

**COMMITTEE OF THE WHOLE MEETING**  
**City of Roeland Park**  
**Roeland Park City Hall, 4600 W 51st Street, Roeland Park, KS 66205**  
**Monday, March 23, 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

**I. MINUTES**

- A. March 16, 2015 Committee of the Whole Minutes

There was Committee agreement to approve the Committee of the Whole Minutes from March 16, 2015.

**II. REPORTS OF COMMITTEES:**

1. **Personnel** – Matters of Non-Elected Personnel TO RECESS INTO EXECUTIVE SESSION UNDER THE PERSONNEL MATTERS OF NON-ELECTED PERSONNEL EXCEPTION TO THE OPEN MEETING ACT FOR THE CITY ADMINISTRATOR’S EVALUATION WITH THE OPEN MEETING TO RESUME IN THE CITY HALL CONFERENCE ROOM AT 6:30 P.M.

2. **Admin** – Modification to Chapter 16

Ms. Jones-Lacy presented Planning Commissioner Kyle Rogler and Building Official Mike Flickinger to the Committee. She then gave an overview of the changes contemplated by the Planning Commission in their review of Chapter 16. It was also noted that City Attorney Shortlidge is drafting an ordinance that will incorporate all by reference all the changes being made, which will then be presented to Council. of The vast majority of the changes include grammatical edits and changes to the sign regulations that were codified in 2010, but due to editing mistakes when the book was printed, they were omitted. Sign regulations were inadvertently left in and is now addressed under the City Code’s temporary sign ordinance.

CMBR England added that political signs, even though not specifically mentioned under the temporary code ordinance, are limited to the restrictions in temporary signs regulation.

CMBR McNeil asked for clarification of the definition of concrete and its impact on the 47<sup>th</sup> and Mission lot. Mr. Flickinger stated that all concrete within the City needed a permit and must be 55 permeable. Currently driveways are the only items defined in the code and the changes will incorporate all types of concrete and will be defined as a structure. In regards to 47<sup>th</sup> & Mission, he noted a parking lot is an accessory structure, and the lot cannot be an accessory without a main structure.

Ms. Jones-Lacy added that as the Planning Commission’s review process continues more items will be brought before Council for approval.

City Administrator Otto also added that the point of codification is to make statutory changes or changes made by ordinance or judicial rulings.

Ms. Jones-Lacy continued noting the revision and clarification of yard definitions, noting what constitutes a front, side and rear yard. She presented images that correspond to the definitions and which also help to clarify where the

written language may be difficult to understand. She also noted that the Mayor's input was very helpful in the process.

Ms. Jones-Lacy also noted the regulations in regards to metal roofs and that the change was to ensure no corrugated roofs were used in the City. Standing seam roofs will be permitted with a noise dampening insulation and colors are limited to earth tones as approved by Mr. Flickinger.

There are also clarifications regarding the regulation of setback requirements for detached structures away from the property line.

There was Committee agreement to move this item forward to the next City Council meeting for approval.

The Committee expressed their appreciation for the work into the revisions done by Ms. Jones-Lacy and representatives of the Planning Commission.

### 3. **Public Safety – E-Ticketing System**

Police Chief Morris presented to the Committee an overview of the e-ticketing system his department wishes to implement. He showed pictures of the massive amounts of paperwork that would be eliminated by switching to the Digi-ticket system. With the system, driver's licenses are scanned into an electronic system in an officer's patrol car where charges are inputted, and a ticket receipt is printed for the violator that includes a court date. It also eliminates any misconceptions of an officer's handwriting. The tickets are then interfaced with the court system software. It also is a reduction in cost as it reduces paper and is, therefore, a green initiative. Chief Morris noted the system reduces a traffic stop time of up to 75 percent, which allows officers to increase their patrol time and visibility while increasing officer safety and public safety. The system will also assist with warrant entries, suspensions, dispositions, and collections, tracking diversions, complaints, record keeping, information releases, court dockets, case filings, public assistance, property maintenance records and building permits. He also noted that Shawnee, Merriam, Lenexa are currently utilizing the Digit-ticket and Overland Park is transitioning to the system as well. Police Chief Morris concluded by stating that this is an investment in a great tool that not only makes his department more productive, but keeps his officers safer.

City Administrator Otto noted the court clerk will then have more time to devote to the state's set-off system, which the City has not yet utilized.

CMBR England inquired as to future fees and the anticipated life usage of the equipment. Chief Morris stated there is a recurring fee of \$2,112.50 starting the second year which is for maintenance and support fees. The equipment has a life expectancy of 60 months.

Ms. Jones-Lacy noted she previously worked in a city that has used e-ticketing where they did notice an increase in the number of tickets issued, but that it also saved the court clerk from having to manually input all tickets.

City Administrator Otto noted the system will be purchased for under Court, Computer and Software line item in the budget.

The Committee recommended to move this item forward the next City Council meeting for approval.

### 4. **Public Works - Nall and R Parks list of Amenities and Deferred Maintenance Phase 1**

Public Works Director Leon showed the Committee photographs of some of the work completed in both Nall and R Park as well as the rest of the City parks. Late 2014, the Governing Body directed Mr. Leon to do a thorough review of all the parks and to find replacement costs for all of the amenities. As a result, the Public Works Department has found some very lost-cost ways to bring certain amenities back to life. Mr. Leon thanked the Committee for asking

him to take this project on as it was a good experience for his department. Mr. Leon acknowledged Rick Allen who did a lot of the legwork on the project.

Mr. Leon showed photos of some of the improvements to Nall Park which included upgrades to trash receptacles, picnic tables and the repainting of benches. A "trail ends" sign was also added to the park. The swing set was upgraded and monkey bars were installed and painted. He then showed photographs of three fences in need of repair and addressed the safety concerns they present if not replaced. Public Works has ordered their mulch and will be tracking how much is needed for future costs. Mr. Leon noted that the City's trucks were modified and they picked up the mulch themselves. A contractor will need to be hired for the fence work, but most of the other work will be completed in-house. A plumber is scheduled to inspect the sanitary sewer line and pipes at Nall Park. The restroom is currently not ADA compliant and may require a remodel. Also light fixtures will be replaced at the park's shelter.

CMBR McNeil asked for the plumber to check the lines to the water fountain and whether it should be moved from its current location. Mr. Leon stated he will ask the plumber to inspect the fountain, but would look to the Parks Committee should they wish to make any changes to the fountain's location.

CMBR Rhoades inquired about the use of the City's leaves as mulch and Mr. Leon stated it would probably need to be much deeper than is needed for wood mulch and would not look as appealing.

There was discussion of the chain-link fencing and Mayor Marquardt wished there was another option that was more friendly-looking that would provide the safety needed at the park. CMBR McNeil stated she likes the woody feel of split-rail fencing. Mr. Leon stated the fencing was a safety issue and his department will address that directly. Any cosmetic changes he would be happy to discuss with the Parks Committee. He wanted to have this issue taken care of before the Easter Egg Hunt.

CMBR Gunby stated it was planned to have volunteers to act as a safety buffer along the wall where the fence has failed.

City Administrator Otto stated the goal of this item was to review items that will be handled through the building maintenance reserve that the Governing Body set up two years prior, adding that these are not new items, but are to replace things that have failed that aren't budgeted for and cannot wait for a new budget.

Public Works Director Leon recapped stating the funds requested for Nall Park amount are \$9,880 plus an additional \$500 for the plumber to inspect the bathroom as well as the drinking fountain.

City Administrator Otto also added if this item had arisen and cost \$2,000, it would have been handled directly, but this is the first large review of deferred maintenance in all the parks based on a request by the Governing Body which is the reason for its presentation at the meeting.

R Park - City Administrator Otto stated that the flag pole is inoperative and KCP&L and Black & McDonald will remove the flag pole and replace it at no cost with another streetlight flag pole. This work will be completed within the next few weeks.

Public Works Director Leon stated he listed the replacement costs, low, middle and high, for all the amenities in R Park. He noted that a lot of fundraising has been done in the park to get its amenities. The Governing Body approved Public Works to do the street work and to have the amenities put in place. Public Works continues to work with the fundraising group to make sure the scheduling and ordering of those amenities is on time to get installed. The basketball pad will be treated with crack seal like a street in the hopes of preserving the life of the asphalt. He noted that his department will be purchasing tetherballs for the four posts that have remained when the site was a school. More mulch will be added to the safety zones and swing set areas will increase for compliance. Mr. Leon has also received an actual complete bid to restore the tennis court for \$241,250.

CMBR England expressed her appreciation of Public Works Director Leon and his staff for taking the time to put the list together, noting that it helps to justify the CIP and to be able to put replacement items on a rotation basis.

CMBR Gliniecki noted the tennis court is not on the master plan. Mr. Leon stated the master plan can change, but if the City is not ready to remove or replace the asphalt on the court, the City still has to maintain it.

Carpenter Park - Mr. Leon said this is a much smaller park and serves a much different purpose. The primary issue facing the park is a wooden privacy fence that has termite damage and rot and is leaning into residential property. He recommended to replace all of the wood privacy fence, but using steel posts to deter the termite problem.

The Committee agreed to move forward to the next City Council meeting the approval of park expenditures.

**5. Public Works-** Interlocal Agreement with the City of Fairway for a Salt Dome

City Administrator Otto stated that final details of an interlocal agreement with Fairway are complete. Public Works Director Leon said construction is slated to begin September/early October and he is working with Fairway Public Works Director to co-bid for a salt purchase.

The Committee agreed to move forward to the next City Council meeting the approval of the interlocal agreement.

**6. Public Works-** Task Order #17 for 48th and Roe Blvd. Intersection Work

City Public Works Director Leon stated these improvements are a federal project being funded through state grants from the 2015 CARS project and STP (Surface Transportation Project). His goal is to have SKW begin the design work on the project.

The Committee agreed to move this discussion to the next City Council meeting.

**7. Public Works-** Task Order #18 to create an RFP for 2015 Street Maintenance Part 1

Public Works Director Leon presented his department's 2015 Street Maintenance Program, which is separated into two different parts. Part 1 will address structural issues of street compaction as a result of stormwater projects in 2006-2008. The areas affected by pavement sheering are Howe Drive between 49<sup>th</sup> and 50<sup>th</sup> Streets and also between 52<sup>nd</sup> Street and 52<sup>nd</sup> Place. The goal is to permanently fix the issues on the street.

The second item in Part 1 is the installation at R Park of an ADA ramp that will provide access to the trail in the southeast corner.

Part 2 will be the prepping of streets for 2016 work, which will be a fairly significant project that will be brought before the Committee at a different meeting.

Mr. Leon noted that his staff has walked approximately 20 to 25 miles of City streets evaluating their condition with the desire to later rate all the streets in the City.

City Administrator Otto stated funds up to \$250,000 from the Street Maintenance Fund will be sufficient to cover Parts 1 and 2.

Public Works Director Leon is requesting SKW to design the three locations that are deemed to be important to fix and wants them included in the Street Maintenance Part 1. They will then provide the City with a task order for the items.

City Administrator Otto added that a set of plans will be compiled and an RFP issued to be approved by the Governing Body in April or May. After receiving responses, the Governing Body will choose a vendor to do the projects.

Public Works Director Leon clarified for CMBR Kellerman that the project on Howe will be a mill and overlay project of the street to fix the compaction issues.

There was agreement to move this item forward to the City Council agenda.

The Committee discussed the placement of items on the Consent Agenda or whether each item needed to be addressed individually.

A majority of the Committed agreed to move Items 3, 4, 5, 6 and 7 on to the next City Council Consent Agenda.

**8. Admin - City Administrators Report**

Public City Administrator Otto reminded everyone of upcoming events.

Committee of the Whole - March 30, 2015 from 6:00 p.m. to 7:00 p.m.

City Council - March 30, 2015 at 7:00 p.m.

Easter Egg Hunt - April 4, 2015, 11:00 rain or shine.

Community Forum - March 25, 2015, at the MPR Room in the Community Center.

Seed Swap - March 28, 2015, at the Community Center at the Gazebo.

*Items 9, 10 and 11 will be discussed at a future Committee of the Whole Meeting.*

**9. Admin - City Administrator Report**

**a. Fee Resolution Update**

**10. Admin - City Administrator Report**

**b. Allowing alcohol Consumption on Certain Public Property**

**11. Admin - Committee of the Whole Procedural Rules Update**

**12. Admin- 47th and Mission property Temporary Exemption for Parking while Requesting Additional Parking**

City Administrator Otto provided a summary of the process property owner Tony Krsnich will need to go through to have parking remain on-site while there are no structures present. A concept plan will need to be presented to the City that will then be provided to the Redevelopment Committee. A special use permit will need to be filed based on the feedback from the Redevelopment Committee discussion. After that, the plans will go to the 47<sup>th</sup> & Mission Overlay District. It will then come back to the Planning Commission and then their recommendations will be presented to the Committee. Mr. Otto noted these groups typically meet once a month so the process may not happen very quickly. In the interim, Mr. Krsnich will be requesting an exception or a temporary reprieve from City staff enforcing having a parking lot as an accessory structure for structures no longer on the site.

Mr. Krsnich addressed the Committee stating he was caught off guard at the last meeting and apologized for the tone of his answers. He stated he has received information from Mr. Otto regarding a concept plan as an example with a restaurant and that his end game is to have a restaurant on the site. He asked for a 90-day non-enforcement

on the parking challenges adding that he hoped to get a food truck operation that would provide revenue and vibrancy to the area while he finalizes plans for the restaurant space.

CMBR Gunby inquired as to when a permanent restaurant would be realized on that site. Mr. Krsnich stated maybe next summer, but for things to be up and running in 1½ to 2 years.

CMBR Kelly inquired as to how food trucks report their revenues and that currently the parking spaces are not well defined on the site. Mr. Krsnich stated the parking lot is striped, but is covered up with debris from the demolition.

CMBR McNeil stated she noticed 20 to 30 cars at the lot, but reminded Mr. Krsnich that only 12 parking spaces have been approved. She also inquired as to how Taco Republic will handle their parking problems once a permanent restaurant is at the site.

Mr. Krsnich stated that waiving the parking limit for 90 days so a special use permit can be pursued. He added that he believed by allowing the parking on his corner for Taco Republic and Oklahoma Joe's that it will make the overlay district more vibrant. He anticipates sharing parking once his restaurant is open.

CMBR Gliniecki brought up that the changes in elevation need to be addressed as they are safety issues in regards to parking. He also thanked Mr. Krsnich for coming in and speaking to the Committee.

City Administrator Otto added that the rezoning and replatting of the property would need a development plan before those two items could take place.

City Attorney Shortlidge said the items would have to be coupled together as the site is to be made into one lot. Mr. Shortlidge stated the site cannot be replatted as it is two different zoning districts. First the property would need to be rezoned before it can be replatted.

CMBR Gunby said she hoped the permanent restaurant at the site would be on par with Taco Republic and Oklahoma Joe's.

CMBR McNeil stated she was disappointed that after the approval of 12 spaces she was seeing so many cars there. She felt betrayed Mr. Krsnich didn't stick to what was granted to him. She expressed her continuing concerns about the site just being a parking lot.

Mr. Krsnich stated he could have hired some security detail and apologized.

CMBR Rhoades stated he had a good talk with Mr. Krsnich, but did have concerns about who was responsible for any injuries on the property due to the uneven concrete. City Attorney Shortlidge said the property owner has an obligation to keep his property safe.

Mayor Marquardt expressed the need to have a barrier to prevent people from driving off the curbs. He also stated he wants to see the project succeed as it will be good for the City. He also stated that in the project approval process it be stated it is not an approval of food trucks or as a parking lot so there will be no misinterpretation by a future Governing Body.

Mr. Krsnich read into the record an e-mail from Jeff Bartz, civil engineer, who lives adjoining the property where he expressed his support for the project and the need for residents to be able to park again on their street.

CMBR England asked for a clarification of Mr. Krsnich's relationship with Taco Republic to which he stated he was essentially a landlord for a portion of their parking. He added that he is working on a restaurant concept with Taco Republic and also others outside of Taco Republic, but had nothing formal at this time.

City Administrator Otto recapped the requests being made. Mr. Krsnich is looking for a 90-day waiver of enforcement for parking of 30 or 31 spaces. He must file a concept plan as soon as possible to address the parking and site use mid-term and to address blocking off parking on the building slabs left after the demolition and protecting or denoting the drop-offs of the pavement.

The committee agreed to move this item forward to Council for approval of the non-enforcement of the Codes.

*The Committee agreed to postpone the remaining discussion topics to a later meeting.*

13. **Admin** – Removal of Tree in the Right of Way
14. **Admin** – Appeals Board for Property Maintenance and Code Board of Appeals
15. **Admin** - Remote Meeting Participation Policy
16. **Admin** - Bed and Breakfast/Boarding House Permissibility as a Home Business
17. **Admin** - Naming City Property

### **III. NON-ACTION ITEMS:**

- A. Committee Minutes
  1. Arts
- B. Pending Items
  1. Clarification as to setting the Committee of the Whole agenda
  2. January Financials
  3. Process Discussion

### **IV. ADJOURN**

(Roeland Park Committee of the Whole Meeting Adjourned)