

**GOVERNING BODY WORKSHOP MINUTES**  
**Roeland Park City Hall**  
**4600 W 51st Street, Roeland Park, KS 66205**  
**Monday, September 19, 2016 6:00 P.M.**

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

Poppa  
Fast

**Finance**

Kelly  
Janssen

**Safety**

Thompson  
Rhoades

**Public Works**

Kellerman  
McNeil

CMBR Thompson called the meeting noting that CMBR Kellerman was absent.

CMBR Fast requested moving the Aquatic Center Dome discussion to the beginning of the agenda as a decision will need to be made at the Council meeting following the Workshop. There was agreement to discuss this first.

**I. MINUTES**

*There were no minutes to approve.*

**II. DISCUSSION ITEMS:**

**1. Consider Raising the Age to Buy Cigarettes and Tobacco Products**

Scott Hall, Vice President of the Greater Kansas City Chamber of Commerce, along with Jessica Hembree, the Policy Officer at the Healthcare Foundation of Greater Kansas City, provided a presentation to the Governing Body.

Healthy KC is a health and wellness initiative that is led by the Greater KC Chamber. Tobacco 21 Kansas City is a component of that.

Jessica Hembree said her organization provides funding around safety, mental health and healthy living in the Kansas City area. In addition to her role at the foundation she's also chairing the Healthy KC Action Team and shared what they have been working on and why it is so important. She said that smoking is not a fight that has been fought and won. Cigarettes remain the only leading consumer product that actually kills a third of the people who are regular users. There are real financial and human costs associated with that number. About \$289 billion a year spent in healthcare costs are attributable to tobacco use and about 500,000 deaths each year. Smoking is a habit that forms before children reach their 20s. Each day about 3,200 people below the age of 18 smoke their first cigarette, and approximately 1,200 of them will become addicted daily smokers. Overall, about 95 percent of smokers started smoking before the age of 21. In Kansas, 10 percent of youth that smoke do so on a regular basis. Ms. Hembree added that Kansas has earned an "F" rating from the American Lung Association for efforts around tobacco prevention.

Ms. Hembree also touched on e-cigarette use. It has more than doubled in recent years and is more common among high schoolers than traditional cigarette use. Having worked in tobacco control, e-cigarettes were originally thought to be a passing fad, but it is not. They know it is increasingly popular with young people, easily being disguised and used in the classroom in the form of pens, markers, inhalers, and even strings of a hoodie can be a vaping device. They hear repeatedly from educators that this is a real issue in the classroom. It is very real and pervasive.

Ms. Hembree said the youth brain is not completely developed until the mid-20s and is susceptible to addiction. So, things like decision-making, impulse control and sensation seeking along with a desire to please peers all combine to make it easy and likely for young people to begin a lifetime of addiction. Tobacco is one of the most addictive substances known.

The proposal is to gain support from area cities to limit the sale and purchase of tobacco products to youth who are over the age of 21.

Mr. Hall clarified that the proposal is for sale and purchase, not for use or possession. They are not asking for a change in laws with respect to use or possession. He added that of the 18 cities that have already passed Tobacco 21, none have changed their use or possession laws.

Needham, Massachusetts was the first city in the country to pass a Tobacco 21 ordinance in 2005. In the first five years after passing the ordinance they saw a 46 percent decrease in teen smoking rates. He said this could also work in Roeland Park, that if they take action, then you will still see a significant decrease in teen smoking. Beyond the initial decrease in teen smoking there are beneficial, significant and lifelong health impacts as a result of Tobacco 21.

Mr. Hall reported that in March 2014, the Institute of Medicine did a study estimating the change of smoking/tobacco usage rates among the youth, and is consistent with Needham, MA data, that only two percent of all tobacco sales are made legally to 18-21 year olds. With the passing of Tobacco 21 that two percent decrease will compound. Currently the average annual cost to a private employer for every smoker they employ is \$5,816. This takes into account a credit for pension benefits because businesses do not pay as much pension for people who smoke because they die younger.

Mr. Hall also stated that the Chamber of Commerce represents businesses both large and small, but they know that there will be a minimal impact to those businesses in Roeland Park as a result of passing Tobacco 21. Currently there are 195 cities in 13 states in the United States that have Tobacco 21 in place. In addition, the entire states of Hawaii and California have passed state-wide Tobacco 21 ordinances. More than 60 million people in the country now live in Tobacco 21 communities. Mr. Hall said the movement is gaining tremendous momentum. He also presented a list of communities in the Kansas City area that have adopted Tobacco 21.

It was noted that 75 percent of adults favor Tobacco 21, and includes current and former smokers. He also addressed the argument of if at 18 years of age one is old enough to serve their country, then they should be old enough to smoke. He said these are two separate issues and noted that 21 is the legal age for alcohol and it is not nearly as addictive as nicotine. Mr. Hall said that nicotine and its impact on our military is a terrible scourge. Over the course of military history they have gone from supplying cigarettes through C-rations and providing all military servicemen and women with free cigarettes to outlawing them during basic training and putting an additional bevy of restrictions on tobacco use in the military.

Mr. Hall concluded by stating that they were there on behalf of over 160 organizations who have endorsed Tobacco 21, including the business community, the healthcare community, and 18 of Roeland Park's neighboring cities and individuals.

**Public Comment:**

**Dr. Edward Ellerbeck** from the KU Cancer Center echoed the comments in support of Tobacco 21. He added it is a huge issue, and he personally has treated over 500 people related to smoking cessation. He said that 80 percent of them fail despite their best efforts. He that most of patients started smoking before they were 18 years of age, and all of them wish they could quit.

**Nicole Brown** from Johnson County Department of Health and Environment said her agency has just completed its most recent round of community health assessments and for the first time cancer has surpassed heart disease as the leading cause of death for Johnson County residents. Tobacco is the most preventable link to cancer and believes that anything to drive down tobacco use would be of great benefit to the community. She added that E-cigarettes five years ago were being used by 1 to 2 percent of youth. That figure is now up to about 16 percent. They also routinely conduct a Care Survey that is repeated at grades 6, 8, 10 and 12 with students in the community. About 40 percent of Johnson County students believe it would not be hard to get tobacco products. Not because of retailers, but because they have older friends and family that they can get products from. A national survey said that 47 percent of 8th graders and 66 percent of 10th graders say cigarettes are easy to obtain. Annually since 1991, a behavior risk factor surveillance system in Johnson County has been used in conjunction with the state health department. They consistently see tobacco users that want to quit. The conclusion is the most beneficial thing to do to benefit the community and its people is anything they can do to keep smoking from starting in the first place.

**Jamie Katz** with the Johnson County Mental Health Center Prevention Services said her organization knows a majority of clients with severe persistent mental illness use tobacco and use it at a much higher rate than the general population. Tobacco is actually the number one killer of individuals with mental illness. They know that based on the Care Survey specifically for Johnson County students it is easy to get cigarettes and 11 percent of 12th graders report using tobacco on a regular basis. E-cigarette usage has just been added this past year. The average typical 30-day usage is 12.29 percent among students. They know that electronic cigarettes are a huge issue. They hear from school districts that they are not only being used for tobacco, but are used to conceal marijuana and are using it in school. According to the Adolescent Center for Treatment, which is the only state teen rehab facility, almost all teens, 17 of the 19 at the facility, use electronic cigarettes. The majority of e-cigarette users use it for other purposes than tobacco. Ms. Katz concluded by stating that electronic cigarette usage is higher in Johnson County than any other county in the state.

**Elizabeth Joseph**, a 15-year-old student, representing the Johnson County Teen Task Force, said she is a member of a group of teens dedicated to prioritizing the mental health in youth and encouraging positive decision-making. She said it was important to pass this ordinance as most adult smokers start as teens. The number one strategy that every can do as a community is they can implement smoking prevention as it is the most effective way to do this. She said it is imperative to keep teens in good health and passing this ordinance will help reduce youth substance abuse and save lives.

2. Officers' Use of Uniform Equipment off Duty
3. August Financials
4. Annual City Administrator Evaluation Process
5. Resolution Establishing a Moratorium on Wireless Telecom Work in Public Right of Way and Ordinance Amending Right of Way Use
6. Aquatic Center Dome Blower/Heater Replacement

**Public Comment:**

**Anthony Thompson** (3600 W. 47<sup>th</sup> Terrace) Mr. Thompson said he is a member of the Kansas City Blazers Master Swimming Program and past Chair for Missouri Valley Swimming, the Breadbasket Zone for Master Swimming, and has served on the Board of Directors for the United States Masters Swimming. The United States Masters Swimming has consistently looked at the Roeland Park Aquatic Center as a wonderful facility to have swimming competitions and added that the Blazers are one of the largest masters swimming programs in the Kansas City area. He said it is a great facility and it is a wonderful opportunity for the City to invest in its community by keeping the facility open. Mr. Thompson said he supported the investment in the improvements and maintenance being done at the facility.

**Jan Grebe.** Ms. Grebe said she had e-mailed the Governing Body listing reasons of support for the pool. She said it is important for all ages and all abilities in Roeland Park. Ms. Grebe added that city amenities help property values and believes they enhance the city and she appreciates the excellent City services such as the Public Works Department that works to maintain them. She concluded that the Aquatic Center keeps Roeland Park a desirable place to live.

**Tom Madigan** (5316 W. 49<sup>th</sup> Terrace) Mr. Madigan spoke to the pool's history and its opening 19 years ago. He said it was created to accommodate residents of all ages and capabilities and also to provide a location for local swim teams and clubs. He has spoken to his friends and families who all use the pool. He did not believe it should be expected to be operated as a revenue source. He also didn't feel the Council should be contemplating removing one of its largest and most visible amenities while the City is going through its re-branding process. Mr. Madigan said the money received from the taxpayers to repay the \$3.3 million loan to build the pool expect a return on their investment and will not want to hear that now it is paid for, it will be closed. He asked if Roeland Park is a community that welcomes individuals of all ages and ability or is it just lip service.

City Administrator Moody introduced Johnson County Parks and Recreation representatives Rhonda Pollard and Michelle Alexander. He said they have been doing the legwork and looking at different repair options as well as coming up with costs associated with the repair. The most current information is it is estimated to be a \$130,000 for repair or replacement of the blower/heater which is a combined unit. The unit keeps the dome inflated while also heating the air inside the dome. The blower currently works, but the heat exchanger is broken and it is not cost effective to repair. They are trying to contact the people who performed the original mechanical engineering on the dome to see if they have any ideas. It is anticipated that there will be a ten-week lead time between the time the order is placed, shipped and installed. Mr. Moody added that this is also not a budgeted item. He has laid out what is budgeted for operating and capital investment for the Aquatic Center this year as well as how much would be set aside in a reserve for the pool. If the City uses \$255,000 that is budgeted towards the Aquatic Center, they would still need \$50,000 of reserves to cover half of the heater and blower placement. This would bring the pool reserve down to \$18,000. Mr. Moody said this is an appropriate use for the reserves and that money has been set aside for future replacement costs, but this cost was not anticipated. This raises the question of future mechanical replacements or repairs in the next couple of years. The City's agreement with JCPRD expires January 1, 2019, so they have two more years where they will share in the operating loss and capital costs equally. Mr. Moody also reminded everyone the dome has already had some repairs recently, noting that the Blazers also donated funds to aid in those repairs. He said they have also indicated a willingness to share in a portion of this repair cost, but did not know to what extent. Mr. Moody said that any amount donated would reduce the amount of City reserve funds needed.

CMBR Fast asked for information on the depth of programs at the Aquatic Center and also stated that the Blazers program is more than just adult competitive, but is for all ages.

Michelle Alexander, Recreation Manager for the Community Center and the Aquatic Center for Johnson County Park and Recreation District, introduced herself to the Governing Body. She said the Blazers have many levels and many facets and have been in Roeland Park since the pool's inception. Their history has been to help fund many of the projects, some of the repairs and also some extra items. Their programs start around age 6 and continue through high school. Once they reach a higher competitive level, those are the ones who really utilize the facility. Ms. Alexander said the Aquatic Center is unique for its ability to change from 50 meters to 25 meters to 25 yards, adding that there are a lot of different configurations which allow swimmers to do different things to help develop their skills in different ways. The Blazers' coach is also intricate in helping a lot of swimmers gain scholarships for college. Non-competitive programs, such as Bishop Miede, hold their swim lessons there. There is also the Roeland Park Stingrays summer swim team who practice and hold their meets there. Ms. Alexander also added there are partnerships between the Community Center and the Aquatic Center. They are also working on indoor birthday parties. Other programs include lap swimming, water polo, synchronized swimming, and Heart Association groups.

Rhonda Pollard, Superintendent of Recreation for Johnson County Park and Recreation, said they will begin the discussion with their board in October regarding the agreement after 2019. Once that has been discussed they will bring that back to Roeland Park. She said she did not know if the board would be supportive of absorbing the loss every year that they have been doing for the past 18 years. If the pool does become an outdoor only facility, she said that they hope to continue manage it for the City as they feel like they bring a lot of expertise and a lot of consistency. She concluded by stating they are hoping to keep a partnership with the City.

### **Public Comment**

**Alisha McConaghey** - Ms. McConaghey said she just found out there were concerns with the pool. She said she represented several families that have children and in the summer the pool is their community, a place to meet friends. She supports keeping the pool open as it is an extension of their school community.

**Shea Geist**. Ms. Geist spoke in favor of keeping the pool open adding that it is an integral part of the community. She would also love to see it upgraded, especially the showers. She said she believes there is a lot of support of the residents to keep it open and she has received a lot of feedback in support of the pool on the Roesland PTA Facebook page. She also said she would like to see it continue as a year-round pool.

**Holly McKinney** - Ms. McKinney also spoke in support of the keeping the pool open and that her children and family love it.

CMBR Rhoades wanted to let the community know that this is not a discussion about closing the pool, but just a discussion on repairing the blower/heater for the dome. He said that the county shares in the costs with Roeland Park which averages \$400,000 with the City shares half.

Ms. Pollard said Mr. Moody asked what the losses are in the off-season vs. the summer season. She did not have the specific numbers at this meeting, but did say the loss for June 2016 was \$11,000, while July 2016 was \$71,000.

Ms. Jones-Lacy confirmed those figures noting that a quarter of the losses are, in fact, during the summer months of June, July and August, but also when most of the revenue comes in.

City Administrator Moody said he wants to look at the operation in greater detail because there are expenses that begin to incur before the pool opens in preparation for the summer season and expenses after the pool would close if only operated as a summer pool. A more accurate comparison remains to be done to have accurate numbers and then the Governing Body can discuss and consider the cost vs. benefit and what the long-term options are. He added that the pool will be paid off 2018, so costs going forward should be less. He also added that an investment has been made in the Aquatic Center and it has been kept in good shape. There are things that remain to be upgraded such as the restrooms, but the in the showers and locker rooms have already done along with pool itself.

CMBR Poppa asked about tracking the revenue generated through the summer as well as annual memberships that come in through the year and how they compare to expenses. City Administrator Moody said revenues are run through an accounting system at JCPRD, which is then reported to the City along with an invoice for half of the operating loss. They also track the capital expenditures to which the City also gets a bill for half of those.

CMBR Poppa asked what the alternative is to replacing the blower/heater, and what the plan for the pool is this year. Mr. Moody said the pool would be heated through November with no dome, then closed. City Administrator Moody said the pool would need to be closed to put up the dome, a process that takes about three or four days. Once up, they would carry on with regular winter operations. The dome is then taken down before Memorial Day.

CMBR Poppa asked if they would need the blower/heater for the dome to go up. City Administrator Moody said they would lose a lot of heat out of the water without a dome over it. In November, they have an estimated increase in the gas cost in running the pool and that is reflected in the \$307,000.

CMBR Fast said she has been on the Roeland Park Aquatic Advisory Committee for many years, and some years they had a lot of rain and very cool weather during the summer that winter was actually more profitable from the swim teams. She added that Bishop Miege is there from November to mid-May and they cannot have their swim teams during the winter without the dome. She has looked at the operating costs and Roeland Park basically paid for the summer season while the county paid for the winter season. The City has been able to have a year-round pool because of its relationship with the county. Ms. Fast said that people come from all over to use the Aquatic Center. It is a regional park and the City is very fortunate to have such an amenity. The zero entry and chair lift allow those with disabilities to take advantage of the pool. She also added that Horizon Academy has programs as the pool provides sensory stimulation. She recommended moving forward to continue operations with the dome.

Mayor Marquardt said the Aquatic Center is a fantastic amenity for the community. He said if the repairs were not done right now, then they would have to close the pool at some point as it could not be open through the winter just being heated.

City Administrator Moody said the pool could be kept open without a dome, but asked how much is to be spent keeping the water warm enough, and then would the folks want to use it if the air temperature is below freezing even if the water temperature in the 70s.

Ms. Alexander also said there is a lighting issue. Without the dome there are no overhead lights, nor are there lights in the pool itself, so the hours would need to be adjusted and they could only operate sunup to sundown.

Mayor Marquardt said it was good to understand that they would more than likely have to close the pool if don't get the heater/blower at some point.

CMBR Fast said they will have to cancel swim lessons and Bishop Miege will be unable to practice during the winter.

Mayor Marquardt said the decision to be made is either to purchase the heater/blower or to close the pool early. He personally felt it is worth it to go through the next two years with the expenditure, and then reassess their status at that point.

CMBR McNeil commented that it is the only place to do the deep-water aerobics. She also asked if there would be a cost savings to not refill the pool until after the dome is up.

Ms. Alexander said that was discussed in their exploration of what the best option is. She said by not filling the pool it risks the pumps to remain inactive. The longer they are off the more likely there is to have issues when they are turned on. She also stated that the weather is warm for now and will keep the concrete warm, which allows for the pool water to heat up rather quickly and thus saves money. If they fill it when it is cold outside and the concrete is concrete, then it will take longer time to heat both the concrete and the water and could extend the time to get the appropriate temperature. She added that user groups would also be displaced while waiting and they would most likely have to find another pool to swim in. JCPRD would then have to look at renting high schools and Bishop Miege would also have to quickly find another replacement. They are already looking to cancel lessons in October.

CMBR Rhoades said the pool agreement is beneficial for both Johnson County and Roeland Park. He noted that when the contract does expire January 1, 2019, it will be in the middle of the winter season. He recommended extending the agreement through the winter season to the removal of the dome. He also said he believes the county will terminate the agreement now that they are involved with the new Shawnee Mission School District pool to be built.

City Administrator Moody said both City and county staffs agree that if there is going to be a transition between agencies, doing it at the time the dome comes down does make sense. He concluded by stating that the Park board is meeting later in the week to discuss this issue.

CMBR Thompson suggested that due to lateness of the hour the discussion would continue under New Business at the City Council meeting.

### III. **ADJOURN**

CMBR Thompson thanked all the speakers for coming and speaking to the Governing Body. It was agreed to discuss this item further at the next Workshop.

(Roeland Park Governing Body Workshop Adjourned at 6:56 p.m.)