

CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, October 22, 2018, 7:00 P.M.

- | | | |
|---------------------------------|-------------------------------------|-------------------------------------|
| ○ Mike Kelly, Mayor | ○ Jim Kelly, Council Member | ○ Keith Moody, City Administrator |
| ○ Becky Fast, Council Member | ○ Tom Madigan, Council Member | ○ Jennifer Jones-Lacy, Asst. Admin. |
| ○ Jennifer Hill, Council Member | ○ Claudia McCormack, Council Member | ○ Kelley Bohon, City Clerk |
| ○ Tim Janssen, Council Member | ○ Michael Poppa, Council Member | ○ John Morris, Police Chief |
| | ○ Erin Thompson, Council Member | ○ Jose Leon, Public Works Director |

Admin

Kelly
Madigan

Finance

Thompson
Fast

Safety

McCormack
Janssen

Public Works

Poppa
Hill

PLEDGE OF ALLEGIANCE

Mayor Kelly called the meeting to order and led everyone in the Pledge of Allegiance.

ROLL CALL

City Clerk Bohon called the roll and all Governing Body members were present.

MODIFICATION OF AGENDA

There were no modifications to the agenda.

PUBLIC HEARING

Ms. Jones-Lacy said the reasons for amending the budget are outlined in the staff report. There are four funds that they are requesting amendment on, three of which have capital projects associated with them that were not completed in the prior year and as a result encumbered the contracts for the projects into the budget for 2018 as they were unspent in 2017. This caused the expected expenditures to go beyond the original adopted budgeted threshold for that fund. Valley State Bank is for solely paying off debt service.

Mayor Kelly asked for public comment. There were no public comments and the public hearing was closed with action to be taken during New Business on the Council agenda.

I. CITIZENS' COMMENTS

There were no citizen comments.

II. CONSENT AGENDA

- A. Appropriation Ordinance # 921**
- B. September 4, 2018 Council Minutes**
- C. September 17, 2018 Council Minutes**
- D. Aldi's Final Development Plan**
- E. Approval of Homecoming Parade and Permit Fee Waiver**
- F. Superpass Agreement for Merriam – 2019**
- G. Superpass Agreement for 2019**

MOTION: CMBR POPPA MOVED AND CMBR JANSSEN SECONDED TO APPROVE THE CONSENT AGENDA. (MOTION CARRIED 8-0)

III. BUSINESS FROM THE FLOOR

A. APPLICATIONS/PRESENTATIONS

1. Park2Park – Laura Steele

Mayor Kelly recognized Ms. Laura Steele, who organized the Park2Park event which took place on September 29th. He said it was an incredible gesture of goodwill for the community and he had a great time. He also thanked Ms. Steele for all the hard work that she and her committee put into this event.

Ms. Steele thanked the Governing Body for their support. She provided a summary of the events that took place during the Park2Park Run. She said there were about 98 people who registered for the event, but because of the weather about 70 people turned out. They did raise a net total of about \$3,500 for the City's parks. She is pleased with the response for their first year and attributed part of their success to the support of the Governing Body, the generosity of the Community Center and the Police Department.

After the event, Ms. Steele sent out a survey of the event to the participants. Overall, the responses were positive. They thought Roeland Park was a beautiful city and the route was pretty. They didn't like the hill on Nall, but in all, a lot of good feedback about the event.

They looked for ways to reach to participants on Facebook and social media tried to draw attention to the supporting entities. They also had greenspace introductions, which were a series of posts on social media telling people where the spaces were and when runners could expect to see that.

(Videotape of Event Highlights Showed to the Governing Body)

The date has been set for next Park2Park Run on September 28, 2019.

IV. MAYOR'S REPORT

A. Kansas Family and Community Education Week Proclamation

Mayor Kelly read the Kansas Family and Community Education Week Proclamation for the week of October 14-20, 2018, into the record.

MOTION: CMBR POPPA MOVED AND CMBR MADIGAN SECONDED TO ADOPT THE KANSAS FAMILY AND COMMUNITY EDUCATION WEEK PROCLAMATION. (MOTION CARRIED 8-0)

V. WORKSHOP AND COMMITTEE REPORTS

There were no reports given.

VI. REPORTS OF CITY LIAISONS

Mayor Kelly said the minutes for all four committees were posted in the packet.

A. Pool Advisory Committee Report

CMBR Madigan said the minutes are quite extensive, but he wanted to address a couple of items. Water's Edge has not completed their scenario analysis of the different operating modals. Their intent is to have that information for the committee at their 11/14 meeting. They had a walk-through at their last meeting and an item of major importance was the male changing room. River's Edge presented several ideas with five individual showers and the goal is to have things complete by the time the City takes over management so that they are in compliance. Johnson County Parks and Recreation is contacting other pools to determine what their fees are and will report those findings to the committee. Repairs are continuing at the pool and they're addressing the height of the diving pool. The bulkhead has been removed to be repaired.

B. Ad Hoc Development

CMBR Kelly said that the Prospect Number 1 should have their contractor pricing this week and hopefully they will have a proforma proposal early next week.

C. Arts Committee

CMBR Poppa said they are working on solidifying their timeline for procurement, removal and restoration of the art pieces on Roe and will have that final information to City staff this week.

D. Parks Committee

No report was given.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

A. Agreement with Artist for R Park Sculpture

Gretchen Davis discussed the sculpture to be created by Jorge Blanco and the fundraising efforts so far. The Citizen Sculpture Initiative for R Park is a group of 11 residents who have worked to bring this sculpture to the park. She thanked the Arts Advisory and Parks Committees and the Governing Body for their support. She said City staff has been a constant and gracious help all along the way. They have fundraised 99 percent of the project goal from more than 330 individuals, 10 businesses, and 5 foundations. They only need to raise \$596 to reach their goal. They will have a fundraiser at Houlihan's on November 10th and 11th and 15 percent of food sales will come back to the R Park sculpture project. They are willing to repeat that event in February. If they have reached their goal for the sculpture, they will put that money toward the pavilion. She asked patrons to thank the manager for Houlihan's for their continuing generosity.

Last June, they had a meet-the-artist and homemade pie event, which saw a great turnout and was standing room only. People enjoyed meeting the artist and they are certain his piece will reflect his joy and personality.

The sculpture will be focused on community art education. Judy Hyde will have an article in the upcoming Roeland Parker about why public art is important in a community. They have publicized information about the sculpture and the artist on social media and newspapers. They are also going to Roeland Park elementary schools to teach about the sculpture and the artist to grades 1-3 during their art class. They will also lead an art activity with the students who will be given an opportunity to enter the sculpture naming contest.

After City Council approves the contract it will be signed by the City and the artist before the end of October. That will give him six months to fabricate the sculpture. Half of the price will be forwarded to the artist which is \$22,000. He will use that money to purchase materials. The materials are heavy aluminum with a powder-coated paint finish.

The sculpture naming contest is going on well and they have received a lot of entries. The deadline for submissions is December 31st. The Arts Committee and the sculpture group will choose the top five and those names will go to the artist and the artist will make the final choice. That will be announced in March of 2019. The winner will receive a \$50 Houlihan's gift certificate and their photo and the story will be publicized. That person will also get personal recognition the day of the sculpture dedication, which is scheduled for June of 2019.

Jared Luby, a local engineer, will be consulting with the artist and designing a sculpture foundation during the winter. In April, Ian Duncan, under the supervision of Public Works, will construct the foundation. In early to

mid-May, the sculpture will be shipped to the City with oversight by the artist and the Public Works department. An artist's reception for the public will be held shortly after the sculpture is installed. Midtown Signs will install a sculpture plaque. The dedication is planned for end of June 2019, working with all committees participating in the celebration. The gift of the sculpture to the City will remain an iconic symbol of the progress of the City of Roeland Park and a tribute to all teachers, students and the former Roeland Park elementary school which was erected the same year the City of Roeland Park was incorporated.

City Administrator Moody spoke to the elements of the contract. It has been reviewed by the artist and the city attorney and the steps presented by Ms. Davis are reflected in that contract and also outlines when payments will be made and when City obligations are to be met as well as when the artist's obligations are to be met.

Mayor Kelly thanked the groups for all the time, effort and funds and noted that they are the best that Roeland Park has to offer.

(Applause)

MOTION: CMBR HILL MOVED AND CMBR THOMPSON SECONDED TO APPROVE EXECUTION OF THE AGREEMENT IN ORDER TO COMPLETE INSTALLATION OF THE JORGE BLANCO SCULPTURE IN R PARK IN THE SPRING OF 2019. (MOTION CARRIED 8-0)

B. Roe Lane Change Order

Public Works Director Leon reported that the 2018 CARS project is about 80 percent complete. This change order cost would be designs and encasing of the force mains. The City will be reimbursed for 50 percent of this cost.

MOTION: CMBR POPPA MOVED AND CMBR KELLY SECONDED TO APPROVE THE CHANGE ORDER FOR ADDITIONAL CONSTRUCTIONS OF \$116,349 AND ENGINEERING/INSPECTION COSTS OF \$28,668 RELATED TO JOHNSON COUNTY WASTEWATER FORCE MAIN FORTIFICATION AT CROSSINGS WITH STORM SEWERS WITHIN THE ROE LANE PROJECT. (MOTION CARRIED 8-0)

C. 2019 CARS Design & Inspection Task Order

Public Works Director Leon asked for approval of the task order for design and inspection from Larkin Lamp & Rynearson.

CMBR Janssen asked the status of the median at the bottom of the hill. Public Works Director Leon said his recommendation was to remove it, but it does not affect what they're asking for in the task order.

CMBR Hill recommend keeping the median. She added it was installed a few years ago and it calms traffic and makes it safer by the library and the church.

CMBR Poppa said he would like to amend the motion to include removal of the median in the design and inspection task order.

CMBR McCormack supported removal of the median and did not believe it was necessary for the safety of the citizens.

CMBR Madigan said one of his reasons for wanting to see it removed was the difficulty of snow removal for Public Works.

MOTION: CMBR POPPA MOVED AND CMBR MADIGAN SECONDED TO AMEND THE MOTION TO INCLUDE REMOVAL OF THE MEDIAN IN THE TASK ORDER. (MOTION CARRIED 5-3 WITH COUNCILMEMBERS JANSSEN, HILL AND KELLY VOTING NO.)

POLL THE COUNCIL

Fast - Y Madigan - Y Janssen - N Hill - N McCormack - Y Thompson - Y Kelly - N Poppa - Y

MOTION: CMBR MCCORMACK MOVED AND CMBR THOMPSON SECONDED TO APPROVE THE LARKIN LAMP RYNEARSON TASK ORDER AS AMENDED TO INCLUDE REMOVAL OF THE MEDIAN AT A COST NOT TO EXCEED \$39,850.00. (MOTION CARRIED 7-1 WITH COUNCILMEMBER HILL VOTING NO.)

D. 2019 NSRP Rosewood Street - Sidewalk Location Recommendation

Public Works Director Leon said they were having a public meeting November 7th from 5:30 p.m. to 7:00 p.m. with the residents to talk about the sidewalk, easements needed for the construction, and the project as a whole. Staff and engineers will be available at City Hall in the conference room to meet with residents. Letters will be sent to the residents along with the easement documents. Mr. Leon also extended an invitation to the Governing Body to help them work through the residents' concerns and issues that are brought up.

City Administrator Moody added that regardless of what ward the Councilmembers represent they would like to have them all there. There will be cookies.

MOTION: CMBR THOMPSON MOVED AND CMBR KELLY SECONDED TO ADOPT THE RECOMMENDATION FOR THE SIDEWALK CONSTRUCTION ON THE EAST SIDE OF ROSEWOOD STREET, BETWEEN 55TH & ALDER. (MOTION CARRIED 8-0)

E. Purchase of Asphalt Float Attachment for Skid Loader

Public Works Director Leon said this is a 2018 Council objective they were hoping to complete before the end of the year. This purchase will help make their street repair and prep work that they do in-house much more sufficient.

CMBR Janssen asked what the life expectancy of the equipment was on a piece of equipment such as this. Public Works Director Leon said with proper maintenance the vendor said they could get anywhere from 10-12 years of good life. They do a lot of in-house work but probably would not use this equipment as much as a larger community and overwork it, therefore, he believes they could get 15-plus years out of this.

CMBR Fast asked if there is savings by buying used equipment. Always seem to be buying new. Public Works Director Leon said looked for used, but this attachment is unique.

MOTION: CMBR JANSSEN MOVED AND CMBR FAST SECONDED TO APPROVE THE PURCHASE OF ST-200 SKIDLOADER ATTACHMENT AT A COST NOT TO EXCEED \$17,900.00. (MOTION CARRIED 8-0)

F. Award Contract for Public Information Officer

Interviews were conducted by Ms. Jones-Lacy, City Clerk Bohon, CMBRS Madigan and Kelly on behalf of the Admin committee. It was unanimous that they recommend awarding the contract to Sturges Word to begin January 2, 2019. This was a 2019 budget objective. The hope is they will be able to help with branding implementation as well as further communicating the City's message to social media and helping to get the word out about Roeland Park. Their key point person is a Roeland Park resident.

MOTION: CMBR KELLY MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE AGREEMENT WITH STURGES WORD FOR THE CITY'S PUBLIC INFORMATION OFFICER CONTRACT TO BEGIN JANUARY 2, 2019. (MOTION CARRIED 8-0)

G. Agreement with KCP&L for Installation of an Electric Vehicle Charging Station at City Hall

City Administrator Moody said this station will be a dual point and will have the capability to do a quick charge on both ports at the same time. The contract is set up to where the City will pay for the energy. There is the ability to have the customer pay for the energy should they choose to at a later time.

CMBR Fast asked if they could get quarterly reports so that they can see usage of the charging stations. City Administrator Moody said he will make sure that reporting gets set up with KCP&L either monthly or quarterly.

MOTION: CMBR POPPA MOVED AND CMBR JANSSEN SECONDED TO ENTER INTO AN AGREEMENT WITH KCP&L TO PROVIDE AN ELECTRIC CAR CHARGING STATION AT CITY HALL. (MOTION CARRIED 8-0)

H. 2018 Budget Amendment

MOTION: CMBR MCCORMACK MOVED AND CMBR HILL SECONDED TO APPROVE THE 2018 BUDGET AMENDMENT AS ATTACHED. (MOTION CARRIED 8-0)

I. City Administrator Agreement

Mayor Kelly said this agreement is an annual agreement. The Administrative Committee has worked on an evaluation process and the Governing Body has negotiated proposed amendments to Mr. Moody's employment agreement with the City. The proposed changes are incorporated within the packet. He said they appreciate Ms. Zerger's work in helping to facilitate this process to provide amendments to the employment agreement.

CMBR Janssen clarified that his "no" vote is no reflection of Mr. Moody's performance or how great of a job he has done for the City. In fact, he ventured to say he is probably the best City Administrator Roeland Park has had. Mr. Janssen feels the current salary versus what is proposed is too much too fast and used the data that was available to him and arrived at a different salary amount.

MOTION: CMBR THOMPSON MOVED AND CMBR FAST SECONDED TO APPROVE THE NEW CITY ADMINISTRATOR EMPLOYMENT AGREEMENT REVISED ON OCTOBER 19, 2019, BETWEEN KEITH MOODY AND THE CITY OF ROELAND PARK. (MOTION CARRIED 7-1 WITH CMBR JANSSEN VOTING NO.)

J. Approve appointment of Jeff Stehney to the 47th & Mission Overlay Committee

CMBR Janssen asked if Mr. Stehney has said anything about the empty lot that he owns. Ms. Jones-Lacy said they met last week because they are meeting there for the new merchants association that they are forming to plan a spring event. (*Ms. Jones-Lacy's comments were spoken away from the microphone*) Ms. Jones-Lacy said he will use the site in its current form for their spring merchants' association event.

CMBR Poppa said getting Mr. Stehney engaged in Roeland Park and on the Mission Overlay Committee on behalf of Roeland Park is an excellent idea and he looks forward to what he's going to be bringing to that corner.

CMBR Janssen added he will be an asset to the committee.

MOTION: CMBR POPPA MOVED AND CMBR HILL SECONDED TO APPROVE THE APPOINTMENT OF JEFF STEHNEY TO THE 47TH AND MISSION OVERLAY COMMITTEE. (MOTION CARRIED 8-0)

IX. ORDINANCES AND RESOLUTIONS

A. Ordinance 974: Recreational Vehicle, Boat Parking on Driveway

The Planning Commission and staff share a recommendation to adopt amendments to the ordinance. Ms. Jones-Lacy said additional definitions were added to Chapter 16. They are talked about in the ordinance but are not defined. Added were definitions for “commercial vehicle,” “motor vehicle,” “recreational vehicle (RV),” and a “watercraft.” These definitions have been reviewed by the City attorney who approved the language.

Also updated is 16-613 for accessory uses and structures and development standards. The first item was parking of recreational vehicles and boats in driveways. At the last meeting Council had made the recommendation to the Planning Commission to mirror Overland Park’s ordinance of two 48-hour occurrences within a 30-day period that a boat or RV could sit in a driveway.

Another change is 14-214, parking in residential areas. Section A has always been confusing for staff and leaves a lot of room for interpretation. This deals with parking items in a front yard including your driveway. The list includes items such as a boat, bus, camper, mobile home, truck, passenger car, motorcycle, children’s toys, and garden carts. This was changed that those can be parked in the front yard, including driveways of any lot zoned for residential use for no more than 72 hours, except as otherwise provided in 16-613, which is the section that we just updated for two 48-hour occurrences.

Section D was changed to provide for the exception for an RV to park with a guest pass to park in a driveway for no more than a period of seven days, not to exceed seven days twice per year with a permit as approved by City Administrator or designee.

One additional change is no person can park or store any recreational vehicle, attached or unattached trailer or watercraft on any residential street in the City for more than two hours between the hours of 12:01 a.m. and 6:00 a.m.

MOTION: CMBR KELLY MOVED AND CMBR HILL SECONDED TO TABLE THE MOTION UNTIL THEY CAN SEE A REDLINE VERSION OF THE AMENDMENTS TO ORDINANCE 974.

There was consensus to table this item until the end of the meeting while Ms. Jones-Lacy gets a redline copy.

After completing the agenda, the Governing Body came back to this discussion.

CMBR Hill 14-214(d) said in reading this it would be possible for someone to get a permit to park their RV in their driveway for a seven-day period. Ms. Jones-Lacy clarified that it’s a seven-day period that would require an application. Ms. Hill would like to amend this to two days.

MOTION: CMBR HILL MOVED TO AMEND ORDINANCE NO. 974, SECTION 14-214(d) TO TWO DAYS VERSUS THE PROPOSED SEVEN DAY PERMIT. (THE MOTION FAILED FOR LACK OF A SECOND)

CMBR Hill said she was glad her property did not have any immediate neighbors.

CMBR Kelly said he was still confused on Item E and states you can’t park a recreational vehicle, attached or unattached, or watercraft for more than two hours between the hours of 12 a.m. and 6 a.m. and it doesn’t allow for permits.

Ms. Jones-Lacy said the permits are for parking an RV in the driveway and not on the street specifically.

MOTION: CMBR JANSSEN MOVED AND CMBR MCCORMACK SECONDED TO AMEND SUBSECTION (E) STRIKING THE WORDS “ATTACHED” AND “OR.” (NEEDING A TWO-THIRDS MAJORITY, THE MOTION FAILED 4-4 WITH CMBRS FAST, MADIGAN, HILL AND POPPA VOTING NO.)

POLL THE COUNCIL

FAST - N MADIGAN - N JANSSEN - Y HILL - N MCCORMACK - Y THOMPSON - Y KELLY - Y POPPA - N

Ms. Jones-Lacy said there needs to be a two-thirds majority in order to approve something that's not the recommendation of the Planning Commission.

MOTION: CMBR THOMPSON MOVED AND CMBR POPPA SECONDED TO ADOPT ORDINANCE NO. 974. (MOTION CARRIED 7-1 WITH CMBR HILL VOTING NO.)

X. WORKSHOP ITEMS

XI. REPORTS OF CITY OFFICIALS

A. Recap of Upcoming Events

City Clerk Bohon gave a list of upcoming events

October 27 - DEA Drug Take Back, Saturday from 10 a.m. to 2 p.m.

October 29 - Community Forum with Police dog Rango.

November 12 - Veterans' Day will be observed and City offices will be closed.

November 22 & 23rd - Thanksgiving holiday will be observed and City offices will be closed

December 5 - Tree Lighting Ceremony at Roeland Park Community Center

December 7 - Staff Holiday Party at 6 p.m. at the Community Center

December 24 & 25 - Christmas Holiday and City offices will be closed.

CMBR Fast requested to have the Community Forum and Rango posted on Facebook to see if it would boost attendance.

MOTION: CMBR FAST MOVED AND CMBR HILL SECONDED TO SPEND \$200 AS AMENDED FOR A FACEBOOK BOOST TO ADVERTISE THE COMMUNITY FORUM WITH RANGO. (MOTION CARRIED 8-0)

MOTION: CMBR JANSSEN MOVED AND CMBR POPPA SECONDED TO INCREASE THE FACEBOOK BOOST TO \$200. (MOTION CARRIED 8-0)

B. Presentation of 2019-21 Budget Document

Ms. Jones-Lacy said there is a lot of additional information than what is normally in this document as they are applying for the GFOA budget award for the first time and there are a lot of new criteria that is mandatory for the award application materials. Ms. Jones-Lacy reviewed some of the additions that were listed in the packet.

CMBR Fast mentioned the photos that were added in the report and there was discussion of incorporating better photos on the website.

C. Review August Financials

Ms. Jones-Lacy said sales tax receipts are 5.3 percent higher than August of last year and are at 2018 projections. Franchise fee collections are 7.1 percent higher than the prior year and are also above mid-year projections. Court fines are up 12.4 percent and are at mid-year projections. Revenue to the General Fund collected almost \$4.4 million and is up 7.7 percent from last August. Expenditures are 9 percent higher than last year as Public Works street work is paid for out of those funds and that were not paid out last August.

CMBR Janssen asked why solid waste expenditures are up 20 percent. Ms. Jones-Lacy said that amount includes their trash contract which has increased over the prior year.

D. 3rd Quarter Safety Statistics

Police Chief Morris reported from July through September of 2018 his department reported 182 incidents. They had 58 arrests, worked 21 accidents. They also wrote 696 citations and issued 110 warnings. Chief Morris was able to show by map the locations of incidents in the city. He said there continues to be a lot of activity in the business district. Theft continues to be the highest area of crime for the city.

City Administrator Moody and Police Chief Morris met with Lowe's to talk about their business initiative and they are hopeful to get Price Chopper and Walmart on board with the City and are working to set up a meeting with their corporate security officials to discuss crime prevention measures.

City Administrator Moody said the businesses have great data that would help the Police Department be more strategic to the time and day that they would have the additional enforcement presence and are looking forward to working together to help deter crime. Chief Morris added that the corporate world has a different philosophy on how they handle crime prevention, so they are working hard to work to get an advantage on the offenders.

E. School Resource Officer Update

Chief Morris said the school resource officer is working out fabulously well. The SRO has brought the school into compliance with the state marshal's mandates for fire drills. He has also implemented repairs on the two-way radio system and also coordinates security for sporting events. The officer is also in the process of obtaining a therapy dog to be brought in to Horizons Academy. He has also saved about \$30,000 by detecting a technical breach on the campuses.

Mayor Kelly said he appreciates the good in-roads of communication with the school campuses and appreciates that work.

Chief Morris said they are still doing church security on the weekends.

(The discussion returned to Ordinance 974)

F. Executive Session - 75-4319.

MOTION: CMBR MCCORMACK MOVED AND CMBR JANSSEN SECONDED FOR THE GOVERNING BODY TO RECESS INTO EXECUTIVE SESSION TO DISCUSS MATTERS RELATED TO SECURITY MEASURES THAT PROTECT A BUILDING OR FACILITY PURSUANT TO K.S.A. 75-4319(B)(12) WITH THE MEETING TO RESUME IN THE COUNCIL CHAMBER IN 15 MINUTES AT 9:02 P.M. (MOTION CARRIED 8-0)

(End of Recorded Meeting)

(Roeland Park City Council Meeting Adjourned.)

Mike Kelly, Mayor

Kelley Bohon, City Clerk