

COMMITTEE OF THE WHOLE MEETING
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, May 4, 2015 6:00 P.M.

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

Chair, Janssen
Co-Chair, Poppa

Finance

Chair, Rhoades
Co-Chair, Kelly

Safety

Chair, McNeil
Co-Chair, Thompson

Public Works

Chair, Fast
Co-Chair, Kellerman

Before beginning the agenda, Mayor Marquardt asked the Committee if he or another Councilmember would like to run the meeting until a new Council president is elected. CMBR Kellerman suggested that CMBR Fast run the meeting, to which she agreed. CMBRS Kelly and McNeil were in agreement to have the Mayor run the meeting. After some discussion, the majority decided to let Mayor Marquardt run the meeting for this evening.

I. APPROVAL OF MINUTES:

A. March 9, 2015

The Committee decided 6-2 to approve the minutes for March 9, 2015.

II. REPORTS OF COMMITTEES:

1. Finance – City Audit 101 by the City Auditors

Chelsey Forge, a representative McGladrey, the City’s auditor, gave a presentation to the Committee on what to expect in the Comprehensive Annual Financial Report (CAFR) to be published. Using the 2013 report, she reviewed the audit process for the City which begins in January where McGladrey performs tests of controls over the processes that the City currently has in place. They review the process by which transactions are handled. McGladrey staff is on-site at the City for a couple of weeks, after which time they create a draft CAFR that is reviewed by City staff.

Ms. Forge provided a detailed overview of the report explaining how to read financial statements, recommending Council review the 2013 report so as to know what to look for in the CAFR for 2014 when she comes back before the Governing Body on May 18 to discuss the current report.

The 2014 report will include a Letter of Transmittal from Ms. Jones-Lacy, the City’s Finance Director, and is an opportunity to give a brief overview of the City, any changes made in the past year and to comment on any factors that might affect the financial statements. The letter is a certificate of achievement on the CAFR that is submitted to the Government Finance Officers Association (GFOA) to review the certificate every year. Not everyone receives the award, but it speaks volumes to management’s ability to review and prepare financial statements in order to get that award. After completion of the audit and a review of their findings, McGladrey offered a clean opinion of the City.

Ms. Forge directed the Committee to the Management’s Discussion and Analysis (MD&A) section of the audit, which is the only portion of the CAFR that’s comparative and includes financial statements that compare what changes, if any, from the previous year and also gives an opportunity for the Finance Director to add any commentary for the reason of changes.

Ms. Forge stated she will send a final copy of the audit report for review by staff and Council and will report on May 18th for an in-depth review and answer any questions.

2. **Admin-** Planning Commission Recommendations on Little Libraries and fence setbacks

Mike Flickinger, the City's Building Official stated that the Planning Commission held public hearing on accessory structures which included rear yard fencing as it relates to corner lots. He noted the added restriction that once the fence passes the front facade of the adjacent house it's then restricted to 42 inches in height. This change will make the fencing more visually pleasing and help with visibility. Side fencing on a corner lot is permitted up to the street right-of-way on the side yard, but cannot exceed 42 inches in height and cannot interfere with the sight visibility triangle, which is a 15-foot by 140-foot triangle in eight different directions. This change will eliminate about 80 percent of the variance requests that comes to the Board of Zoning Appeals.

Mayor Marquardt asked for clarification on walls that were meant as retaining walls, but felt someone could construe that to mean a masonry wall. Mr. Flickinger felt the definition of wall was defined in the section, but will research into it further.

Mr. Flickinger stated Section 613, Outside Storage, has modified its statement of outside parking of motor homes and trailers on the side yard. These vehicles are not permitted to pass the front facade of their house or the adjacent property's house.

Planning Commission held discussions to set regulations for Little Libraries in the City. Their best practices model is based on a Kentucky city. Planning Commission is recommending that the box must be back of the street right-of-way so as to avoid snow plow damage but also restrict people from standing in the street. Structures are to be in front of the house structure, which encourages owners to maintain the library. The structures will not be subject to permits or special licensing requirements if the box measurements are met. Finally, only one library is permitted per address.

Public Works Director Leon recommended the libraries be placed five feet behind the right-of-way as snow plows can push snow past the that line. He also expressed concerns if sidewalk repairs or utilities needed to work in the area who would be responsible for repairing or reinstalling the library if it is in the way of work to be done.

Mayor Marquardt recommended adding that the City is not responsible for any projects that might damage Little Libraries if they are near projects.

There was Council discussion about possible place of libraries including making them more ADA accessible or accessible from the driveway.

Mr. Flickinger will bring this discussion back to the Planning Commission to discuss curb setbacks. He will also check with the standards the City of Fairway has implemented.

3. **Admin** - City Administrator Report – Allowing Alcohol Consumption on Certain Public Property – Corrected Date

City Administrator Otto stated the approval for consumption of alcohol at the City Block Party was incorrect in the City's paperwork and needs to be changed to Saturday, June 13. The date disseminated to the public is correct.

The Committee agreed to the date change corrections.

City Administrator Otto passed out forms to the Governing Body for those interested in participating in the LKM Annual Conference and the League of Cities conference. He requested they be returned by May 21, and will be included in June packets for consideration.

Mr. Otto also gave the upcoming meeting date schedule:

May 6 - Committee of the Whole. Topics will focus on departmental budgets for the General Fund, Police Department and Public Works.

May 7 - Sustainability Committee

May 11 - Committee of the Whole will continue with budget discussions.

May 12 - Committee of the Whole with a budget discussions and consideration of the strategic plan.

May 18 - Committee of the Whole with City Attorney Shortlidge reviewing Council procedural rules.
City Council meeting

4. **Admin** - City Administrator Report – Banner at R Park

Shea Geist requested permission from the City for the Parks Committee to have a banner printed to hang from the tennis courts in R Park. The banner would explain what's happening in R Park, show the current master plan and talk about the Emerald Ash Borer and where to get more information.

CMBR Kellerman suggested adding the prices on the master plan part of the banner.

The Committee agreed with making a banner.

5. **Admin**- Clarification on which Individual Establishes Committee Agendas

This topic was discussed jointly with Item 6.

Public Comment:

Tom Madigan: Mr. Madigan addressed the Committee regarding their rules and procedures for the Committee of the Whole meetings.

6. **Admin** - Committee of the Whole Discussion – Agenda, Structure and Responsibilities

There was extensive discussion among the Committee who should run the COW meetings, the role of the committee president and the committee chairs, the process for which the agenda is prepared, how to prioritize the items on the agenda and the possibility of adding another Council meeting to the month.

Mayor Marquardt stated the Committee chair should run the meeting and act as a clearinghouse for the committee chairs for information when working with staff to put together an agenda.

CMBR Fast stated this did not lead to a process that was effective as what is important to a chair might not be deemed as important by the president and not be put on an agenda.

CMBR Rhoades stated this discussion needed to be clearly defined and a time limit needs to be instituted for working to resolve this issue. CMBRS Janssen and Poppa agreed that the operating rules for COW meetings needed to be stated.

City Administrator Otto addressed the adding of more meetings stating that in 2011 when he arrived and preformed a survey of neighboring communities that Roeland Park had the most meetings, most committees and the smallest management team in the northern part of the county. He recommended that Committee chairs bring their topics to the Committee president who would then work with staff to prioritize the agenda for COW meetings.

7. **Public Works** – Including the name Roeland Park on the Water Tower

City Administrator Otto provided an update on the painting of the Water One tower. He noted that Water One is currently working on the tower, so this is a time sensitive issue if the Committee wishes to add any graphics to the tower. Previously discussed designs included (all figures are approximate):

- Tree Logo - \$24,100
- Smaller Tree Logo - \$21,500.
- Holding Hands (matches Neighborhood Watch signs) - \$63,000.
- “Roeland Park” and Holding Hands - \$69,000.
- “Roeland Park”(2 sides) - \$11,100
- “R.P.” (8-ft. tall) - \$5,600
- “R.P.” (16-ft. tall, recommended) - \$8,800

Mr. Otto noted the Art Committee reviewed the options and did not consider the “R.P.” only, but recommended the \$11,100 option with “Roeland Park” on two sides of the tower. The City would have a variety of font options to choose from. The rate is also discounted as the vendor is already on-site. Mr. Otto added that the tower is only painted once approximately every 20 years and it’s also a way to increase awareness and promotes a positive image for the City.

Mayor Marquardt is in support of the project. CMBR McNeil liked the holding hands graphic. CMBR Kelly would like to see the full City name. CMBR Poppa felt this could be put off to another time until they have more information about the proposed rebranding of the City. CMBR Rhoades and CMBR Thompson also recommended postponing this to match the design with the City’s rebranding. CMBR Fast stated if it’s not done now, it will never get done. CMBR McNeil stated she would like to see something done with the tower, but it’s a lot of money to spend and not knowing what the new branding will be would like to hold off on the project. CMBR Kelly said she understood the questions about the branding, but felt that it could change many times in 20 years and echoed Ms. Fast’s comments if it’s not done now, it will never be done.

City Administrator Otto stated he will inquire as to pricing for the tower to be painted at a later date and who is responsible for maintenance and if there are any guarantees on the paint. He will bring the item back for discussion at the May 11th meeting. A final decision will need to be made by May 18th.

8. Admin - Councilmember service on various committee

City Clerk Bohon requested the Council list their preferences for which committees they would like to serve and staff will do their best to meet that request. She would like to have their preference list by May 11th at noon, so they can be approved at the May 18 City Council meeting.

9. Public Works- Request for Proposals for Light Replacement at Public Works Building

Public Works Director Leon stated he is replacing the T-12 lights at the Public Works facility with T-8s. This replacement was approved for in the budget. Mr. Leon reached out to Mr. Flickinger for a list of electrical contracts and wants to issue an RFP to have the new lighting installed. His staff has replaced all they could in-house, but because of high elevations and not having the right equipment, time and expertise, they need an outside vendor. The lights will illuminate the outside area to enhance security at the facility. Inside the lights are turned on and off directly at the breaker, so two light switches will be installed.

The Committee agreed to forward item to Council for approval.

10. Public Works- Salt Dome Interlocal Agreement with Fairway Revised

City Administrator Otto brought to the Committee’s attention some revisions to the agreement with Fairway. The City of Fairway expressed some concerns regarding the \$5 million property coverage with Midwest Public Risk (MPR), and it was agreed to reduce that to \$2.5 million. City Attorney Shortlidge does not see this as an issue. Also addressed was if Fairway decided to abandon the salt dome, Roeland Park would be given the first right of refusal to purchase the dome and then to move it as the space belongs to the City of Fairway. The City of Roeland Park would then make certain the land is returned to them in the condition it is in today.

Committee recommends moving forward the changes and additions to the agreement to the next Council meeting.

11. Public Works- Paint colors at the Community Center

Mayor Marquardt met with volunteers, people interested in the development, architecture and design of the Community Center. Suggestions were made how to go back to a retro look for the Community Center and also how to clean it up. The group looked at both the interior and exterior issues. They also compared retro color designs for the exterior. Mayor Marquardt provided the color options and picture samples to the Committee. He noted that most of the volunteers recommended the bright Kelly green color. For the record, the Mayor found this shocking because it's so bright, and thinks it would have the possibility of being shocking and annoying to many, but it could be very fun.

City Administrator Otto added that some of the community center staff did not prefer the Kelly green. Also of the three bidders the project, two are below the wish list number approved to do the three colors.

The Committee discussed their preference on the colors and also adding wording to the project.

Mayor Marquardt asked for an agreement from the Committee on a color so project can begin.

The Committee voted 5-4 on their color choice of blue.

12. Public Works- Interlocal Agreement with the City of Overland Park to administer 2015 CARS project
CMBR Fast expressed her appreciation of the effort in putting this initiative together.

Public Works Director Leon stated that the cities of Roeland Park, Fairway and Westwood have been in discussions about trying to find a way to work together to use Overland Park's bid process. One of the benefits of doing this is since they are a small city their projects aren't large enough to attract the bigger construction firms and are at times forced to pay a premium for their projects or disqualifies them from some of the better contractors. In joining with Overland Park as a big entity, it allows them to join in their bid process.

Some of the work slated to be completed is a CARS 2015 project, which is the emergency turnaround north of 48th and Roe and work on 47th Street/County Line Road, Mission Road to Roe Lane for adding a shared bike lane, some sidewalk additions as well as curb and gutter repair. SKW will still be utilized to do the design work. Overland Park's construction administration will oversee the bid process and the construction inspection as they are providing the bid process. The City of Roeland Park will pay Overland Park directly. Roeland Park should realize dollars saved because of lower prices per quantity per bid item.

The Committee recommended to approve this at the City Council meeting on May 18.

13. Public Works- Agreement for Street Maintenance part 2

Public Works Director Leon stated that some of the City's streets still need preparation for resurfacing. He added that the City of Lenexa put in their chip seal contract a cooperative purchasing agreement that contractors could or could not sign on, meaning if another municipality approached them for chip seal, they would hold a very similar pricing on the bid item for that public entity. Harbour Construction offered the best price, agreeing to hold similar pricing that they did for Lenexa. This agreement will allow Roeland Park to almost quadruple last year's amount of 900-950 square yards of street patching and allows the City to move forward with its street maintenance program. Roeland Park will pay about \$32 per square yard and it is anticipated at completing 4,000 to 5,000 square yards as part of this agreement.

City Administrator Otto added that this agreement puts the City in a better position for next year in terms of street overlays. He also credited Mr. Leon for taking the initiative to find this by talking to his peers, contacting the vendor and working to negotiate the agreement.

The Committee recommended to move to Council agenda for May 18.

14. Public Safety - First Quarter Safety Statistics

Police Chief Morris welcomed the newly-elected Councilmembers. He then provided the statistics from the first quarter of 2015, January 1st to March 31st. He noted there were 215 incident reports or calls for service and the report breaks the information down further by area where the incident occurred and whether the offender was an adult or a juvenile. He also provided further statistics as to individual types of crime in the City.

Mayor Marquardt asked for clarification between robbery, theft and burglary. Chief Morris stated a robbery is stealing by force, causing bodily injury or displaying a weapon. Theft is a crime such as shoplifting when there is no force. Burglary is unlawfully entering a residence or a business with the intent to commit a crime. Theft offenses in the City are usually related to Walmart, Lowe's and Price Chopper and is mostly shoplifting. Chief Morris added that calls for service tend to go up as the weather becomes nicer, so the department has been very busy going into the second quarter.

Chief Morris said the new police cars are going in for graphics and installation of emergency equipment and the work is expected to be complete next week.

Chief wrapped up stating that incidents are low statistically in relation to the City's population. He also assured everyone that if something major goes on in the City, he will know and the City Administrator will know, who will then disseminate the information to the Mayor and Council. He said his staff is taking care of business for those in Roeland Park.

15. Admin - Appeals Board for Property Maintenance and Code Board of Appeals

Administrator Otto reported that the Board of Zoning Appeals (BZA) meets on an as needed basis. Since the City has adopted an International Building Code and an International Property Maintenance Code, which have an appeals process outlined in them, the City does not have a board to handle those appeals. Mr. Otto also noted that in the building code there is supposed to be an appeals board, but there have been no appointments in the past 10 years and there have been no appears in the past 12 years. It is recommended to rename the BZA to Appeals Board for Property Maintenance and Code Board of Appeals and also to utilize the current BZA members for any code issue appeals.

Planning Commissioner Hickey stated it might be good to have the new committee in place issues with 47th & Mission may come up. He felt this would only be helpful in the process, to which Mr. Otto agreed.

The Committee agreed to move this forward to the City Council meeting.

16. Admin – Committee of the Whole Procedural Rules Update

Mayor Marquardt stated the rules Council had adopted rules for its procedures removed the words "maligms" and "upset" from its language at the City Attorney's suggestion, but that they were not removed from Committee of the Whole rules.

The Committee recommended the Committee of the Whole rules language match that of the City Council rules. This item will be forwarded to the City Council agenda.

17. Admin - Remote Meeting Participation Policy

Mayor Marquardt noted the rules for remote meeting participation does not include an Executive Session. He stated that it was recommended by the City Attorney that all be present for executive session and not appear remotely.

CMBR Rhoades stated remote participation in an emergency situation should not count against a Councilmember if they are not able to give a 24-hour notice. Also Special Call meetings should not count against a Councilmember as some may have made plans previously.

There was Committee discussion as to the length of time a Councilmember needs to remotely attend the meeting and to define the repercussions if a Councilmember misses four meetings.

City Administrator Otto will remove the four times a year missed meeting statement, work on language on what makes a quorum and add a provision that remote participation will not be permitted for Executive Session.

City Administrator Otto mentioned some future topics will be to discuss whether a bed and breakfast is legal to operate in Roeland Park, and possibly have someone come in to speak to that topic. Also a discussion will be needed about establishing a process for naming items in the City such as parks, rooms, or buildings.

III. NON-ACTION ITEMS:

- A. Committee Minutes
 - 1. Community Events
 - 2.

IV. ADJOURN