

**ROELAND PARK CITY COUNCIL MINUTES**  
**Roeland Park City Hall**  
**4600 W 51st Street, Roeland Park, KS 66205**  
**Monday, May 16, 2016 7:00 P.M.**

- |                                  |                                   |                                     |
|----------------------------------|-----------------------------------|-------------------------------------|
| ○ Joel Marquardt, Mayor          | ○ Teresa Kelly, Council Member    | ○ Keith Moody, City Administrator   |
| ○ Becky Fast, Council Member     | ○ Sheri McNeil, Council Member    | ○ Jennifer Jones-Lacy, Asst. Admin. |
| ○ Tim Janssen, Council Member    | ○ Michael Poppa, Council Member   | ○ Kelley Bohon, City Clerk          |
| ○ Ryan Kellerman, Council Member | ○ Michael Rhoades, Council Member | ○ John Morris, Police Chief         |
|                                  | ○ Erin Thompson, Council Member   | ○ Jose Leon, Public Works Director  |

**Admin**

Janssen  
Poppa

**Finance**

Rhoades  
Kelly

**Safety**

McNeil  
Thompson

**Public Works**

Fast  
Kellerman

**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; all members were present.

**MODIFICATION OF AGENDA**

It was agreed to move the Mayor's Report and Proclamations after the Consent Agenda. Unfinished Governing Body Workshop Items 3 through 9 were moved to New Business.

**I. CITIZENS COMMENTS**

It was agreed to take citizen comments before the item to be discussed.

**II. CONSENT AGENDA**

- A. Appropriation Ordinance 892**
- B. March 21, 2016 City Council Minutes**
- C. Committee Reappointment**
- D. Ordinance for Citywide Block Party**

**MOTION:** CMBR MCNEIL MOVED AND CMBR POPPA SECONDED TO APPROVE THE CONSENT AGENDA. (MOTION PASSED 8-0).

**III. BUSINESS FROM THE FLOOR**

**A. Applications/Presentations**

**1. Special Permit Chickens – 3607 W. 47<sup>th</sup> Place**

City Clerk Bohon said a completed application for a chicken permit has been filed with the City and Mr. Flickinger, building inspector, has signed off on the coops.

**MOTION:** CMBR MCNEIL MOVED AND CMBR POPPA SECONDED TO APPROVE THE PERMIT FOR THE AGNE FAMILY. (MOTION PASSES 8-0)

**2. SMA Run, August 27, 2016**

Crystal Wilson, President of the Cure SMA Kansas City Chapter, presented to the Council asking for approval to hold the 16<sup>th</sup> Annual Cure SMA Race and Roll. To date, they have raised over \$700,000 in the 15 years since

holding the race. She said they have received approval from Bishop Miege High School to hold the event there. The race route will be the same as the past five years and residents affected by the route will be notified. The scheduled race date is Saturday, August 27, 2016.

**MOTION:** CMBR KELLERMAN MOVED AND CMBR KELLY SECONDED TO APPROVE THE SMA RUN ON AUGUST 27, 2016. (MOTION PASSES 8-0)

### **3. Sustainability Update – Michael Kelly**

Michael Kelly, Sustainability Committee, updated the Council on the progress of a number of goals established by the committee. Mr. Kelly said the committee is participating in community events in concert with other City committees as well as the Citizens Fundraising Committee, all of which help the City work towards its recognition under the Mid-America Regional Council's Community for All Ages program. The program created by the Kansas City Community for All Ages and the First Suburbs Coalition seeks to recognize communities that are taking steps to be more welcoming to its residents of all ages and abilities, and in the process become more vibrant, healthy and prosperous communities.

On May 3<sup>rd</sup>, the application for the bronze recognition level was approved by MARC, and awarded June 17<sup>th</sup> at the First Suburbs Coalition meeting at the Roeland Park Community Center. Sustainability will continue to work with MARC towards the next level of silver. At that level of recognition a group of members will go through the Community for All Ages checklist to identify the opportunities and recognize the progress the community has made in different areas such as quality healthcare, walkable streets, green spaces and other issues that are important to residents of all ages in Roeland Park.

The Sustainability Committee also planned and implemented the Generation Exchange Project. The goal was to foster a discussion about the important traditions of Roeland Park that residents would like to preserve for future generations. Mr. Kelly added that the feedback from residents was positive and they were impressed at the knowledge of the student interviewers. The interviews will be reviewed and a report will be made to the City Council as part of the silver level of the Community for All Ages program. Generation Exchange 2.0 will include students from St. Agnes Elementary in the fall of 2016.

Mr. Kelly said the Sustainability Committee is continuing to look at ways to be more involved with community events such as Arbor Day, the block party and the October event where they hope to partner with the Better Blocks Project.

Mr. Kelly concluded saying he will keep the Council informed of the Sustainability Committee's progress.

### **4. Parks Update – Jennifer Provyn**

CMBR Thompson provided the Parks update stating that during the last Parks meeting the opinion was they wanted to see the tennis courts in the 2017 CIP, an item addressed at the Governing Body Workshop. They have an opportunity to complete a charrette at no cost to the City with the architects at BNIM, Community for All Ages and AARP. This would enable the City to get some outside feedback for R Park.

### **5. Bike Walk Ad Hoc Committee Update – Kyle Rogler**

Kyle Rogler said the committee was established July 2015 to focus on issues of pedestrian bike-walk safety and improvements that could be implemented and planned for by the City on future projects. Currently the committee is working on the Walk Friendly Communities application. Public Works is gathering traffic count data. The application will be submitted on behalf of the City and the anticipation is a bronze recognition for Walk Friendly Communities certification. This then provides a framework for when the City wants to look at pedestrian or bike infrastructure improvements and will act as a guide to help achieve the silver goal level. He also noted that Roeland Park is the first city in Kansas to have a walk friendly community reach this level.

The committee has also worked with Public Works and SKW on making the recent grant proposal for Roe Boulevard. Their part was the visioning process from the bike advocacy side of things to help determine the scope of the grant for the Roe Blvd 2020 project to appropriate funds for the improvements the City wishes to see.

CMBR Thompson and CMBR Kelly will also put forward the proclamation of May is Bike Month.

Mr. Rogler will report back to Council at the July meeting, after which time the committee will dissolve. CMBR Kelly thanked Joe Blankenship who was chair of the committee and said she has enjoyed working with his body of knowledge and with other members of the Council.

#### **6. Commerce Bank Update**

Brent Hall provided his monthly update to the Council. Aaron March with White Goss will assist in the process of replatting the property and amending the development agreement. Commerce Bank has finalized a contract with a user for the excess property and has met with City staff to provide the details. It will be a micro-hospital and urgent care facility. The plan is to build a 16,000 square foot building on 1.75 acres. Commerce Bank will occupy the remaining 1.25 acres.

Mr. Aaron March said he was looking forward to working with staff and the Governing Body on the process. He said that it is not possible to get the zoning by September, and would need to ask for support for an amendment of the development agreement.

CMBR Kelly reminded Mr. Hall of the percentage of art that needs to be at the site.

#### **IV. MAYOR'S REPORT**

##### **A. Miego Proclamations**

CMBR Janssen read the Bishop Miego Girls Basketball Championship Week Proclamation into the record.

**MOTION:** CMBR JANSSEN MOVED AND CMBR MCNEIL SECONDED TO APPROVE THE BISHOP MIEGE GIRLS BASKETBALL CHAMPIONSHIP WEEK PROCLAMATION. (MOTION PASSED 8-0).

CMBR Rhoades read the Bishop Miego Boys Basketball Champions Week Proclamation into the record.

**MOTION:** CMBR RHOADES MOVED AND CMBR KELLY SECONDED TO APPROVE THE BISHOP MIEGE BOYS BASKET BALL CHAMPIONS WEEK PROCLAMATION. (MOTION PASSED 8-0).

(The proclamations were followed by a round of applause and photographs with the Mayor.)

CMBR Kellerman also congratulated the Bishop Miego Boys Tennis Doubles Team that took the Kansas State Championship.

#### **V. WORKSHOP REPORTS**

##### **A. Workshop Summary**

CMBR Fast said that the Governing Body has been discussing the branding agreement with Benedictine College and the citizen survey that will go along with the branding initiative.

Ordinance 932, special permit for chickens. The Governing Body has decided it will no longer have a special permit for chickens, which will eliminate the need to present their application in front of the Council.

Discussions are ongoing as to formalizing the Workshop procedures.

The Governing Body has been discussing the 2017 budget, the CIP and the upcoming community forum.

#### **B. Ad Hoc Development Summary**

CMBR Thompson provided an update as to the northeast corner of Johnson & Roe. She said that CBC is working on the plan for the development concepts and is still working with KDOT to convey the land. Also discussed was the relocation of Public Works. She said the Roe Body Shop is for sale and is being considered as a possible site. New business discussed at the meeting was a possible partnering with the Northeast Johnson County Chamber to bring back community business breakfasts.

### **VI. REPORTS OF CITY LIAISONS**

#### **A. Stormwater Management Advisory Council**

##### ***PUBLIC COMMENT:***

Tom Madigan (5316 W. 49<sup>th</sup> Terr.) Mr. Madigan spoke to the stormwater project on 49<sup>th</sup> street that did not include the cul-de-sac at 49<sup>th</sup> Street and Birch as they were told it was not in the flood plain and the \$360 paid annually by residents to fund the project.

CMBR Kellerman reported that the Stormwater Management Advisory Committee met on April 25<sup>th</sup>. They discussed the election of 2016 committee offices.

He added that the EPA-integrated framework was laid out to combine permits to meet the Clean Water Act. A combined stormwater and wastewater permit will be more multi-purpose and comprehensive. Phases were proposed, including a feasibility study of up to \$120,000 to kick off at the end of the year for 2017 for the Blue River and surrounding areas, to be paid by SMAC.

Also discussed was new technology for detention ponds consisting of four basins in the Mill Creek Watershed in Lenexa. This will maximize the quality of the water basin and adjust the level of the basins through digital software.

The Mission Hills Brush Creek Stream Stabilization Study was also passed.

At that meeting Public Works Director Leon made the motion to spend \$12,500 to study the erosion and settlement at the end of Brush Creek along State Line Bridge. SMAC will fund 90 percent of the study, but cannot fund the actual improvements. The ultimate goal is to preserve the bridge. There is also an option to get CARS funding for the improvements.

They also passed the Prairie Village project at 95<sup>th</sup> Street and Roe. Public Works Director Leon made the motion for this \$3.8 million project as well which will be for downstream improvements and will take 10 homes out of the 100-year floodplain in Overland Park. This will be a joint project with Overland Park.

The overall 2017 budget is \$17,460,000 and strategic planning recommendations were also discussed.

Public Works Director Leon added that the strategic plan development has been worked on by the SMAC committee for the past year and they have identified six strategies to reorganize the way SMAC distributes money.

- Watershed based organization. The goal is to be more integrated, not just improving one's own city, but that communities will work together.
- Flood Damage reduction.
- Water Quality focus.

- System Management. This will allow municipalities to submit projects that will cover the deteriorated infrastructure and does not have to be flood related.
- Funding Approach and Criteria.
- Alternative Funding.

**B. Shawnee Indian Mission**

Mayor Marquardt said there is a brown bag luncheon on the third Wednesday of the month with a special speaker. The luncheon is held at noon and attendees enter at the north building via the west entrance.

**VII. UNFINISHED BUSINESS**

*There was no unfinished business to discuss.*

**VIII. NEW BUSINESS**

**A. BRANDING - BENEDICTINE**

Clay Johnston, Assistant Professor and Program Chair of Marketing at Benedictine College addressed the Council. He said he has been working closely with the Branding Committee on the project. He said the students are very excited about the opportunity to get out of the classroom and into the real world to put teaching into practice. They have a solid game plan of marketing research and are gaining insights of the community and will be working toward the final design and launch of what he hopes to be a strong new brand that will help accomplish the City’s goals for the future.

City Administrator Moody said they have incorporated the requested changes into the agreement and they have been reviewed by both Benedictine College as well as the City Attorney.

Mayor Marquardt recommended changing language from “Council adopts plan” to say, “Council considers adopting plan.”

CMBR Fast inquired when the interns will begin working with the City and how the process will work. Mr. Johnston said they begin in June and will begin collecting information on all of the City assets that need to be updated with the new brand. They will also be identifying key stakeholders in town.

Mayor Marquardt thanked Mr. Johnston for coming and said they were looking forward to working with him.

CMBR Kelly said she would like to have a later discussion on how to choose the representatives for the interviews. City Administrator Moody said that is incorporated into the agreement. He will be asking at the next Workshop for the Governing Body to provide a listing of folks they would like to be involved and get direction on who is to be added to the committee so that action can be taken at the June meeting as they would like to have the Branding Committee in effect in June.

**MOTION:** CMBR POPPA MOVED AND SECONDED BY CMBR RHOADES TO APPROVE THE AGREEMENT WITH BENEDICTINE COLLEGE. (MOTION PASSES 8-0)

**B. 2016 STREET MAINTENANCE PROGRAM (Workshop Item #2)**  
**MOTION:** CMBR KELLY MOVED AND CMBR THOMPSON SECONDED TO APPROVE THE 2016 STREET MAINTENANCE CONTRACT AGREEMENT WITH HARBOR CONSTRUCTION, INC. AT A COST NOT TO EXCEED \$233,166.33, CONTINGENT UPON CITY ATTORNEY APPROVAL AND CONTRACT AND INSURANCE REQUIREMENTS. (MOTION PASSED 8-0)

**C. ENGINEERING AGREEMENT 2016 STORMWATER PROJECT (Workshop Item #3)**

CMBR Fast said the stormwater problems into Nall Park have been an issue for years resulting in a deteriorated trail and fence.

Public Works Director Leon said in the cul-de-sac at 4800 Birch there is a deteriorated corrugated metal pipe that dumps halfway down the hill and has deteriorated the hill. Consequently, two large trees have fallen over in the last three to five years across the trail. The engineering agreement is a plan to resolve this issue. The plan is to collect the water in the same inlet with a new pipe that will go all the way down the hill and take it underneath the asphalt path. There will still be water flowing over the path due to topography, but this project will lessen the problem.

CMBR Kellerman asked if there was a difference in scope of work done by Larkin versus the City's own engineer. Public Works Director Leon said it was strictly a cost difference. The projected cost for this project is between \$45,000 and \$50,000. Ms. Jones-Lacy said this will be paid for out of the Special Infrastructure Fund 27D that is funded through sales tax.

City Attorney Shortlidge said the contract in the Council packet is the wrong contract, but Larkin has signed Roeland Park's agreement for professional services.

CMBR McNeil questioned the City's reduced sales tax receipts and whether it would affect the project. Ms. Jones-Lacy said this project has been budgeted and is covered out of this year's budget.

CMBR Kellerman inquired about the City going out to bid for at least three bids and why was Larkin chosen over another firm. Public Works Director Leon said that they were the City's previous engineer and is familiar with their work. They reached out to the City for any work available. Mr. Leon took their bid submission along with two other firms and theirs came in at the best price.

**MOTION:** CMBR FAST MOVED AND CMBR KELLY SECONDED TO APPROVE THE ENGINEERING AGREEMENT FOR 2016 STORMWATER MAINTENANCE PROJECT WITH LARKIN LAMP RYNEARSON & ASSOCIATES AT A COST NOT TO EXCEED \$15,000. (MOTION PASSED 8-0)

**D. 1<sup>ST</sup> QUARTER FINANCIALS (Workshop Item #4)**

***PUBLIC COMMENT:***

Thomas Madigan (5316 W. 49<sup>th</sup> Terr.) Mr. Madigan spoke to the funding of the City's leaf pick-up program.

Ms. Jones-Lacy provided an overview of all of the funds. She said that ad valorem taxes are one of the primary revenue sources for the City. Property taxes through the 1<sup>st</sup> quarter of 2016 are at about a 5.8 percent increase for the year. Most of those taxes are received in January and June of the year, so they have received more than half of the revenue for the year. Sales and use tax, while 7.5 percent below original budget projections, are better than last year. Franchise fees continue to be a concern due to the price of gas which is down significantly and the last mild winter has resulted in the fees associated with those utilities being down. Telephone franchise fees are down, which is anticipated as people move away from landlines. Electric utility franchise fees continue to be strong and is the largest source of the franchise fees. Court fines are down about 5.5 percent for the year attributing to the fact that there were a lot officers out sick or in training in January. Moving forward, the judge will be adjusting fees and those fees will be brought down. There were 34 percent fewer tickets in 2016 as compared to 2015. She noted that having the officers out in the field makes a big difference. Overall, revenues in the General Fund, are up 2.2 percent.

Expenditures in the General Fund were four percent below actual expenditures for this time last year. This includes the annual cost for animal control, but does not include workmen's comp payments. Any interest accrued in investments is being reinvested through Columbia Capital. \$11,000 has been reinvested this year.

#### **E. DISCUSSION OF CHANGE IN ELECTION DATES (Workshop Item #5)**

There was Council discussion of when new Governing Body offices would be taken. City Attorney Shortlidge said the expressed language is based on the League of Kansas Municipalities model ordinance.

**MOTION:** CMBR FAST MOVED AND CMBR THOMPSON SECONDED TO APPROVE CHARTER ORDINANCE 32 REGARDING SPECIAL ELECTIONS.

CMBR Fast recommended to amend Section 3 that a term will expire on the third Monday instead of the second Monday.

City Administrator Moody said staff was not anticipating an action by Council this evening and was designated as a Workshop discussion.

City Attorney Shortlidge said the proposed ordinance language has been sent to the election commissioner for review to make sure they're comfortable with the special election provisions before the Council makes their final decision. To date, he has not heard back from them.

There was further discussion of how to vacancy positions and the timing of special elections with the state changes regarding odd and even year election cycles.

City Attorney Shortlidge will pose the question to the state election commissioner whether the City can add on to an even year election-year ballot for filling a vacancy to avoid a special election.

CMBR Poppa inquired about changing the noticing of special elections to publication versus mailing to residents.

CMBR Kelly said she felt a better record needed to be made with special elections since they hear from residents that many do not use or have access to computers or read publications. She said everyone gets mail and a postcard is all that is necessary to notify residents. Mayor Marquardt said he agreed with this.

CMBR Fast said the language for committee appointments in January should be changed to February.

**MOTION:** CMBR FAST MOVED TO WITHDRAW THE MOTION.

There was consensus among the Governing Body to review further at a Workshop before final approval at a City Council meeting.

#### **F. REVIEW OF AGREEMENT WITH CBC FOR OLD POOL SITE MARKETING (Workshop Item #6)**

City Administrator Moody said this item is not ready for discussion and will be presented at a Workshop when it is ready to be discussed.

#### **G. ROTATION CHANGE FOR COMMITTEES AND COUNCIL PRESIDENT. (Workshop Item #7)**

CMBR Janssen and CMBR Poppa posed the four following discussion questions:

**Q1. Is there consensus of the Governing Body to discontinue rotations as of May 16, 2016?**

After a brief discussion it was agreed that two representatives would be on each standing committee.

**Q2. Is there consensus of the Governing Body to eliminate chair/co-chair designations?**

In order to eliminate the appearance of an implied hierarchy, it was decided the designation would be co-chair for both committee representatives.

**Q3. Is there consensus of the Governing Body to change the rotation of CMBRS into service areas from the current eight-year rotation to the modified four-year rotation?**

There was no final decision made to this question.

**Q4. Is there consensus of the Governing Body to adopt option A, option B or option C?**  
**a. Councilmembers and President will hold current positions until February 2017**  
**b. Councilmembers rotate to regularly scheduled positions in February 2017**  
**c. Councilmembers rotate to regularly scheduled positions in May 2017**

CMBRS Fast and Poppa supported Option A

CMBR Thompson supported Option A, but hasn't made up her mind on the rotation schedule.

CMBRS McNeil, Kellerman and Kelly supported Option B

CMBR Janssen supported Option B, but could also support Option C.

CMBR Rhoades also supported Option B, but could go with the other two choices.

**H. POLICY ON APPOINTMENT OF GOVERNING BODY TO AD-HOC AND TASK COMMITTEES (Workshop Item #8)**

CMBR Rhoades stressed if someone wants to be on an ad hoc committee they should be able to.

There was consensus to have four Councilmembers on an ad hoc committee. If more than four expressed a desire, then it becomes a Council issue.

There was an agreement to discuss this matter at a future Workshop.

**I. ORDINANCE FORMALIZING WORKSHOP PROCEDURES. (Workshop Item #9)**

This item will be moved back to Workshop for discussion.

**J. 2016 CITIZEN SURVEY**

**MOTION:** CMBR POPPA MOVED AND CMBR KELLY SECONDED TO APPROVE THE AGREEMENT FOR THE CITIZEN SURVEY IN CONCERT WITH APPROVAL OF THE BRANDING AGREEMENT WITH BENEDICTINE COLLEGE AS PRESENTED. (MOTION PASSED 8-0)

**K. ORDINANCE 932, CHANGE OF SPECIAL PERMIT FOR CHICKENS**

City Administrator Moody provided background information stating that this is the result of a discussion that came out of the Workshop to streamline permitting procedure.



**MOTION:** CMBR MCNEIL MOVED AND CMBR THOMPSON SECONDED TO ADOPT ORDINANCE 932, TO REMOVE THE KEEPING OF CHICKENS FROM BEING A SPECIAL PERMIT TO SIMPLY BEING ALLOWED. (MOTION PASSED 8-0).

**L. COUNCIL PRESIDENT SELECTIONS**

Mayor Marquardt called for the new Council President nominations.

CMBR McNeil nominated Tim Janssen. CMBRS Janssen, McNeil, Kellerman and Rhoades for Janssen  
CMBR Poppa nominated Erin Thompson.

CMBRS McNeil, Kellerman, Rhoades and Janssen voted in support of CMBR Janssen  
CMBRS Fast, Kelly, Poppa and Thompson voted in support of CMBR Thompson

Mayor Marquardt cast the deciding vote in support of CMBR Thompson.

CMBR Janssen congratulated CMBR Thompson.

**IX. ORDINANCES AND RESOLUTIONS**

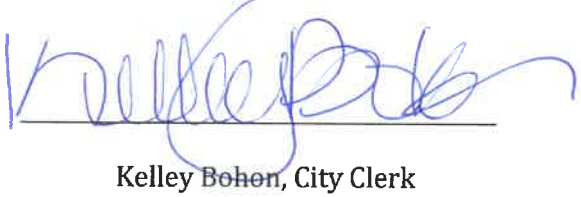
**X. REPORTS OF CITY OFFICIALS:**

**XI. ADJOURNMENT**

**MOTION:** CMBR FAST MOVED AND CMBR KELLY SECONDED TO ADJOURN. (MOTION PASSED 8-0)



Joel Marquardt, Mayor



Kelley Bohon, City Clerk