

**MINUTES
CITY OF ROELAND PARK, KANSAS
GOVERNING BODY WORKSHOP MEETING
ROELAND PARK
Roeland Park City Hall - 4600 W 51st Street
December 4, 2017 6:00 P.M.**

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| <ul style="list-style-type: none"> ○ Joel Marquardt, Mayor ○ Becky Fast, Council Member ○ Tim Janssen, Council Member ○ Ryan Kellerman, Council Member | <ul style="list-style-type: none"> ○ Teresa Kelly, Council Member ○ Sheri McNeil, Council Member ○ Michael Poppa, Council Member ○ Michael Rhoades, Council Member ○ Erin Thompson, Council Member | <ul style="list-style-type: none"> ○ Keith Moody, City Administrator ○ Jennifer Jones-Lacy, Asst. Admin. ○ Kelley Bohon, City Clerk ○ John Morris, Police Chief ○ Jose Leon, Public Works Director |
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Admin

Poppa
Fast

Finance

Kelly
Janssen

Safety

Thompson
Rhoades

Public Works

Kellerman
McNeil

CMBR Fast called the meeting to order. All Governing Body members were present.

CMBR Kelly requested Items 2 and 3 relating to solar panels be moved to the front of the agenda as there were residents present for this issue.

I. DISCUSSION ITEMS

1. Review Logo Design

Mayor Marquardt said they had 12 different iterations to choose from. He had been given CMBR Fast’s opinion, but did not have one from CMBR Kellerman.

The discussion started with the lettering. A 5-2 majority of the Governing Body agreed that they liked the block lettering versus script.

CMBR Thompson noted for the record that CMBR Fast’s top choice was Design Number 2, which would have two Councilmembers that prefer a mix of block and script.

CMBR McNeil said Ms. Fast’s second choice was Design Number 8.

Mayor Marquardt said this narrowed the list to Designs 7, 8, 11 and 12.

Mayor Marquardt said there may be slight modification or variations that might be able to carry over to their actual decision at the next Council meeting.

Individual top choices were:

- CMBR Poppa - 8 and 11
- CMBR Kelly - 8 and 11
- CMBR Thompson - 7 and 8
- Mayor Marquardt - 8 and 12
- CMBR Rhoades - 8 and 12
- CMBR Janssen - 8 and 7
- CMBR McNeil - 8 and 11

By majority, Number 8 was selected by everyone. Mayor Marquardt mentioned the suggested variations of placing the “Established 1951 in the middle of the line break in one version and having it flush right with “Park” in another variation.

Final decisions will be made at the next City Council meeting.

CMBR Poppa felt thought there were too many trees which might affects its scalability and clarity in black and white.

2. Discuss Amendment to TIF 1 Redevelopment Plan

City Administrator Moody provided the amendment to the TIF 1 Redevelopment Plan that will affect the use of TIF resources on the Roe development project. They need to amend the plan in order to utilize funds on the Roe Boulevard project for street improvements such as the extension of 51st Street to the west, surface and structured parking, and 49th Terrace street improvements.

Staff is asking Council to move forward with setting a public hearing, which is a requirement to amend the TIF plan. It will be published and staff will notify the property owners within the district so as to give them an opportunity to share their comments.

The Governing Body agreed to let staff find a suitable date for the public hearing.

3. October Financials

Ms. Jones-Lacy reported key revenues are looking good and on track for the year. They have received September and October personal property tax receipts from the county at \$1.9 million for the year. Sales and use taxes are 5.5 percent higher than this time last year. Franchise fees are not performing as well as they did last year and is largely due to lower electric utility fees. Court fines are also down not only due to the change in the fee structure, but also that there were fewer officers on the streets in 2017. Ms. Jones-Lacy added that Chief Morris has filled those positions.

License and permit revenues are up 25 percent from last year and building permits are also up by 32 percent. The City can expect building permit fees to continue to be substantially higher than the previous year.

The City has also received \$15,000 fee from the cell tower lease negotiated by City Administrator Moody.

Also Public Works expenditures are higher than in previous years due to the fact that they have contracted out their street maintenance in 2017, which is an additional \$210,000. Also the pool is closed for the year and they are expecting to have lower pool expenses. Preliminary estimates are in from Johnson County and showing a \$194,000 operating loss for the year.

The City has \$7.7 million invested and to date have realized \$65,000 in interest. They have paid \$13,200 in management fees to Columbia Capital to manage those investments. Also of note is a large amount of cash on hand at US Bank which is in anticipation of bond payments to be made in the month of December.

Also according to CERI through August of 2017, they are showing a 3.2 percent year-to-date sales increase in Roeland Park which is higher than shown for Johnson County.

4. Provide Direction to Commerce and Embree Concerning Public Art Display

City Administrator Moody attached a copy of the resolution relating to the one percent for art contribution at the Commerce Bank and Embree site. Originally the Council had recommended waiting on a decision until the work on the Roe 2020 visioning process was complete. Also included in the packet were concepts from Vireo although they have not been finalized.

Brent Hall from Commerce Bank said they are now interested in knowing what the City's next steps are as they are ready to consider the type of art for their property.

CMBR Poppa's thoughts would be to wait on providing direction until they have a formal design completed by George Butler Associates, especially since they are also looking at the Johnson Drive and Roe corner as being a part of the gateway aspect.

CMBR Rhoades asked where it states the responsibility for the art, who decides what art and its maintenance.

City Administrator Moody responded that the resolution is clear that art is anticipated to be privately owned, shall be on private property, but be viewable to the public at all times. The development agreement did not reflect a direction on what the art should consist of, but again, the Council had decided to wait for the visioning process to determine what the design elements would be for the gateway corners at Roe.

CMBR Poppa asked Mr. Hall if he had any objection to waiting until they have their final design by GBA and after they find out what happens on the northeast corner.

(Mr. Hall's, Mayor Marquardt's and CMBR Thompson's comments were inaudible due to static)

CMBR Kelly recommended an ad hoc committee be created to help make the decision on the art. She wondered why the Arts Committee was not present at the meeting for this conversation. CMBR Kelly said that they get a group of people from different walks in the community as well as experts in outdoor art, including people outside the city, to help make the decision for art on those corners.

CMBR Rhoades said it is important that everyone understands and who is responsible for what and who has the overriding veto power.

CMBR Kelly said the art will be owned by the property owner and hopes that everyone will be able to agree with what is appropriate. She recommended moving further discussion to after January 8 and let the new Governing Body decide who gets to be on that committee.

Mayor Marquardt said hopefully they can agree on how to move forward.

5. Update on Development at NE Johnson Dr. and Roe Blvd.

City Administrator Moody included the three site plans iterations that have been looked at for the northeast corner. The Governing Body expressed a desire for a one three-story building but Colliers has now expressed their desire for two single-story buildings.

Staff is asking for direction from the Governing Body if they wish to pursue a letter of intent with Colliers for the one-story buildings.

CMBR Thompson said she was not interested and the three-story multi-use building is why they were excited about Colliers and the idea they presented.

CMBR Kelly also likes the multi-level mixed use site and believes that would better suit the gateway.

Mayor Marquardt said they at least need some kind of building volume at the gateway.
CMBR Rhoades also expressed his support for the multi-level project.

CMBR McNeil was not in support of the single-story buildings and is disappointed with the entire direction the project is going.

City Administrator Moody said the City has the ability to adjust the price of the ground so as to give the developer the resources to invest in the expected expense of \$200,000 to \$300,000 utility relocation. By backing out that expense the land would still be worth \$8 a square foot, but that cannot be the determining factor of whether a three-story building would be profitable.

The majority of the Governing Body like the multi-story concept and decided not to move forward with the letter of intent, but to move forward with their vision.

CMBR McNeil is not in support of two one-story buildings.

Mayor Marquardt said consensus not to move forward with letter of intent and move forward with their vision.

6. Review and Provide Direction on Wayfinding Sign Program

CMBR Fast sent in information that she would like to see historical signage included in this discussion. Mayor Marquardt said that wayfinding is not intended for historic locations. He did believe the City had difficulty tying into their historic locations and identifying them would be great, but would like to see that as an objective for 2019.

Public Works Director Leon stated he has done some work on wayfinding and reached out to several different companies. Midtown Signs provided the most workable examples and he presented some of their initial concepts.

Mr. Leon asked for and received consensus from the Governing Body to continue working with midtown Signs and will incorporate the logo and color schemes into the wayfinding once that system is approved.

CMBR Kelly recommended Mr. Leon check in with the Sustainability and the Bike-Walk committees.

7. Clarify Remote Meeting Participation Policy

Public Comment

Thomas L. Madigan (5316 W. 49th Terr.) Mr. Madigan stated he agrees with the majority of the changes, but calling into a meeting is old school. He felt the City can meet the challenge to better accommodate both the elected and appointed officials to participate in future meetings.

Mayor Marquardt stated when they came to the Governing Body four years ago they made their policy for remote meeting and felt they could give direction to the incoming council, but they should let them make their own rules.

CMBR Poppa stated that they do not stop governing because a new council is coming in and did not feel they have to wait to take action.

CMBR Kelly said generally speaking, the spirit of limiting the number of times permitted for a member to call in was to curb absences and discourage not showing up for meetings.

CMBR Rhoades stated he did not believe they should be able to call in for executive session. Mayor Marquardt also took that position.

CMBR Kelly said she felt they should not pass messages of your opinion to other Councilmembers and that they should either be present or call in if they want their opinion known. She said as an elected councilor you were voted to represent your constituency and it is your responsibility to show up. She asked if they are not part of the quorum present, is it legal to have a vote?

City Administrator Moody spoke with City Attorney Mauer who said it was legal to vote at regular meetings and special meetings, but they are not counted as part of the quorum if appearing remotely. Mr. Mauer also stated he

does not support counting someone as part of the quorum as it becomes problematic for identifying when you actually do have a quorum. He felt strongly about not allowing folks to vote during executive session because of the confidentiality provision as it is difficult to ensure when you cannot tell who else is in the room with the other person on the other end of the phone.

City Administrator Moody said this would be a new article and they could change the language to be more inclusive to cover both Workshop and Council meetings and change the verbiage so that it follows through all the meetings, and also to address executive sessions.

CMBR Kelly would like to include something about the ad hoc committees. She said if someone is going to take up space on the committee, then it is their responsibility to show up and be part of the ad hoc committee. If they are not, then they need to step aside and let the Mayor appoint someone else to be on the committee.

8. Discuss Committee Appointment Process

Public Comment

Tom Madigan (5316 W. 49th Terr.) Mr. Madigan, as Chairperson of the Board of Zoning Appeals, believes their experience should be incorporated into the nomination process for the BZA. Currently the ordinance reads that the mayor appoints and that historically is was an appointment by council and he believes they should go back to that.

CMBR Kelly said she would support leaving it as a mayoral appointment with council input.

Mayor Marquardt said many times they are in a position where no one has applied for the appointment and they are stuck in a situation if they do not pick the right one. He suggested looking at qualifications and tenure to help make a wise choice, but also realized that there is no way to avoid being political on some things, which is why they have to make a balanced choice with the information they have and have the mayor to make the final decision.

CMBR Rhoades suggested while looking at the mayoral appointment process they might be able to change a few words in the hiring process of a city administrator, in that through the interview process the city administrator should be hired by a majority vote of the council. He also expressed concern about the BZA appointment process and the way the wards are divided. He recommended that if they cannot find a member from one ward, one would be brought on for a one-year term. Any member from the Governing Body can nominate someone to be on any of those committees. And if there are more than two for one spot, the Mayor will choose the two, then a vote of the Governing Body would decide who holds the position.

CMBR Rhoades said he didn't understand why the Planning Commission would allow someone on it who resides outside the City boundaries.

CMBR Kelly said for their expertise.

CMBR Poppa said he was in favor of keeping things the way they are written and not changing anything as the essential checks and balances are already written into it. A mayoral appointment does not preclude a councilmember from nominating someone to the mayor, or the Council approving or not approving the appointment.

Mayor Marquardt would like to leave it the way it is.

CMBR McNeil doesn't think a non-resident should be on a committee.

City Administrator Moody said they have a difficult time finding people to participate on committees. If people reside outside the City and are an active participant in the city, then that is a good thing.

CMBR Rhoades asked to discuss the hiring process so there is never an issue with the City Administrator. He would like to see what he sees as a broken code state through an interview process and decided on by the Governing Body, who would interview for that position. The City Administrator should be hired by a majority vote of the Council which includes the vote of the mayor.

It was decided to continue the discussion at the next Workshop.

9. Agreement with Johnson County Department of Technology and Innovation

Ms. Jones-Lacy said this particular agreement will have a total charge for 2018 of \$22,231. This is a 12.6 percent increase from 2016 to 2017. DTI will start increasing their rates through 2020 in an effort to gain full cost recovery of the services that they provide to member cities.

There was consensus to move this item forward to the Consent Agenda for approval.

10. 2018 Joint Johnson County and Cities Legislative Platform

City Attorney Moody presented the legislative platform for the consideration of the Governing Body. He noted that they have incorporated a little history at the end of each section.

There was consensus to move this item forward to the Consent Agenda for approval.

11. Discuss Changing Committee Liaison Appointment Date from May to January

There was consensus to move this item forward to New Business for discussion.

II. NON-ACTION ITEMS:

Update on Leaf Pickup

Mr. Moody said the leaf machine was damaged again in Westwood Hills when a large rock went into the head and broke the combine component of the head. The City has spare parts from the three heads they now own. Key Equipment was very responsive and came and swapped out the pieces of equipment and it was operational again today by 11:30. Public Works Director Leon sent out an update on the leaf pickup progress. The schedule has the City moved back a week for the last pickup. They will continue to work through this week on the second pickup. Everyone will get their three pickups that were initially planned for, but the last one and the second one are occurring about a week behind schedule. Mr. Leon has kept the map up to date and is sending out information on social media, including NextDoor.

Upcoming Events

City Clerk Bohon reminded everyone of the Tree Lighting tomorrow night at 6:00 p.m. at Sweany Park. She has baked cookies and made cocoa. The Christmas Party is Friday night 6:00 p.m. at the Community Center. Ms. Bohon asked if anyone would love to come decorate around 12-1 p.m. CMBR McNeil said she would come and help with the greenery.

Upcoming JCPRD meeting

Mr. Moody also reminded everyone of the JCPRD Recreation Committee meeting that all of the Governing Body is invited to attend. City Administrator Moody sent out an e-mail invitation for all to attend. He asked for a spokesperson to address the committee and believed it is appropriate for that to be an elected official.

CMBR Kelly said she will be the spokesperson for the Governing Body and will represent the general consensus to ask the JCPRD board where they stand in hopes of having a reasonable conversation to that end so that the Governing Body can make a decision. She would also let them know that any assistance would make it more feasible to help in their decision-making process.

III. ADJOURN

Mayor Marquardt adjourned the meeting.

(Roeland Park Governing Body Workshop Adjourned at 8:07 p.m.)