

**MINUTES**  
**CITY OF ROELAND PARK, KANSAS**  
**CITY COUNCIL MEETING**  
**ROELAND PARK**  
**Roeland Park City Hall - 4600 W 51st Street**  
**July 18, 2016 7:00 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 and noted that CMBR Janssen was absent. CMBR Thompson arrived after the start of the meeting.

**MODIFICATION OF AGENDA**

The following items were added to the Consent Agenda:

- D. SKW Task 34, Roe Boulevard Traffic Study
- E. 2016 Stormwater Maintenance Project Schedule

The following items from the preceding Governing Body Workshop were added to the City Council agenda under New Business:

- 7. Ordinance Formalizing Workshop Procedures
- 8. Ordinance Modification Suggestion for Mayor's Powers
- 9. Council President Election Process Proposed Changes
- 10. Renewal of Condo Lease to Scenic Roads
- 12. Discussion on Use of Executive Session

Also the Commerce Bank Development Agreement Amendment will be added to the Applications/Presentations, Item 4, Commerce Bank Update.

**2017 BUDGET PUBLIC HEARING**

Mayor Marquardt opened the public hearing and asked for public comment with regard to the 2017 budget. Seeing none, the public hearing was closed.

**I. CITIZEN COMMENTS:**

**1. Loretta Carson (5532 Roe)**

Ms. Carson spoke on behalf of the Citizens Fundraising Initiative for R Park and said that the people were seeing their improvements. She also thanked the Mayor, City Council, Public Works and staff for their assistance, cooperation and fiscal support in bringing in more than \$100,000 worth of much needed improvements during the last two years. She presented the Council a thank you poster and asked that it be put on display as a way of sharing their thanks to the City with the general public. She said the Initiative looks forward to continuing their work with the City in improving R Park for the benefit of the entire City.

**2. Ardie Davis (5206 W. 58<sup>th</sup> Street)**

Mr. Davis thanked the elected leaders and staff for their leadership toward making R Park a new destination for residents of all ages. He said people walk, jog, play, walk their dogs, visit, picnic and relax on the new benches and use the new drinking fountain. He also thanked the exemplary Police Department for the peace of mind they provide so the people know they are in a safe place. He strongly supports the initiative in restoring the tennis courts in the park which will be enhanced with pickleball.

Mayor Marquardt also expressed his thanks to Public Works Director Leon and his department for working with the citizens to optimize what they can all do together. He also thanked Police Chief Morris, the Parks Committee, and the Council.

**II. CONSENT AGENDA:**

- A. Appropriation Ordinance #894**
- B. Leaf Pickup Contracts Westwood and Westwood Hills**
- C. BZA Committee Appointment**
- D. SKW Task Order 34, Roe Boulevard Traffic Study**
- E. 2016 Stormwater Project Maintenance Schedule**

**MOTION:** CMBR MCNEIL MOVED AND CMBR FAST SECONDED TO APPROVE THE CONSENT AGENDA. (MOTION PASSES 7-0)

**III. BUSINESS FROM THE FLOOR**

**A. APPLICATIONS/PRESENTATIONS**

**1. KCATA PRESENTATION – Pam Curtis and Jameson Auten**

Pam Curtis was on hand to share information about a new micro-transit service that's now serving the Roeland Park area called Bridj. She introduced Jameson Auten with the Kansas City Area Transportation Authority (KCATA), who gave a description of the new program.

Mr. Auten from KCATA introduced himself to the Governing Body. He said KCATA is moving beyond transit in 40-foot buses. Bridj is their first foray into a type of service called micro-transit, a new service delivery model that is popping up across the country. Kansas City was the first city and the first authority to enter into a partnership with a company of this nature. It is an at-base service designed to operate pop-up express service. First you download an app to your device, put in your starting point (origin), destination, and it will let you know if you're in the service area and then will book trip. It has been priced to match regular bus fare. The cost per trip is \$1.50 per trip. When the app is first downloaded, it gives ten free rides. The service has been in operation since May 7 and is designed to be a computer that runs in the morning and runs in the evening, from 6:30-9:30 in the morning and 3:30 to 6:30 in the evening. There is no midday serviced and is geared towards work-based commutes.

CMBR Fast said she thanked KCATA for working with the City to add the bus stops on Roe, which is now on a major line to KUMED.

Mr. Auten said they were pleased to work with the City to make sure everyone has an opportunity to get where they need to be.

Mayor Marquardt asked about the shelters to be installed. Mr. Auten said that is handled out of another department, but he can get the information and report back to the Council.

CMBR Kellerman inquired about the size of the vehicle. Mr. Auten said they are 14-passenger Ford Transit vehicles wrapped in the Bridj colors. The program has partnered with Ford. The vehicle also provides accessible transportation for those who might need assistance.

Mr. Auten said the app creates rally points. It tells the user where to meet the bus, is a point-to-point service, not door-to-door, and usually requires a five to ten-minute walk.

CMBR McNeil asked about the rally points. Mr. Auten said currently they are at KUMed, West 39<sup>th</sup>, Hospital Hill and Union Station. They also have areas at the River Market and towards the east end of Kansas City.

Ms. Curtis said the program is good for people who live in the Roeland Park area, but work at KUMed or Hospital Hill, who already have to park in satellite parking and then get another vehicle to get to the hospital. Bridj is a more streamlined service from their home to work.

CMBR Fast recommended reaching out to the residents living in the City who work at KUMed. Ms. Curtis said she would be happy to provide something to send out that's tailored specifically to Roeland Park.

Mayor Marquardt thanked them for coming and informing them of this new program.

### **2. Community Events Update – Scott Ferrel**

Scott Ferrel (5531 Sherwood Drive) Mr. Ferrel said the City-Wide Block Party was decently attended. He said they had some weather issues and overlaps with other things going throughout Johnson County and the metro area, but they had a great time and appreciated everyone who was able to attend.

Barktoberfest is Saturday, October 8 and the music and most of the vendors are lined up and agreed to. CMBR Fast said other committees have a staff liaison and asked Mr. Ferrel if he thought that would be helpful to his committee. He said that CMBR Poppa was their Council liaison and they have a liaison with JCPRD from the Community Center adding that the group doesn't have too much need.

Mayor Marquardt said he appreciates their efficiency and if he finds they ever need staff to please let them know and stated the committee has been great for the city.

Mr. Ferrel said they have it down to a science and it's pretty streamlined. He said they may even end up with a surplus this year. He also thanked everyone for their support, the Citizens Fundraising Group, Chief Morris and Director Leon.

### **3. Arts Committee Update – Scott Ferrel**

Marek Gliniecki, Chair of the Arts Advisory Committee invited everyone to Music under the Stars, Friday, July 22 at 6:00 p.m. at the Community Center. There will be resident musicians playing on the piano plus other instruments. The event is family-oriented. There will be a bicycle decoration contest, parade and a bicycle safety seminar. They are also giving away one or two bicycles and safety helmets.

Mr. Gliniecki said he appreciates the Council's support for the arts.

CMBR Fast said it was a great event last year and she really enjoyed it.

### **4. Commerce Bank Update**

Ms. Jones-Lacy provided a brief update noting that Commerce Bank has submitted a revised agreement that is attached to the agenda; however, it states on the action form it shows a removal of the \$5,000 renewal payment. Commerce Bank opted to put that back into the agreement. There was a small change in one of the "whereas" clauses as it referred to the hospital as a micro-hospital. The word "micro" has been removed.

Mayor Marquardt asked regarding the clause noting a six-month extension would bring it to March 1<sup>st</sup>, and whether that should be changed to nine-month extension. City Attorney Shortlidge clarified the six-month extension is from September 1 to March 1.

Aaron March, attorney for Commerce Bank, with the White Goss law firm and Mr. Brent Hall from Commerce Bank were also in attendance. Mr. March asked the Council to consider approving the extension of time to perform the sequence of events to move the project forward. He also asked to amend the Preliminary Development Plan, which they propose to serve as the preliminary plat. They will also have a final plan and a final plat application. Commerce bank will making a presentation to the Redevelopment Committee July 19<sup>th</sup>. They anticipate getting through the approval process based on staff analysis by September 23<sup>rd</sup>, when it would come back before Council for approval of the amendment. At that time they would request the zoning, plat and land use approvals. They also will need time to work up construction drawings. Commerce Bank is trying to beat the March 1<sup>st</sup> extension deadline for start of vertical construction.

The proposed hospital will be called the Hospital of Roeland Park. It is a small hospital with 16,870 square feet and eight beds, anticipated to serve about 35 people every 24 hours. Service levels will be between urgent care and a Level 4 trauma area, a place for a patient to be stabilized and transported to KUMed if necessary. To address concerns of ambulance lights and noise, most patients are brought in by family, but if they need to be transported, it will be ambulance. The hope is that this hospital will be well-received by the community.

Mr. Hall and Mr. March both requested that the monthly update requirement in the development be removed citing that there are now definite plans for construction.

After Council discussion, it was agreed to waive the monthly update requirement and have that become quarterly, but the Council also has the right to waive that meeting.

Ms. Jones-Lacy said the Planning Commission hearing is scheduled August 16<sup>th</sup>, pending receipt of all required documents. The hearing notice needs to go out 23 days prior to the meeting and will post in the legal record next Tuesday. Notices will be sent at the same time to residents within a 200 foot radius of the site.

Mr. March said he worked on the notice today and will include the handout in the notice.

CMBR Kelly received clarification that this is not affiliated with any hospital system. With regards to whether there are any other such hospitals in the area, it was noted that the developer will be addressing the Redevelopment Committee tomorrow and will be able to provide that information, so the Council can visit one if there is one in the community. The traffic study was reviewed and no additional study or improvements are required in the area.

City Administrator Moody said he appreciated Mr. March sharing information and bringing the Council up to date. He advised the Council to keep in mind a number of steps have yet to be completed. They currently have an amendment to the development agreement that gives the bank additional time. Also the Redevelopment Committee and the Planning Commission still need to review the plans before they are finalized.

Mr. Moody also encouraged the press to understand that the City is at the very beginning stages of trying to reach a final site design and recognizes that what everyone wants is a nice entryway to the community that everyone will be proud of, the City's neighbors as well as the property owners.

CMBR Fast asked if there is room for a "Welcome to Roeland Park" sign at the site. Mr. March said there have been no sign plans as of yet proposed by the bank or the architect in the design, but everyone understands the importance of this project being a gateway to the City.

Mayor Marquardt reminded them that there is a one percent for art required in the project, which will also be a part of the future discussions.

**MOTION:** CMBR POPPA MOVED AND CMBR KELLY SECONDED TO ACCEPT THE PROPOSED AGREEMENT, WITH AN AMENDMENT FOR COMMERCE BANK TO PROVIDE QUARTERLY REPORTS AT THE OCTOBER 2016 AND JANUARY 2017 COUNCIL MEETINGS, SUBJECT TO COUNCIL DISCRETION. (THE MOTION PASSED 7-0)

(CMBR Thompson joined the meeting)

#### **5. CLK Holdings, LLC, dba Mosquito Squad – Home Occupation License**

Christina Kangethe, 3611 W. 52<sup>nd</sup> Place. Ms. Kangethe addressed the Council in follow-up to some requirements that the City has asked for with regards to obtaining a business home occupation license. She has also, with Mike Flickinger, Building Official, as well as the Fire Marshal.

Mr. Flickinger said this has come before the Governing Body as it is a home occupation license being requested. Per City Code, this type of in-home business is neither a permitted nor a prohibited occupation for the home and, therefore, becomes the Council's discretion. Mr. Flickinger did receive the MSDS (Material Safety Data Sheets) sheets and has reviewed them. He has spoken with Todd Kerkhoff, Fire Marshal District No. 2. They both met and had conversations with Ms. Kangethe and also did an on-site inspection of the home business. One of the Marshal's comments was this is not necessarily any different or any more dangerous than a typical garage with cans of gasoline, fertilizer and other chemicals. With that comment, Mr. Flickinger does not feel they have a big concern. There are some stipulations they have recommended such as isolating the chemicals in a storage room with no other storage of anything else, putting an MSDS placard on the door so that the Fire Department will know what's in there. MSDS cards will also be on file with both the City and the Fire Department. The Fire Department will also have an annual review.

Mayor Marquardt inquired about a quantity limit of the chemicals. Mr. Flickinger said there will be a space limitation, but the Fire Marshal did not express any concerns on the amount to be used. It is a 4 foot by 10-foot room that's sectioned off from the garage. It has an exterior access only. They recommend that it be dry-walled with 5/8th drywall, fire taped and nails and screws all sealed, in addition to the placard on the door. They are also recommending a wireless remote smoke detector in storage room and another one in the house, so if something should happen, it will alert the residents in the house. If Fire Department does respond because of the chemicals, a Hazmat squad will respond instead of the typical fire department because of the handling differences in the way the chemicals should be extinguished should they catch fire.

Ms. Kangethe also added that they store only the amount of chemicals they can use in a season.

CMBR Rhoades inquired about any neighbor complaints to which Mr. Flickinger responded that one neighbor was concerned more because of the traffic and too many trucks, but there has been no complaints that the Codes Department received.

Ms. Kangethe said they have two additional employees, one lives at the residence and the other one is an employee who comes and goes between the hours of 8:30 and 5:30. She added the vehicles are parked in the driveway and not on the street.

CMBR Kelly asked how the product is packaged, mixed and loaded on the trucks. Ms. Kangethe said the two main products are in 2 30-gallon drums which are delivered. They also store some small amount of 1-gallon containers, some of which she can pick up from a local distributor. All chemicals are kept in correct and original bottles until they are put into a large 110-gallon tank on the truck which is then diluted with their proprietary blend. From there it is put through an electric pump that puts it into the blowers for the treatment of the yards of their customers.

CMBR McNeil expressed concern of the Fire Marshal's comment of evacuating a block in case of a fire. Mr. Flickinger said the Fire Marshal does not have any high concern, but those precautions are based on the MSDS sheets for the chemicals being stored.

Mayor Marquardt inquired about the flammability of a 30-gallon drum. Mr. Flickinger said a 5-gallon gas can, even a 2-3 gallon gas will probably do more damage. That concern was also discussed with the Fire Marshal.

CMBR Rhoades inquired whether the school would have to be closed down in the event of an accident. Mr. Flickinger didn't believe so as the home location is more than a block away from Bishop Miege.

CMBR McNeil asked if the business recommend the less toxic options. Ms. Kangethe said they're increasing the encouragement of their customers to utilize their all-natural blend and about 40 percent of her customers do use that option. She added that their product is blended to target certain sized bugs and are working with the different chemical companies to make sure that pollinators are not going to be affected.

CMBR Kelly asked if this is a permanent plan for her business, or are there any plans in the near future as far as getting out their house and into a more industrial type facility. Ms. Kangethe said operating in-home is a short term goal and they are actively looking to see if they can get into a facility by the end of the year.

Mayor Marquardt asked what would cause this in-home permit to no longer be feasible. Mr. Flickinger said if it involved more vehicle parking than what could be contained in a driveway would be one instance.

CMBR Rhoades said that CMBR Janssen (who was absent) wanted it known that he was okay with approving the permit if the Fire Marshal's recommendations were implemented, was re-inspected and passed. Mr. Flickinger said it was agreed that if this is allowed, he would inspect the drywall work, the room and that the placard is properly placed. Also the Fire Department would do an annual visit to the site.

CMBR Kellerman asked who schedules the annual inspection and Mr. Flickinger replied the Fire Chief maintains the inspection schedule and will notify a business as their time gets closer.

CMBR Kellerman asked if neighbors needed to be notified and Mr. Flickinger didn't think they needed to be.

CMBR Kellerman said under the Prohibitions in the city, does not allow the storing or selling of explosive materials. Mr. Flickinger said this is not classified as that.

CMBR McNeil thanked Ms. Kangethe for being so patient and thorough with answering the Council's questions and she really appreciated that. Ms. Kangethe said she has been a resident of Roeland Park for about seven years and has been very happy being a resident. She added when they took on this business venture, they wanted to keep it as close to home as possible and appreciates the City working with them as well.

CMBR Kelly inquired as to the length of time the permit is valid. City Clerk Bohon said in-home business permits run from December 1<sup>st</sup> to November 30<sup>th</sup> and renewals are handled administratively. Mr. Flickinger said it could be set up that it would only come before Council if a complaint were received.

Ms. Kangethe said since her business is seasonal she would be more than happy to close out the season in October by meeting with the Fire Marshal at the end of the season to look at everything as they close up for winter and then again at the beginning of the season in April should they still be operating out their home.

Mr. Flickinger said from November to March there are no chemicals at all on premise as they only store enough for one season. Mr. Kangethe also said their truck would be housed off-site as well.

**MOTION:** CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO ALLOW THE CONDITIONAL USE PERMIT FOR MOSQUITO SQUAD AS A HOME-BASED BUSINESS, PROVIDING THE FIRE MARSHAL'S RECOMMENDATIONS ARE FOLLOWED AND COMPLETED IN A TIMELY MANNER.

CMBR Rhoades wished to amend the motion that if two or more complaints are filed within a 12-month period on the property, then it comes before Council within a two-month period of the second complaint. CMBR Poppa and CMBR McNeil, as maker and seconder of motion, agreed.

CMBR Rhoades also wanted to amend that anytime during a Fire Marshal's re-inspection process that if the property fails, its license will be revoked at that time. As maker of the original motion, CMBR Poppa did not agree with this amendment, but felt it should return to Council and not automatically be revoked.

Mayor Marquardt recapped. If an issue is found and with a re-inspection by the fire official the issue remains, then it would come before Council. The maker and seconder of the motion agreed.

CMBR Kelly would like an annual review by Council of the business permit.

City Clerk Bohon recapped the motion to be two or more complaints within a 12-month period comes before Council within two months. If the Fire Marshal re-inspection fails, then it comes to Council. The Council will also annually review the permit.

**MOTION:** CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO ALLOW THE CONDITIONAL USE PERMIT FOR MOSQUITO SQUAD AS A HOME-BASED BUSINESS, PROVIDING THE FIRE MARSHAL'S RECOMMENDATIONS ARE FOLLOWED AND COMPLETED IN A TIMELY MANNER INCLUDING CONDITIONS OF TWO OR MORE COMPLAINTS WITHIN A 12-MONTH PERIOD, THE MATTER COMES BEFORE COUNCIL WITHIN TWO MONTHS. IF THE FIRE MARSHAL RE-INSPECTION FAILS, THEN THE MATTER COMES BEFORE COUNCIL. THE CITY COUNCIL WILL ALSO ANNUALLY REVIEW THE PERMIT. (MOTION PASSES 7-0)

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

*No report was given.*

#### **V. WORKSHOP AND COMMITTEE REPORTS**

##### **A. Workshop and Ad Hoc Committee Reports**

CMBR Thompson highlighted the business of the Governing Body Workshop.

- Sign regulations.
- Discussed waiving executive privilege with regard to signs in the right-of-way.
- A member of the Governing Body requested staff to review the process of acceptable use of executive sessions.
- City Attorney will prepare an ordinance to be reviewed by the Planning Commission updating the sign code.
- Change in election dates discussion. The Council recommended removing the requirement to send a notice of a vacant seat via post mail when preparing for special election. (To be discussed further under New Business.
- Looked at park bench replacement selections for Carpenter Park and Granada Park based on the Parks Committee's recommendations. Governing Body ultimately supported the recommendation for Granada Park, but not Carpenter Park.
- Recommended Mike Baugher, Ward III, BZA appointment (Approved on Consent Agenda)
- Leaf Pickup Contracts with Westwood and Westwood Hills (Approved on Consent Agenda)
- Discussed Citizen Survey topics and reviewed questions submitted by the Governing Body. Recommended to add financially related questions in the survey.
- City Administrator Moody provided Code Enforcement Update; grass/weed height primary issue.
- CMBR Poppa requested moving the Community Forum to August 22<sup>nd</sup> due to scheduling conflicts.

##### **Ad Hoc Development Committee Update**

- The committee met with CBC to discuss development of the caves property.

- Discussed a letter of interest for an adventure course operator and a hotel developer as well as the reasonableness of fees.
- Discussed the special use application submitted by Colby Capital regarding the 47<sup>th</sup> & Mission property. There will be a public hearing July 26<sup>th</sup> at the Planning Commission meeting.
- Northeast Johnson & Roe. City is working with KDOT to obtain the right-of-way on the property. KDOT appraised the property at \$50,000, the City made a counteroffer noting that they have maintained the property since the early 80s and asked for the land be granted to the City in exchange for work performed. KDOT has countered in lieu of payment, the land could be conveyed and a percentage of the net proceeds of the sale would be shared with KDOT. Negotiations are continuing.
- Northwest Roe and Johnson - Commerce Bank and the proposed hospital property will be before the committee July 19<sup>th</sup>.
- Streetlight dimming. Black & McDonald have provided a cost to the City to replace the light fixture with a dimmable light fixture at a cost of \$350. Only other option would be to find a company that can construct some shielding which could be attached to the light. Staff recommends waiting to replace any lights at this time as they are still learning about the concern of high color temperature.
- Board of Tax Appeal. Staff is preparing for a second hearing with regard to the Family Conservancy suite at the request of Johnson County to request tax exemption status.

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

### **A. Stormwater Advisory Council SMAC (Jose Leon and Ryan Kellerman)**

Public Works Director Leon on June 30<sup>th</sup>, the SMAC committee and voted unanimously to recommend to the Board of County Commissioners to adopt (inaudible).

The next Committee of the Whole for the Board of County Commissioners is July 28, and the public is invited to attend. They will make a recommendation to the Board of County Commissioners to officially adopt the new strategic plan that was presented to the Governing Body for the SMAC program.

## **VII. UNFINISHED BUSINESS**

*There was no Unfinished Business to discuss.*

## **VIII. NEW BUSINESS**

### **A. Adoption of 2017 Budget**

City Administrator Moody said the budget document before the Governing Body is a compilation of the steps they have completed through the process. This document reflects the most recent financial adjustments that have been previously shared with the Council. They have received the final numbers from the assessor and have calculated the increase in property tax revenue, which anticipates to be a considerable increase. They removed the pre-wet and belly plows and pushed the replacement of the front-end loader to 2018.

CMBR Rhoades said he would like to see in the final budget document the City's portion of taxes paid in Roeland Park compared to other cities. City Administrator Moody said the chart on page 5 reflects the City portion of the mill levy.

City Administrator Moody said the single family cost of living comparison relates to all taxes and utilities paid by residents in the surrounding cities and does not focus on one tax element. He said that when you choose to live in a particular place, you're subject to paying all the taxes and utilities in that community and that is how Roeland Park compares itself, looking at taxes as a whole. CMBR Rhoades respectively disagreed with Mr. Moody stating it is important to know the City's individual tax components. City Administrator Moody said sales tax is a major



component of the financing system of this community and Roeland Park has a lower sales tax than some of the communities that have a lower property tax. He added that if raising City sales tax by a quarter-cent that would put them on par with surrounding communities, they could hypothetically lower the mill levy by more than \$4. City Administrator Moody said the budget document should be reflective of what the Governing Body wants to communicate to the citizens and is the main policy document that will be adopted for the entire year.

Mayor Marquardt said that CMBR Janssen shared with him that he was for the budget and for the initial bond, but did not support the second bond or thereafter. Said he could support the CIP being in the documents up through the fourth year.

CMBR Kelly said she feels the City has been playing catch-up and believes this plan shows the residents the Council is very strategic and also good planners and the CIP can be modified as time moves on. This plan also gives the option to not take debt. It will also show future developers coming to City that Roeland Park cares about the infrastructure and are willing to invest money in the City and willing to be strategic planners. CMBR Kelly said she would support the two bonds and then evaluate. She understands the value of pay-as-you-go if it can be done, but also understands the value of bonding and having that money available when it is needed, especially for use with matching funds.

**MOTION:** CMBR KELLY MOVED AND CMBR THOMPSON SECONDED TO AMEND THE CIP TO EXTEND THE BOND ISSUANCE THROUGH 2023. (MOTION PASSES 4-3 WITH CMBRS RHOADES, KELLERMAN AND FAST VOTING NO.)

#### **POLL THE COUNCIL**

FAST - N MCNEIL - Y RHOADES - N KELLERMAN - N THOMPSON - Y KELLY - Y POPPA - Y

**MOTION:** CMBR RHOADES MOVED AND CMBR KELLY SECONDED TO INCLUDE IN THE BUDGET DOCUMENT THE GRAPH STATING THE CITY PORTION OF TAXES BASED ON THE MEDIAN HOME VALUE OF ROELAND PARK AND THE MEDIAN HOME VALUE IN JOHNSON COUNTY WHEN COMPARED WITH OTHER CITIES. (MOTION PASSES 7-0)

Ms. Jones-Lacy this document is sent to the county to certify the mill levy. It also sets budget authority for the various funds.

City Administrator Moody said they are only approving the 2017 budget as far as the state is concerned, which will be used to set the mill levy for 2017, but the budget document says more than that. If they adopt the budget document, it is because it contains the goals and objectives of special projects to be focused on in 2017 and it also reflects the CIP, which has been a part of the budget document in the past.

CMBR McNeil expressed concerns of bond commitments so far out, but does support the recommendations of staff.

CMBR Rhoades would like to show the bond plan for four years out and then make a decision next year on how to proceed and plan further out after hearing more from the community on what they think on bond financing.

CMBR Kelly said she has received e-mail after e-mail of public support of the plan. The question of bond financing was posed at the Community Forum and everyone who spoke supported the long range plan. To staff's credit one of the goals was to evaluate the City's health and she said they have done just that.

CMBR Kellerman said that what passed is just a plan and the bonds themselves have not been approved. He also felt the bond issue could be put on an upcoming ballot.

City Administrator Moody said the first bond issuance in 2018 is anticipated to be \$2 million with another \$2 million potentially in 2021, and then another \$2 million anticipated in 2024.

City Attorney Shortlidge said the procedure for approving bonds by ballot or Council is will be advised by bond counsel and state regulations.

CMBR Poppa called the question.

CMBR Rhoades voiced an objection to calling the question as his hand was raised and he stated he wanted to make an amendment to the motion and that he was being prevented from making an amendment to a document that is being voted on as important as a budget.

City Attorney Shortlidge said the Mayor recognized Mr. Poppa who then called the question and procedure must be followed.

**MOTION:** CMBR POPPA MOVED AND CMBR KELLY SECONDED TO CALL THE QUESTION.

**MOTION:** CMBR KELLY MOVED AND CMBR RHOADES SECONDED TO ADOPT THE 2017 BUDGET AS AMENDED, INCLUDING THE STATE BUDGET CERTIFICATION FORM WHICH SETS THE MILL LEVY AS WELL AS THE BUDGET DOCUMENT, WHICH INCLUDES GOALS AND OBJECTIVES AND THE CIP. (MOTION FAILS 3-4, WITH CMBRS FAST, RHOADES, KELLERMAN AND THOMPSON VOTING NO.)

**POLL THE COUNCIL**

FAST - N MCNEIL - Y RHOADES - N KELLERMAN - N THOMPSON - N KELLY - Y POPPA - Y

CMBR Rhoades said he would like to make an amendment to the budget to go out four years, but erase that they're going to do a second bond as there are too many unknowns in the City.

CMBR Fast would like the CIP to look at the survey as it is hard to change the plan once it is approved. Once they receive the results of the survey, they can then add priorities according to what the citizens want. She would not support a ten-year plan, but could support a four-year plan that shows immediate needs. She also felt that R Park and Aquatic Center items need to be in the plan.

**MOTION:** CMBR RHOADES MOVED AND CMBR KELLERMAN SECONDED TO REDUCE THE CIP IN THE DOCUMENT TO FOUR YEARS, TO INCLUDE ONE BOND. (MOTION PASSED 4-3, WITH CMBRS THOMPSON, KELLY AND POPPA VOTING NO.)

**POLL THE COUNCIL**

FAST - Y MCNEIL - Y RHOADES - Y KELLERMAN - Y THOMPSON - N KELLY - N POPPA - N

CMBR Kelly questioned what will happen to the CIP now that they don't have the funding source stated. City Administrator Moody said it will shorten the document. They will remove the columns beyond 2020, but the information will remain available. CMBR Kelly noted there will be projects listed that have no funding source in the first column.

CMBR Fast said she sees some a need for planning, listening to the citizens and looking at the survey. She added the City has \$2.5 million in reserves yet has the highest mill levy in Johnson County. They need to hear from the citizens and can then put together the CIP.

CMBR Kellerman added that he visited the Aquatics Center and noted that there are definite improvements that need to be made to the pool.

**MOTION:** CMBR KELLY MOVED AND CMBR RHOADES SECONDED TO PASS THE 2017 BUDGET AS INCLUDED IN THE PACKET; THE CIP WILL BE REDUCED TO FOUR YEARS, INCLUDING THE ONE BOND, BUT DOES NOT

PRECLUDE FUTURE BONDS; ADDING THE BUDGET DOCUMENT GRAPH OF MILL LEVY. (MOTION PASSES 5-2, WITH CMBRS POPPA AND KELLY VOTING NO.)

## POLL THE COUNCIL

POPPA - N KELLY - N THOMPSON - Y KELLERMAN - Y RHOADES - Y MCNEIL - Y FAST - Y

Mayor Marquardt thanked the staff for all their work. He also thanked the Council for their patience and civility noting this is many times a difficult process.

### *Items from Workshop*

Mayor Marquardt asked for input on whether the Mayor should preside over these items or Council President.

CMBR Poppa suggested that since the Mayor presides over Council and these are now Council items, the Mayor should direct the discussions. He also said the Mayor should have the option to hand that over to whoever has been working on an item.

CMBR Thompson, Council President, said she is fine with that procedure.

CMBR McNeil said she would like to push through the items as they have been on the agenda for quite some time.

CMBR Rhoades said he would be fine with discussions for a while, but doesn't feel he will have all his questions answered, but believes they can push through.

CMBR Poppa felt they can complete Workshop Item 7 and take out Section 1-202 and Section 1-203 as CMBR Fast and CMBR Kellerman want to make recommendations.

CMBR Thompson suggested working to 9:30 on the items.

CMBR Rhoades suggested working through Workshop Items 10 and 12, return to 7-9 and work until 9:30.

CMBR Poppa called the question.

CMBR Kellerman withdrew his motion.

**MOTION:** CMBR KELLERMAN MOVED AND CMBR FAST SECONDED TO TABLE WORKSHOP ITEMS 7, 8 AND 9 TO THE NEXT WORKSHOP MEETING. (WITHDRAWN)

CMBR Poppa said he realized the time is late, but this is the job of the Council to get the job done and it is a disservice to the residents to keep pushing things off. The Governing Body agreed to start with Items 10 and 12 and work the remaining items until 9:30.

### **B. ORDINANCE FORMALIZING WORKSHOP PROCEDURES (Workshop #7)**

CMBR Poppa said they were not to discuss §1-202 and asked for consensus on what had been discussed to date, which was §1-203(a), updating Council President nomination and election date from May to February annually.

§1-203(b)(2) updates the duties of the Council President to preside at Workshops with the understanding that co-chairs may present their items.

§1-203.1 - Change wording from Council to Governing Body.

CMBR Poppa said there were a few instances throughout the ordinance where the language was changed to "Governing Body" from "City Council" for the sake of consistency and to maintain consistency per Article II.

§1-207.5 is inserted and denotes the days and times of the Governing Body Workshops and formalizes them in the ordinance to first and third Mondays of the month at 6:00 p.m.

§1-208 Quorum, was clarified that at a majority of the Councilmembers-elect shall constitute a quorum for business.

§1-212, Changed Committee of the Whole to Governing Body.

§1-217 and remaining sections note that all references to "Standing Committees" will be changed to "Service areas." All references of "Chair" and Co-chair" have been updated to read on "Co-chair." They have removed the reference to ranking Council positions in the standing service areas.

Also updated is the term expiring dates from odd to even years on the Council position chart.

§1-315(g)(15) - City Administrator shall contracts on behalf of the City.

There was Governing Body consensus to all the above-items discussed.

### **C. ORDINANCE MODIFICATION SUGGESTION FOR MAYOR'S POWERS (Workshop #8)**

Mayor Marquardt said he would like to see how what is being proposed compared to other cities with regards to mayoral powers.

CMBR Rhoades said he was only interested in Roeland Park and did not review other cities.

City Administrator Moody asked for clarification of the Mayor's request. Mayor Marquardt said he wanted to know what other cities do in the different elements that are being modified of the mayor's duties, if they are not superintending control, if they are part of the governing body, and how they relate.

City Administrator Moody said this would be a large task to read every City's codes, but would be happy to provide website links in an e-mail to let those that are interested browse through the relevant sections.

### **D. COUNCIL PRESIDENT ELECTION PROCESS PROPOSED CHANGES (Workshop #9)**

CMBR Kellerman asked if the mayor cannot vote other than to break a tie, how he can be part of the legislation.

CMBR Rhoades said it does not matter if other cities have a Council President. He is looking to fix a problem within the Roeland Park's Council President selection of whether the mayor should or should not have a say.

After some further conversation, it was agreed to move this back to Workshop for further discussion.

### **E. RENEWAL OF CONDO LEASE TO SCENIC ROADS (Workshop #10)**

**MOTION:** CMBR THOMPSON MOVED AND CMBR KELLY SECONDED TO APPROVE THE LEASE TO SCENIC ROADS.  
(MOTION PASSES 7-0)

### **F. DISCUSSION ON USE OF EXECUTIVE SESSION. (Workshop #12)**

**MOTION:** CMBR THOMPSON MOVED AND CMBR POPPA TO TABLE THE DISCUSSION DUE TO LACK OF INFORMATION. (MOTION PASSES 7-0)

**MOTION:** CMBR THOMPSON MOVED AND CMBR KELLY SECONDED TO TABLE THE ITEM. (MOTION PASSED 7-0)

## **IX. ORDINANCES AND RESOLUTIONS**

### **A. Ordinance Change in Election Dates**

City Attorney Shortlidge said there were three changes that needed to be made. One, that a notice of vacancy will no longer to be mailed; two, they will be published and posted on the City website; and three, if no person files to fill a vacancy, then the City Clerk will arrange with the County election officer for a special election at an agreed upon date.

**MOTION:** CMBR FAST MOVED AND CMBR THOMPSON SECONDED TO ADOPT CHARTER ORDINANCE 32, EXEMPTING THE CITY OF ROELAND PARK, KANSAS FROM THE PROVISIONS OF KS12-1048 RESIGNING TO THE NON-PARTISAN ELECTIONS OF OFFICERS, THEIR TERMS OF OFFICE, VACANCIES IN OFFICES, TRANSITION TO NOVEMBER ELECTIONS AND APPOINTMENT OF OFFICERS PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECTS AND REPEALING CHARTER ORDINANCE NO. 5, CHARTER ORDINANCE NO. 23 AND CHARTER ORDINANCE NO. 24. (MOTION PASSES 7-0)

### **POLL THE COUNCIL**

FAST - Y MCNEIL - Y RHOADES - Y KELLERMAN - Y THOMPSON - Y KELLY - Y POPPA - Y

## **X. REPORTS OF CITY OFFICIALS**

City Administrator Moody did not get the upcoming survey back from ETC, but will e-mail it out for another review once received. He asked the Governing Body to get back to him with any changes to continue that process moving forward. He added the timeline is tight to stay on the Branding Committee schedule, and the survey is a big part of that.

The northwest corner of Johnson Drive and Roe Boulevard, as indicated in CMBR Thompson's report, has had some movement from KDOT. The City has not been able to establish a clear title and it doesn't appear that they will be able to. They may need to do a lease for the unsettled portion and use the right-of-way as a landscape buffer, detention, parking, etc.

CMBR Rhoades wanted to know if KDOT would want proceeds from the lease. City Administrator Moody said he does not have what their proposal would be.

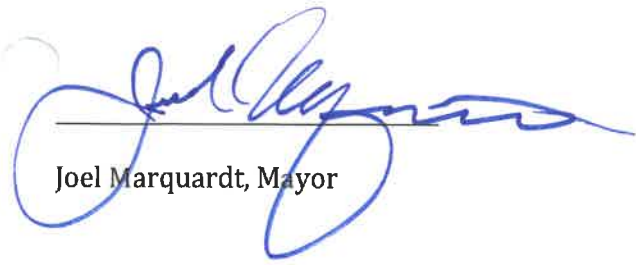
The Old Pool Stabilization RFQ has been released. They will review those applications as they come in. Mr. Moody added that the engineers believe the most cost effective way to stabilize the cave will be to use a fill in the void for stabilization.

City Administrator Moody and Public Works Director Leon have met with the STP Committee at MARC and said their project was one of the highest scoring projects. They have requested 80 percent of the eligible cost. They were awarded 80 percent of 80 percent, so 64 percent of the project cost. They're pushing for 50 percent of the 80 percent. They're also trying to get the other 50 percent paid for by CARS.

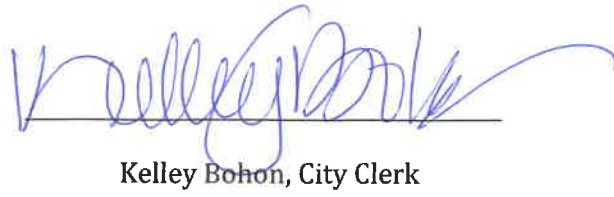
## **XI. ADJOURNMENT**

**MOTION:** CMBR THOMPSON MOVED AND CMBR FAST SECONDED TO ADJOURN. (MOTION PASSED 7-0)

(Roeland Park City Council Meeting Adjourned at 9:39 p.m.)



Joel Marquardt, Mayor



Kelley Bohon, City Clerk