

COMMITTEE OF THE WHOLE MEETING
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, February 9, 2015, 6:00 P.M.

- Joel Marquardt, Mayor
- Megan England, Council Member
- Becky Fast, Council Member
- Marek Gliniecki, Council Member

- Jennifer Gunby, Council Member
- Ryan Kellerman, Council Member
- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Rhoades, Council Member

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

Admin

Chair, Kellerman
Co-Chair, Gunby

Finance

Chair, Gliniecki
Co-Chair, Rhoades

Safety

Chair, Kelly
Co-Chair, McNeil

Public Works

Chair, England
Co-Chair, Fast

(Committee of the Whole in Session at 6:02 p.m.)

I. APPROVAL OF MINUTES

- A. January 12, 2015 Committee of the Whole Minutes

It was recommended by the Committee to approve the minutes for January 12, 2015

II. REPORTS OF COMMITTEES:

A. Public Works- England/Fast at 6 p.m.

1. Commerce Bank

Brent Hall, representative from Commerce Bank, spoke on the feasibility of a full access intersection at Johnson Drive and Roe Boulevard that would allow cars to make left turns out of the bank property. Olsson Associates and SKW, the City's engineer, have reviewed the traffic studies and the effects on traffic as a result of adjusting the signals in an attempt to eliminate vehicle stacking at the site.

Mr. Hall discussed two design options for the road, one to include curbing to form separate turn lanes and one with painted directional turns and no raised concrete. He noted there is a \$15,000 cost difference between the two options. Mr. Hall also noted that while the drawings show that a full turn can be accomplished, they tried to minimize the impact on the existing street.

The Committee then discussed the drawings and weighed the options of the two designs.

City Administrator Otto stated if the Committee would like to move forward with the process, the City would like to work with the property owner to establish a CID or TDD or other special assessment with Commerce to pay for half of the cost to design and build the intersection. The anticipated cost for the construction is between \$70,000 and \$80,000 and does not include the \$28,500 due to Olsson for their work. Mr. Otto also noted SKW's recommendation that during peak traffic times, if there are a high level of accidents or safety concerns then adjustment of left-hand turns may need to be limited.

Mr. Johnson also has reviewed the reports from Olsson & Associates. His conclusion of the most recent report is that it satisfactorily addressed concern of queuing at 55th Street/Johnson Drive and blocking the intersection so that a full access was going to be difficult for left turns out. He felt that a non-raised median was the better solution, but there was a negative potential for left turns out of Commerce Bank and that people might use the median as a refuge lane and, therefore, clog up what would be a double-left turn. He stated with the concrete option, it does not leave enough room for very many vehicles turning left.

It was noted that after the intersection is complete, the Police Department will monitor the safety of the intersection.

When asked if Planning Commission has reviewed this proposal, City Administrator Otto responded no since the City is not expanding the road or acquiring any property and there is minimal work involved.

Public Works Director Leon clarified that the Planning Commission does not review or approve public street improvements, but the Commission will get the actual site development of the cloverleaf to review, not the street portion.

The Committee of the Whole recommended moving to the February 16th City Council consent agenda the approval of a full access intersection to be inserted south of 57th Street intersection to allow access to the north part of both the east and west cloverleaf properties with a few stipulations.

2. STP Grant Application in Support of Intersection Improvements for 48th & Roe Blvd

Public Works Director Leon said this intersection was brought up for improvements in a 2009 safety audit. The City has applied for and received a grant for STP funds, but an application needs to be approved by the Council so it can go to KDOT to allow this project to go in their project management system.

Mr. Johnson stated that funds from both the City and KDOT, after the application submission, will allow them to start the design process with an estimated letting date of October 1, 2015. This project will not acquire any right-of-way or easements. The improvements will increase safety and functionality of the intersection at 48th and Roe. Mr. Johnson read for the Committee the improvements and changes to be made to the intersection.

Mr. Johnson noted the project has been on the MARC transportation plan and the application process allows KDOT to earmark the money for this project. Following that, the application process there will be a kickoff meeting with KDOT to discuss the project, the bid letting date and the limits of the project, and finally the setting up of a task order to start the design process.

City Administrator Otto commented that the project was delayed a year so that it could be worked into CARS program.

The Committee recommended to move this forward to the Consent Agenda of the February 16th City Council meeting.

3. CARS Task Order for 47th Street & Emergency Vehicle Turn Around on Roe Blvd

Public Works Leon stated there were several different CARS projects taking place in the City this year. He added that 47th and Roe is a STP/CARS project. There will be two different locations for this project. One will be an emergency turnaround on Roe Blvd north of 48th. This will keep emergency vehicles from needing to drive to Wyandotte County to turn around.

The second project will be at 47th and Mission Road to Roe Lane/County Line Road. There will be new curb installs and repairs, some sidewalk replacement as well as new curb inlets. The total estimated cost for the City is \$240,000, which is approximately one-half of project cost and CARS covers 50 percent of the construction cost. Mr. Leon has spoken with the Public Works Director for Wyandotte County who stated they do not have a program such as CARS, which makes it difficult to coordinate projects with bordering cities in Johnson County. They did discuss the potential for future road projects along County Line Road. There will also be discussion as to whether a bike lane along County Line is even feasible.

The Committee directed questions to Mr. Leon regarding the timing and funds of the project, but Mr. Leon stated if the project is delayed, the future costs will increase and the funding from CARS for the project will be spent on another city whose project is ready to go.

After much discussion, the Committee recommended to move this item to the February 16 City Council Consent Agenda for further discussion.

(Committee of the Whole took a brief recess.)

4. CARS 2016-2020 Five Year Plan

Public Works Director Leon stated that every year the county asks for a five-year projection of what streets are to be considered for the CARS program. He has picked up the list where it left off from his predecessor with one exception, which is Roe Boulevard scheduled in 2017. He has made a decision to postpone it to 2019. One of the reasons for this is it will give an opportunity to assess MARC's bicycle program, which has Roe Boulevard as a major artery into the county for the bike study. This extra time will allow the City to apply for federal funding.

For 2016, the projects will be the interchange at Johnson Drive and Roe Boulevard previously discussed in the meeting. Mr. Otto stated if the east side of the area is developed later, some of the City's costs can be recouped by adding a special assessment on whoever buys the property or adding a sales tax to pay off remaining amount.

Mr. Leon stated that the current list may change after he has done a thorough review of the streets in the City.

City Administrator Otto noted this item was not committing dollars to the project and what's slated for 2016 cannot change, but changes can be made to years 2017-2020. He also added this will give the Governing Body time to look at being able to pay for the projects with either cash or bonding it out.

Public Works Director Leon added that the plan is not to just make street improvements, but also looking to repair and replace the curbs.

CMBR McNeil thanked Director Leon for postponing the major resurfacing project of Roe Boulevard due to possible upcoming construction.

The Committee recommended to move to this to the Consent Agenda at the next City Council meeting.

Mr. Leon also noted that the directional signs for the park are in and are currently being installed in the City.

5. ADA List for items in City Hall

Mayor Marquardt stated his goal was he wanted to find out what should have been in the City Hall project. He has also spoken with the architect and contractor for the project. Mayor Marquardt commended the contractor for fixing a lot of the items without complaint, that they were very proactive once the issues were brought to their attention. He has created a spreadsheet of the list of items to bring the facility to ADA compliance and is looking to get cost projections for those items remaining. He noted there were certain things that could not be done such as putting a handicap accessible traffic stalls near the door, but one could be near the charging station and striping a path to the door. This will not make the item fully compliant, but in his opinion it is a good effort. The Mayor then provided some background on the development history of the project.

City Administrator Otto answer questions regarding funding the remaining ADA issues with City Hall, noting that his memory was the original budget was set at \$1.5 million for work on building and the bid came back around \$1.2 million. This left money for technology improvements and adding other items such as windows. The project was funded from the TIF district which other than City Hall, Granada Park is a recipient of the funds. Once the work is complete at Granada Park staff will have a better idea of what funds are available to apply towards the City Hall's ADA improvements.

The Committee discussed prioritizing the list with the Mayor noting the government's priorities start with access to the building. There were some concerns expressed about not having a compliant building, but the Mayor added that the government looks favorably on cities that have a plan. He added that once he receives a price on the items remaining, the Council can decide whether to work on the items in phases or as a total project.

The Committee also discussed with the Mayor the responsibilities of the architects and contractors in the original remodel of City Hall and why it was not in compliance. There were also some concerns expressed about the Mayor's liability in working so closely with this issue. The Mayor felt that since he is very well versed in ADA regulations and requirements, he is best suited to do the preliminary work. He did state, however, that he will not be the architect for the compliance upgrades on the building. Mayor Marquardt did state that he would review the plans before the work is done, but it is the responsibility of the project architect to draw up the designs and approve the work as ADA compliant before it is put out to bid.

(Mayor Marquardt left the meeting.)

B. Admin - Kellerman / Gunby

1. Procedures Discussion
2. Purchasing Policy Update
3. Appeals Board for Property Maintenance and Code Board of Appeals
4. Rental Inspection

The Committee discussed the final changes to the Rental Inspection ordinance. Questions were addressed about transition inspections. City Administrator Otto stated it will be an honor system that property owners report a change of tenants realizing that governance is directed at people doing the right thing. There was also discussion of education to property owners and how the City will effectively reach out to them.

The Committee recommended that staff add language to address properties not being inspected more than once in a year and the effective date of the program. The Committee recommended starting the inspection process at the Boulevard Apartments next winter and educate the landlords in the meantime.

Ms. Jones-Lacy stated she has spoken with the property inspector at Merriam, and they do not use administrative search warrants as they found them cost prohibitive and time consuming. They do use the municipal court summons process and have found once the letter has been sent, people come into compliance. She thought the Governing Body might want to consider that component to the search warrant aspect and staff will do more research.

Staff will make the requested changes in time for the next City Council meeting and the Committee recommended to move this item forward to the February 16 agenda.

5. Agenda Management System

Jennifer Jones-Lacy stated that Ms. Mootz initiated the research reviewing agenda management software to assist the City Clerk and City Administrator by reducing the amount of time putting Council packets together. The goal

was to look for a software program that would make it more streamlined for staff and easy to navigate for Council, allow them to take notes, and research previous meetings during the meeting through the software portal.

Jill Emerson [PH] from Novus Solutions, appearing by phone, walked the Council through the trial version staff was currently using. She noted that some of the benefits of the software is accessible through a secure web portal. Each Councilmember would have their own private access, could make notes that only they would see.

Ms. Jones-Lacy stated this would allow other departments prepare and add their items to the agenda and to make changes. This would free up some of time City Clerk Bohon spends on putting together the agenda. The software automatically orders everything so changes to the agenda are made easily. She stated that she would contact the company about extending the software trial so as to let the Committee have access to it for review.

Ms. Emerson stated there is a component in the software that will calculate the votes, but Mr. Otto stated the needs for that component exceeds the hardware technology currently in place at the City

There was Committee discussion regarding the value of the \$5,000 annual cost for the program and the time saved by having it.

The Committee agreed to place this on the City Council agenda for further discussion in the event there is no extension of the trial.

6. City Administrator Report

a. Google to provide video services in Roeland Park acknowledgement letter

City Administrator Otto stated that Google would like to provide video services in Roeland Park. He noted that all video telecommunication providers go to the State to get permission to do video services within a city without having to approach the city. He noted that the other cable providers all have this agreement. The City is in receipt of a letter from Google stating it wants to provide the video services and has the permission needed by the Kansas Corporation Commission. The City needs to acknowledge the letter, but will ask in return that five percent of their gross receipts be remitted to the City. The Mayor needs to sign to the letter and asking for the five percent going forward. He added that the City probably won't see a lot of new revenue as customers leaving their current provider for Google will keep the numbers around the same. He felt this move by Google could be a sign that they would soon start deploying their service in the City.

The Committee recommended to move to Consent Agenda Council for approval for the Mayor to acknowledge receipt of the letter, and to include a request for five percent of the gross receipts.

b. Ethics Ordinance Update Road Ahead

c. Utility Assistance Program MOU with Johnson County

City Administrator Otto noted this program currently addresses people within 200 percent of the poverty level in the county. Roeland Park has annually provided \$15,000 to the fund and those funds are earmarked for Roeland Park residents only.

CMBR Gliniecki remarked that in both the letter from Johnson County Housing Services and in the media that they're experiencing a record demand for assistance and feels this is a very critical program for some individuals.

The Committee recommended to place this item for approval on the Consent Agenda.

d. HOME Program MOU with Johnson County

City Administrator Otto noted the HOME program is divided in to two parts, the minor and major HOME program. Both programs are means income based programs administered by Johnson County. The minor program deals with ADA issues or some smaller ticket items to help keep people in their home. The Major HOME program, is supplemented with HUD dollars. The City contributes \$2,500 annually and when contributions reach \$7,500 HUD adds their match. This allows for once every three years doing \$30,000-\$40,000 of renovations to a house, a 4-1 match on a \$7,500 investment. For 2015, the City budget is putting \$2,500 in for the minor program and increasing to \$7,500 for the major portion of the program. Mr. Otto noted that currently there are around 13 qualified houses in City on a wait list.

The Committee recommended to place this item for approval on the Consent Agenda.

e. City Audit Disclaimer

City Administrator Otto presented to the Committee a scope of work for the City's annual audit with McGladrey, the City's outside auditing firm. He noted the firm looks at the City's process-related issues making sure everyone is following policy and there are sufficient safeguards and segregation of duties to reduce the risk of financial impropriety such as embezzlement. He did bring to the Committee's attention one change and that is the deletion of the second sentence on page 6 under Claims Resolution.

If approved by the Council, a draft audit will be available in May when the auditors will give a report on any issues they find, any issues of interest, or material deficiencies.

City Administrator Otto also suggested that if the Council is comfortable with contracts that are renewed annually if that can be handled administratively, stating if there are changes to language or dollar amounts that they would be brought before Council for approval.

CMBR Gliniecki and CMBR Rhoades believed in the interest of transparency the contracts needed to continue to be presented before Council. It was noted that all contracts are available for review by the public.

The Committee agreed to move this item forward to the next Council Meeting Consent Agenda.

7. Clarification as to setting the committee of the whole agenda
8. Remote Meeting Participation Policy
9. Naming City Property Policy

City Administrator Otto stated that the Police Department is currently looking for a replacement officer. He added that the last session of the citizens' academy will be Tuesday night at 7:00 at Public Works with Neighborhood Services presenting.

The items regarding the Remote Meeting Participation Policy and the Naming City Property Policy research was prepared by Intern Ted Clemons.

Finally, Mr. Otto mentioned there had been a break-in at the Kansas City Power & Light substation that stores truck and equipment and some equipment was stolen. Public Works was also broken into, and ironically the two vehicles that were stolen were the ones Council approved to be put out for surplus.

Police Chief Morris stated that both vehicles have been recovered and people are in custody on felony charges. They also have recovered over \$17,000 worth of merchandise. Roeland Park Police have been working with Lenexa,

Kansas City, Missouri and Independence. Chief Morris reported that Public Works Director stated he could repair the fences and the Public Works building was not broken into and does have a security system.

III. NON-ACTION ITEMS:

- A. Committee Minutes
 - 1. Community Foundation Advisory Board
- B. Pending Items
 - 1. Possible modifications to Chapter 16
 - 2. Right of Way Updates
 - 3. December Financials
 - 4. Plan Review Fee Update and Fee Resolution Update
 - 5. Home Occupation Update
 - 6. Bed and Breakfast / Boarding House Permissibility as a Home Business

IV. ADJOURN