and give them a service they need. This is a one-year agreement, but going forward the plan is an automated renewal and the terms may change based upon salaries. If a Code Enforcement officer's salary increases and their benefits increase, then the rate would change.

CMBR Rhoades asked how they arrived at \$36.66 an hour. Ms. Jones-Lacy said it is based on the rate of the City's Code Enforcement Officer for her salary and benefits and has a 15 percent overhead charge in addition to that.

MOTION: CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO RENEW THE CODE ENFORCEMENT SERVICE AGREEMENT WITH WESTWOOD HILLS. (MOTION PASSES 8-0)

B. Renewal of IT Services with Johnson County

Ms. Jones-Lacy said this renewal is for an agreement that has been in place with Johnson County since 2012. They provide the City with all of their IT support services as well as security on the network and do help desk type work. One change in the agreement is the county has restructured the IT involved, shifting staff around and have thus reviewed all of the agreements with the other communities to provide IT services. The county has determined that they have systematically undervalued the cost and they are trying to recoup that. They are not looking to make any profit, but historically they've lost on the agreement. The agreement for 2017 is \$19,740. In 2016, it was \$17,160, approximately a 15 percent increase. If they recoup the full cost, it would be around \$27,000 annually, which is their goal.

Ms. Jones-Lacy has spoken with other communities and all of their prices have essentially gone up too. Most are planning to stick with DTI, with the exception of Prairie Village who is trying to work out a different arrangement.

Staff is recommending renewal with Johnson County for 2017 and to continue service with them. She said they do get very good service for the security. They host the website and the archive system and everyone is very happy with the service. They are also fortunate in Roeland Park that they have a police sergeant that happens to moonlight doing IT work and has been incredibly helpful (Randy Costlow). During the 2017 term, and possibly for 2018, staff would like to look at other alternatives and options, and do their due diligence to make certain they are getting the best value for taxpayer dollars.

CMBR Kellerman asked if the contract could be renegotiated to every six months or so. Ms. Jones-Lacy said they could negotiate, but historically it has been an annual agreement. There have been opportunities to potentially work with the county to do a shorter term agreement if needed.

MOTION: CMBR THOMPSON MOVED AND CMBR POPPA SECONDED TO APPROVE THE RENEWAL WITH JOHNSON COUNTY DEPARTMENT OF TECHNOLOGY AND INNOVATION FOR IT SERVICES FOR 2017. (MOTION PASSED 8-0).

C. 1% Arts Direction to Arts Committee

City Administrator Moody stated the Governing Body wished to continue this discussion when City Attorney Mauer would be present.

Mayor Marquardt said the Arts Committee has a role in this development, but it is more about assessing value of the art. The question has become should the Council make a recommendation that Commerce Bank not go back to the Arts Committee with suggestions so as not to convolute the process. City Administrator Moody said there is nothing in the existing resolution that says the Arts Committee is the one to review the proposed art, but it made sense to engage them since the City has such a committee. They have provided direction to Commerce that their proposed seating wall was not considered art by the committee. Commerce has since revised their site plan which still needs final approval by the Council.

Mayor Marquardt said Commerce had the intent of using the hospital's portion of one percent art on the Commerce site. He said he believed the resolution stated the art should go on the site of the development. The City would also like to see something that is good for the gateway and that would optimize everyone's positions.

Mr. Hall said they felt they were supposed to go through the Arts Committee, but if they need to go through a different avenue they are fine with that. He said as written, the resolution requires the art to be on the developer's property not the City property.

Mayor Marquardt said there is some question as to whether it has to be all on the developer's property or some on the City property. He also said as written some should be on the hospital property, but believed the city had leeway to adjust that to all be in one place if the landowners all agree. If the City agrees that all monies can be grouped together maybe they can all agree the art can be partially on the right-of-way also. Mayor Marquardt would like to discuss the possibilities of having something that is somewhat city-oriented as a gateway element, but also enhances the property and brings people to the bank and hospital. He added that some ideas discussed were a fountain and a vertical element.

Mr. Hall said the developer's approach was that the hospital and bank's portions would go towards the art on the corner where it has been delineated.

Mayor Marquardt said that the city would have to agree to that because it is not written that way for the property. Mr. Hall said he thought that was stipulated to in the last development agreement.

Mr. Hall said his purpose for this evening is to find out what the process is and to let the Council know where they are in their process.

Mayor Marquardt said they would like to work on the process, not what the art would be, but the process itself and to work with the developer on grouping the money and having a design that is good for Commerce and ideally good for the City as well.

CMBR Rhoades asked if the thought was originally that Commerce would submit an art plan to the city or was the city to submit the art plan to Commerce. City Administrator Moody said the language in the resolution does not state that the city will direct the art. But the thought was that with this being at the entryway to the city and also the city going through a community visioning process, the hope was to coordinate the two so as to achieve a more cohesive and complementary art/gateway at the intersection. The resolution does give some guidance of what is not considered art and it also gives some direction on what can be considered as art.

CMBR Rhoades said members of the ad hoc committee would like to see it being placed on the corner entering into the city as a gateway element continuing along with the opposite side across the street.

Mr. Hall said they can deposit their one percent for art and still get their occupancy for the building and it can still be decided at a later date what the art will be.

Mayor Marquardt asked if Mr. Hall was open to listening to the process of the Roe Boulevard design visioning and going through that design to see how a piece of artwork might play into that process. Mr. Hall said he would be open to that.

CMBR McNeil said she believes the discussion should go to the visioning committee rather than the ad hoc committee and she would like to have Commerce involved in that.

Mayor Marquardt added that the visioning process is anticipated to be completed by the end of the summer with the hopes that a design would follow six months later.

City Administrator Moody said included in the scope of services for the visioning committee is that they will develop concepts for these entryway components.

CMBR Janssen asked about the construction cycle for completion of the bank and hospital development site. Mr. Hall said the amended development agreement has both the hospital and bank sites beginning by April 10. The hospital has submitted their plans to the city, and the bank is finalizing their drawings and will submit them to the city and start construction as soon as possible. The construction cycle is anticipated to be a 7-8 month time frame for the bank. He was unsure of the hospital's time frame.

City Administrator Moody thought it might be good for the Council to make a motion that the committee for Roe Boulevard is the group that Commerce is to work with on the topic as it is not clearly delineated in the resolution or by Council as far as who the developer is to work with.

MOTION: CMBR FAST MOVED AND CMBR THOMPSON SECONDED THAT COMMERCE BANK WILL WORK WITH THE ROE VISIONING COMMITTEE FOR THE ONE PERCENT FOR ART PROJECT. (MOTION PASSED 8-0.)

CMBR Rhoades said having one or two members from the Arts Committee be on the Visioning Committee would be a good idea. CMBR Fast said she asked that question earlier and felt the Mayor stated that would be the case. Mayor Marquardt clarified that he did not say that someone from the Arts Committee should not be on the Visioning Committee. He added further that he spoke with Mr. Gliniecki about the fact that the resolution does not bind Commerce to work with the Arts Committee.

MOTION: CMBR FAST MOVED TO AMEND THE MOTION THAT CONVERSATIONS REGARDING ONE PERCENT FOR ART INCLUDE REPRESENTATION FOR THE ART COMMITTEE. (MOTION WITHDRAWN)

CMBR Poppa stated that all that is on the agenda is approving Councilmembers to be on the committee, but they have not set up the rest which would be a separate conversation. CMBR Poppa added that he too would like to see a member of the Arts Committee on the group.

CMBR Fast withdrew her motion.

D. Roe Boulevard Phase One Engineer Contract (Workshop #2)

Public Works Director Leon hopes the Council is as enthusiastic about the project as he is. This is a huge project for the community and staff is approaching it that way. They have directed George Butler and Verio to also approach it that way. He said they are really looking forward to starting the process of Roe Boulevard.

MOTION: CMBR THOMPSON MOVED AND CMBR JANSSEN SECONDED TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH GEORGE BUTLER ASSOCIATES AND TO APPOINT CMBR MCNEIL, CMBR KELLERMAN AND MAYOR MARQUARDT TO THE ADVISORY COMMITTEE WHICH WORK THROUGHOUT THE VISIONING PHASE. (MOTION PASSES 8-0)

E. Discuss Leaf Pickup Program (Workshop #3)

Public Works Director Leon started the discussion by saying the complaints he received were directed more towards when the leaves were scheduled to be picked up versus the work performed, which are two completely separate issues. He has created a synopsis to explain why the program was shortened, a history of the leaf pickup program, what equipment is used for both leaf and snow operations, and a total cost to the city from both the staff and equipment sides.

CMBR McNeil inquired what was included in the 15 percent overhead. City Administrator Moody responded that the administrative costs incurred are for items such as insurances, property liability insurance, workers compensation, but those amounts are not prorated back to each individual department. CMBR McNeil asked why there was an hourly charge for equipment if it is already owned by the city. City Administrator Moody said they do not have historical operating and maintenance expense costs for pieces of equipment and the best way to show that cost is to use a published rate such as the rate published by FEMA should you have to rent those pieces of equipment in an emergency, this is what they would reimburse you. The synopsis provided by Mr. Leon provides accurate and defensible calculation of the cost the City incurs and the total value of the service that is provided.

CMBR Rhoades asked why the 2017 CIP allows for a dump truck and snow removal equipment. Public Works Director Leon said the CIP is to purchase a single truck new. The costs in the synopsis are for the costs they paid for the trucks they currently have. City Administrator Moody defended the costs used in the assumptions based on FEMA as they are not subject to assumptions. CMBR Rhoades continued to question the process for pricing the service and feels that the programs costs are much less than they are stating.

CMBR Poppa said he appreciated Public Works Director Leon and City Administrator Moody for putting this information together. He said he felt the numbers were legitimate, but confuses value and actual hard cost. He said he also agreed these are not true hard costs of the annual program. A lot of the costs are for salary. He said he would like to see a chart or a graph that breaks out the soft costs and the actual hard costs annually if possible.

Public Works Director Leon said he can come back with assumptions on how long they think the dump truck may last but this is difficult to accurately predict. They are trying to protect themselves because they do not know how long this piece of equipment will last.

CMBR Fast said the leaf program is paid for through property taxes. Prior to 2013, leaf pickup was \$28 and was funded out of the General Fund and they made four passes through the neighborhoods. Now, they are paying \$28 and they go through the neighborhoods two times. She said they are getting half the service and paying through property tax and a sales tax. The problem this year is that most of the leaves had not dropped by December. She added that they rarely get snow in December. She also reminded everyone she previously brought up at several City Council meetings where she asked staff to send a mailing for the spring pickup service and that was never done. They used to have mailings before the fall leaf pickup and that also was not done. She said two pickup times does not give the service for the cost. She believes this is an ongoing discussion and she and CMBR McNeil have talked about having this on the community forum in April.

Public Works Director Leon replied that it was actually three times they went around everyone's streets. He also said he received a vote of approval from the Council on the leaf pickup schedule that would be used for fall and spring. At that time he explained the impacts on the fall leaf program. They are unable to predict when the leaves will fall or when the first snow will be, but their first priority is snow removal over leaves. He added it is not realistic for people to think that the city will pick up every leaf that falls from a tree. He also brings the leaf pickup schedule as early as possible to the Council for approval.

CMBR Janssen asked if one of the neighboring cities have more accurate historical data with regards to equipment figures that they can pull from. City Administrator Moody said they will reach out to them to find out what experience they may have over the life of a piece of equipment. They would still have to estimate the residual value of the City's equipment, but the maintenance expenses he believed would be some of the larger neighbors as it is done in-house, so they have a better idea of the cost per mile or per hour.

CMBR McNeil said the report as prepared looks like the staff is paid regular salary, plus paying them an additional salary for the leaf pickup.

CMBR Kellerman said the numbers presented do not necessarily represent the views of residents as they are more concerned with the service itself. He said the City's leaf pickup is a highly coveted, unique service that represents Roeland Park.

CMBR Rhoades said that people were upset that leaves were still on the trees, but recognized they are at the mercy of nature. He agreed with CMBR Fast to put this item on the community forum.

CMBR McNeil said it seemed like the spring pickup was just not that big of a deal. If they add those two weeks back into the fall, how would they know when to put them out so they don't cross over into snow pickup? She wanted to know if there was some way they can tighten the schedule and notification for when people put out their leaves so that leaves are not sitting for a month in advance and people start sweeping them out after the truck has passed.

Public Works Director Leon does not know how it would impact snow removal by adding the two weeks into the fall schedule. He also said he has no problem of bringing the two weeks of spring pickup back into the fall and making it a 6-week fall program.

City Administrator Moody said if didn't have to use the dump truck for leaves it would make them less susceptible to snow. They are looking into the ability to be able to blow leaves into the back of a roll-off versus a dump truck and could it be done more cost effectively. Roll-off containers do not cost the city anything, but they do not own a roll-off truck. There are different truck options that they will explore. He added that they once used the vacuum truck, but that was a slow process.

Mayor Marquardt reminded everyone there is still a lot to discuss on the agenda and this topic could consist of an entire meeting and he will also need to leave the meeting early.

City Administrator Moody wants everyone to understand that staff is considering the critical elements associated with the program and the areas that people are dissatisfied with and trying to come up with ways to improve it for the same cost if not less.

Public Works Director Leon did read on NextDoor that the city staff does not like the program and does not support it. He said emphatically that is wrong. He said his job as director is to find out what the city does and how to do it better, which is all he has tried to do since he has come to the city and does the same with every other program he manages. He added that notices go up for the pickup schedule and it is broken up into neighborhoods so citizens know when and what day they will be picking up leaves.

F. R Park Master Plan Presentation (Workshop #4)

No presentation was given.

G. 4th Quarter Safety Stats (Workshop #5)

Police Chief Morris provided fourth quarter safety statistics for October 1, 2016 through December 31, 2016. His department had 221 reports, 82 of which were Uniform Crime Reports. The biggest impact to the city continues to be theft. They would like to educate the public and retailers to do a little better job of securing their items so their crime rate would go down. He is pleased to say the crime rate for 2016 is down and has been for the last three years. The Boulevard Apartments, Walmart and Lowe's still get a lot of attention. He said that all the reports are published by the Kansas Bureau of Investigation and more information can be found at the KBI website.

Chief Morris defined for the Governing Body the difference between violent crimes and property crimes. Homicide, robbery and assaults are considered as violent crimes. Non-violent crimes would be burglary, thefts, and auto thefts.

CMBR Janssen said last year there was a big push to discourage people leaving their cars running to warm them up in the winter. Chief Morris said vehicle thefts are lower, but not where they want them to be.

H. Sale vs. Lease of City Property (Workshop Item #6)

City Administrator Moody spoke with the Sunflower Hotel, the potential developer for the cave site, about a potential lease of the property. They said they would be open for that discussion. This will be reviewed by the ad-hoc committee on January 18.

CMBR McNeil said she has prepared her thoughts on where the city, in her estimation, went wrong in selling off city property. She forwarded that to City Clerk Bohon who said she would disseminate that to the Council.

City Administrator Moody said they will be changing the term sheet to reflect a lease as an option and what the terms would be, length of the lease, and payment. There is also an escalator clause that the lease would increase a percentage each year. This is consistent with the term sheet put together for KC Zip, which was anticipated to be a lease from the start.

Mayor Marquardt clarified that the document would have both options in it for discussion, sale as well as lease.

I. Changes to Type 1 Special Event Terms (Workshop #7)

Ms. Jones-Lacy said the recommended changes are that advertising signs and symbols marking a special event shall be limited to a maximum of 31 days and a maximum frequency of similar events to four non-consecutive times per calendar year. This has not changed from the first iteration. They had recommended changing the location of signs and symbols denoting that they shall be limited to a land area of 500 square feet. The maximum size of a single sign is eight feet in length and four feet above grade. Total sign area of signs and symbols will be that part of this display shall not exceed 100 square feet for single-sided signs. If the sign is double-sided, then it can be 200 square feet.

City Attorney Mauer addressed questions by the Council dealing with whether a cross is actually a sign, and does this qualify as a special event. He did say that the crosses used by St. Agnes Church are considered signs because of the purpose that they are put out there for. They are not there as a religious symbol to designate that St. Agnes is a church. They are there for a special event, their month-long awareness for abortion. They are not there permanently, but for the event. The second point was whether they could make the special event fit for the St. Agnes School or church activity and he felt they could and the changes made would accommodate that. Lastly, there was a question of how to handle the home-based not-for-profits or whoever wanted to have a special event. He provided some ideas for the Council to consider which might to put a limit of square feet by doing a ratio of number of square feet of the property as compared to the amount utilized in the special event or signage for the

special event. That way when someone has a larger piece of property such as the church there is more ability to have their display as compared to somebody's front yard. Council could also limit the number of days in a year and how long they could run consecutively.

Mayor Marquardt believes the ordinance should remain the same and have the church come before the Council for a special event. He said he believes they should modify the main sign ordinance that currently allows three signs and modify to possibly three signs every 300 lineal feet. Currently three signs for the whole property do not seem to make sense considering its size.

(Mayor Marquardt left the meeting.)

CMBR Kellerman asked what classifies as a special event. Mr. Mauer said St. Agnes annually does a pro-life awareness for a month in October where they want to have signage, call extra attention to this issue and do that in part with signs as crosses on their yard. The crosses are intended to call attention to that issue and that is what a sign is. CMBR Kellerman asked further whether it could be considered a display rather a special event.

Ms. Jones-Lacy confirmed for CMBR McNeil that if approved with staff recommendation the church would not need to come before the Council for a permit every year. Ms. Jones-Lacy said staff would like to move forward on this item and the sign ordinance as they have been open for quite a while and would like to get a decision on whether to act or not to act on the revision.

CMBR Thompson noted that after Council discussion they would like to have some sort of ratio for sign square footage in relation to property size included in the revisions, after which time the Council felt they could make their final decision.

City Attorney Mauer asked if they want something more than the 31 days duration, non-consecutive up to four annual events.

The Council discussed consecutive limits on special events.

CMBR Kelly said the issue is becoming more complicated than it needs to. She said she does not know why there is a need to change the ordinance unless there has been a perpetual problem from multiple parties. An annual event can come before Council and everyone is welcome to come and ask for an exception to ordinances.

CMBR Rhoades said this has become a political issue for some people.

The discussion will continue at a later meeting.

I. Solid Waste Bid Process for 2018 Services (Workshop #8)

City Administrator Moody said the current contract runs through 2017. As part of the joint purchasing process with Fairway and Westwood they are working on new RFP based on some things they have learned under their current contract. They would like to continue with Fairway and Westwood. The process did yield a rate reduction and by joining forces it makes them a bigger buyer and able to receive more competitive prices. They do anticipate the price will go up based upon the results of Prairie Village in their most recent bid. Staff is requesting approval from the Council to join the Mid-America Regional Council's joint purchasing alliance as the administrator of this process.

CMBR Rhoades said he would like to participate in a joint venture, but would like for the city administrators to handle the process. He questioned the payment of a \$20,000 fee to MARC for something that could be handled in-house.

City Administrator Moody said he did not think the other two communities would want to enter a joint bid process without using the MARC purchasing cooperative as the administrator.

CMBR McNeil also does not want to use MARC and thinks the cities can work together. She put forward that if Roeland Park says no they're not willing to spend this much money for MARC the other two smaller cities might consider staying together. She did recognize that alone they would not have the bargaining power that three cities would.

CMBR Kellerman agreed they do not need MARC as a middle man. He believes the City of Mission has stopped using MARC as far as the RFP for trash service. CMBR Kellerman said he would also be willing to entertain an open market for trash service. He has heard from residents that they are still receiving poor service as far as trash pickup. He questioned how many complaints the city has received.

City Clerk Bohon said they keep a log of the complaints received, but added that it has gotten better.

City Administrator Moody said he did not support the city going to an open market system. He said he has had the conversations with CMBR Kellerman, but believes there are significantly more drawbacks than advantages.

CMBR Fast provided a brief history of what it took to get the three cities to work together and how difficult it was to put together this agreement and that MARC was necessary as a non-interested party to help negotiate that deal.

City Administrator Moody has spoken with the other city administrators and that they want to continue to use MARC.

CMBR Rhoades said he would like for the City to go back to the other two cities and say they would like to do this by themselves. If they cannot get an agreement, then he would support the move forward with MARC. But he would at least like to see an attempt made and would like to amend his motion to reflect that.

City Attorney Mauer clarified the proposed amendment would be to first ask the partner cities to approach the bid process without the use of MARC services.

MOTION: CMBR RHOADES MOVED AND CMBR POPPA SECONDED TO PARTICIPATE IN A JOINT SOLID WASTE BID PROCESS ADMINSTRATED BY MARC KANSAS CITY, RPC.

CMBR Rhoades amended his motion.

MOTION: CMBR RHOADES MOVED AND CMBR KELLERMAN SECONDED TO AMEND THE MOTION TO ATTEMPT TO PARTICIPATE IN A JOINT SOLID WASTE BID PROCESS ADMINISTERED INDEPENDENTLY BY THE CITIES OF ROELAND PARK, WESTWOOD AND FAIRWAY. IF UNABLE TO COMPLETE THAT PROCESS AGREE TO CONTINUE WITH THE BID PROCESS ADMINISTERED BY MARC. (MOTION FAILS 4-5 WITH CMBR THOMPSON VOTING TWICE AS THE ACTING MAYOR.)

POLL THE COUNCIL

FAST - N McNEIL - Y JANSSEN - Y RHOADES - Y KELLERMAN - Y THOMPSON - N KELLY - N POPPA - N

CMBR Janssen asked for Mr. Moody's thoughts about negotiating with their current solid waste provider and if they find the rate increase is minimal enough they might not need to go out for bid.

City Administrator Moody said the agreement is MARC would still be subject to the administrative fee. He also said currently there is no monetary penalty in the current contract if they do not meet the terms of the agreement.

CMBR Kellerman asked if the Mayor is why Council President gets two votes. Mr. Mauer said this is the first time he has seen this. He added that because the acting chair has a vote and the Mayor breaks ties, the acting chair does

not lose their vote because the Mayor leaves. The acting chair gets her vote as an elected representative and to break tie.

IX. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 941 – Amendment Related to City Code on Signs

MOTION: CMBR RHOADES MOVED AND CMBR JANSSEN SECONDED TO TABLE THE DISCUSSION ORDINANCE 941. (MOTION PASSES 8-0)

CMBR Kellerman spoke regarding page 4 and asked for a better understanding of the Roeland Park Community Foundation balance. Ms. Jones-Lacy said this is an amount that at the end of the year they took the balance of the committee funds and moved them to the Roeland Park Community Foundation. She said they will be voiding that check. It was held and after doing reconciliation on the account balances in the committee funds, there will be some changes.

CMBR Kellerman also questioned the \$60 payment from Salaries of Elected Officials to the Roeland Park Community Foundation. Ms. Jones-Lacy said Mayor Marquardt makes a monthly contribution with each of his mayoral paychecks.

CMBR Kellerman has questions with regard to the Westwood leaf pickup service noting there was a check made out to Westwood for a leaf disposal fee and also a check from Westwood. Public Works Director Leon said the cost to Westwood is that leaves that Roeland Park picks up in Westwood Hills are taken to the Westwood facility. Roeland Park pays for that service to Westwood. The monies received from Westwood are for the leaf pickup service that Roeland Park provides to them.

B. Appropriation Ordinance No. 900 (Consent Agenda Item A)

MOTION: CMBR FAST MOVED AND CMBR POPPA SECONDED TO APPROVE THE APPROPRIATIONS ORDINANCE 900. (MOTION PASSED 8-0)

X. REPORTS OF CITY OFFICIALS

No reports were given.

XI. ADJOURNMENT

MOTION: CMBR KELLERMAN MOVED AND CMBR RHOADES SECONDED TO ADJOURN. (MOTION PASSED 8-0)

(Roeland Park City Council Meeting Adjourned)

/S/
Joel Marquardt, Mayor

/S/
Kelley Bohon, City Clerk