

CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Tuesday, January 22, 2019, 7:00 P.M.

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| <ul style="list-style-type: none">○ Mike Kelly, Mayor○ Erin Thompson, Council Member○ Vacant, Council Member○ Michael Poppa, Council Member○ Claudia McCormack, Council Member | <ul style="list-style-type: none">○ Tim Janssen, Council Member○ Jim Kelly, Council Member○ Tom Madigan, Council Member○ Jennifer Hill, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Jennifer Jones-Lacy, Asst. Admin.○ Kelley Bohon, City Clerk○ John Morris, Police Chief○ Donnie Scharf, Public Works Director |
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Admin Kelly Madigan	Finance Thompson Vacant	Safety McCormack Janssen	Public Works Poppa Hill
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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

CMBR Madigan requested to pull Item A, Appropriation Ordinance #924 from the Consent Agenda. It was moved for discussion to IX. Ordinances and Resolutions.

CITIZENS' COMMENTS

There were no citizen comments.

I. CONSENT AGENDA

- ~~A. Appropriation Ordinance #924 (Removed to IX. Ordinances and Resolutions)~~
- B. December 17, 2018 Council Minutes**
- C. 2019 Joint Johnson County and Cities Legislative Platform**
- D. Direction on Aquatic Center Operation**
- E. 2019 Street Maintenance Task Order with Larkin**

MOTION: CMBR JANSSEN MOVED AND CMBR POPPA SECONDED TO APPROVE THE CONSENT AGENDA AS AMENDED. (MOTION CARRIED 7-0)

II. BUSINESS FROM THE FLOOR

A. APPLICATIONS/PRESENTATIONS

1. Parks Update

Parks Chair Jennifer Provyn provided an overview of the committee's accomplishments for 2018 and items to be completed in 2019. Ms. Provyn remarked that the collaboration with other City committees was better than in previous years. She said they specifically work with the Events and Arts committees. She also thanked the Council and City for funding the Arts and the help they received from them noting there was some art relocated to help beautify Carpenter Park, Sweany Park and the community center.

They had received feedback from the community that the pool was pretty barren and they are now working with the Arts committee to add a mosaic to the pool.

The Park to Park run was very successful last year and there are plans to make this an annual event. Approximately \$3,500 was raised and will be pushed back into the event to fund it with the hopes that it will become self-sustainable.

Benches and trash receptacles were replaced in Carpenter Park.

There was some damage at Granada Park and Arts Committee was able to have that restored and reinstalled.

Granada Park also has new shade structures and new benches. They have learned a lesson with regard to bench installation. After the benches were installed skateboarders were riding on them. In the future they will be looking at buying bench guards.

Nall Park purchased a new trash receptacle and a recycle bin which were installed this year. The Council approved the design of a sign for the trail head, but one of the trails needs to be modified and are they waiting to see what changes are made to the trails before creating and installing a permanent sign.

R Park shade structures are in progress and will be completed this year. The tennis courts were lined for pickleball and they have received a lot of good feedback from the citizens. Kansas Tree Line Bridging the Gap organization planted 19 trees and also installed tree markers.

The Parks Committee is aware that there is only one park on the east side of Roe, Sweany Park. Due to its size they are limited with what they can do but are looking at refreshing the landscaping.

One objective the committee has for 2019 is to replace the receptacles, benches and picnic tables at Nall Park. Another objective is building a replica of the Roe House as a play and historical structure for a City park. In Nall Park, they are looking at an art installation and landscaping in the rain garden/bee garden as it will refresh the space. They are also working with Sustainability and BikeWalkKC on the traffic garden at the northeast corner of R Park.

All City committees and the Jorge Blanco volunteer group are collaborating for a joint celebration at R Park.

There are also discussions on better ways to utilize the Juniper pocket park since it is not easily delineated as a park.

Mayor Kelly said he appreciates the efforts of the Parks Committee and how all the committees are working together.

CMBR McCormack was hoping to see a request from Parks in response to the phased development plan done by Larkin. She wants to see a line by line cost estimate for the R Park pavilion and the restrooms and is anxious to get that moving.

Mayor Kelly said there will be a discussion about an RFP for a city architect for the R Park master plan with the pavilion as well as other 2019 budget objectives including the Roe playhouse and the conceptual designs for the community center.

CMBR Hill said she is in agreement with CMBR McCormack that she would like to see that itemized cost and the hiring of a construction estimator.

CMBR Poppa thanked them for all the work they have done for the City. On behalf of the Arts Committee, he said that he has appreciated the open communication and the collaboration with all the committees, but especially Parks and it has been a fantastic experience.

Ms. Probyn said the Parks Committee would like to present a recommendation to the Council for an itemized construction estimate of the medium-sized shelter along with a restroom, but Parks need to discuss the concerns of the City by having such structures being constructed by volunteers.

III. MAYOR'S REPORT

No report was given.

IV. WORKSHOP AND COMMITTEE REPORTS

There were no reports given.

V. REPORTS OF CITY LIAISONS

VI. UNFINISHED BUSINESS

There was no business discussed.

VIII. NEW BUSINESS

A. Discuss Tree Debris Pickup

Mayor Kelly said winter storm Gia did a number on some of the mature trees in Roeland Park. Staff is recommending utilizing a contractor to pick up large tree debris and would like approval from the Council.

City Administrator Moody said they would not incur additional out-of-pocket money for the pickup work. There will be some costs associated with debris disposal. As a comparison, following a summer storm in 2017, the debris disposal was approximately \$2,200. They do not know what the cost will be for this storm, but they can expect to avoid most of the expenses by using their own staff and equipment.

MOTION: CMBR MCCORMACK MOVED AND CMBR THOMPSON SECONDED TO APPROVE UTILIZATION OF THE CITY'S TREE TRIMMING CONTRACTOR TO PICK UP TREE DEBRIS TEN INCHES IN DIAMETER OR GREATER WITH COLLECTION TO BEGIN JANUARY 28, 2019.

B. Amendment to CBC Consulting Agreement

MOTION: CMBR POPPA MOVED AND CMBR MADIGAN SECONDED TO AMEND THE AGREEMENT WITH CBC TO RETAIN NEGOTIATION SERVICES BUT ELIMINATE THEM AS A BROKER. THE AMENDMENT DOES PROVIDE THAT IF A SALE OR LEASE TO A DEVELOPER INITIALLY BROUGHT TO THE CITY BY CBC OCCURS THEY ARE ENTITLED TO THE BROKER FEES PER THE TERMS OF THE ORIGINAL AGREEMENT. (MOTION CARRIED 7-0)

C. Selection of Easement Acquisition Consultant for Roe 2020 Project

City Administrator Moody stated it is a process required by federal regulation when acquiring temporary construction easements they must follow the process of completing appraisals by certified appraisers. Offers would then be made to property owners and also negotiations of the acquisition of the easements. Donoho would be the appraiser completing those steps.

CMBR Janssen asked if the \$100,000 budgeted would go towards obtaining temporary easements. City Administrator Moody said the amount is what they have anticipated having to spend to compensate property owners for the temporary construction easements.

MOTION: CMBR KELLY MOVED AND CMBR POPPA SECONDED TO ENTER INTO AN AGREEMENT WITH DONOHO FOR APPRAISAL AND EASEMENT ACQUISITION SERVICES FOR THE ROE 2020 PROJECT. (MOTION CARRIED 7-0)

D. Agreement with MARC for Planning Sustainable Places Project

Mayor Kelly said the City had received a grant through MARC's Planning Sustainable Places Project to look at two areas of Roeland Park, the intersection of 48th and Skyline and the area on Johnson Drive between Roe and Roeland Drive. MARC would like to enter into the agreement with Roeland Park that outlines each parties' responsibilities. MARC is also entering into an agreement with Confluence, who is the consultant facilitator for the planning process.

MOTION: CMBR POPPA MOVED AND CMBR MCCORMACK SECONDED TO APPROVE THE AGREEMENT WITH MARC FOR THE PLANNING SUSTAINABLE PLACES PROJECT. (MOTION CARRIED 7-0)

E. ETC Survey Service Agreement

Mayor Kelly said staff is requesting the approval of an agreement with ETC for survey services to conduct the Business and Citizen Satisfaction Surveys. Staff is also recommending taking advantage of the 24-month/no interest payment option.

City Administrator Moody said the terms are the same as used in prior years. There is an added capability with the survey of an online system that ETC has developed where anyone can do queries and create comparables and graphics to make the data more flexible and more comprehensible.

CMBR Janssen asked if they can encumber future councils to take the 24-month option.

City Attorney said as long as it is approved and set aside in the budget it shouldn't be an issue.

CMBR Janssen said he would like to pay the full amount in 2019.

CMBR Poppa asked if there would be an advantage to paying the full amount over a 24-month payment option. City Administrator Moody said it smooths the expense as there is no finance fee. The amount is the same regardless if paid up front or over a 24-month period.

CMBR Madigan asked if this amount was already budgeted. City Administrator Moody said \$20,000 is in the 2019 budget for the surveys. City Administrator Moody said if the money is already budgeted, then they should pay it now.

MOTION: CMBR JANSSEN MOVED AND CMBR MADIGAN SECONDED TO PAY THE FULL AMOUNT OF \$20,850 TO ETC, INCLUDING THE NEW DIGITAL DASHBOARD CAPABILITIES FOR 2019. (MOTION FAILED 2-5 WITH CMBRS HILL, KELLY, MCCORMACK, POPPA AND THOMPSON VOTING NO.)

POLL THE COUNCIL

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

MOTION: CMBR THOMPSON MOVED AND CMBR POPPA SECONDED TO APPROVE THE BUSINESS AND CITIZEN SURVEY SERVICES WITH ETC INCLUDING THE NEW DIGITAL DASHBOARD CAPABILITIES AND TAKING ADVANTAGE OF THE 24-MONTH PAYMENT OPTION. (MOTION CARRIED 7-0)

IX. ORDINANCES AND RESOLUTIONS

A. Amend Resolution for 1% Contribution for Art

Mayor Kelly said that staff has recommended allowing a business to make a financial contribution in lieu of public art on their business property. This would be an amendment to Ordinance #601. Mayor Kelly suggested several redline changes to the ordinance and removed some of the prefatory language and provided additional guidance within separately numbered paragraphs in the ordinance, which he stated is a better practice in ordinance drafting. He also added more direction as to discretion for the use of funds as well as providing guidance on how they would be used.

CMBR Kelly questioned the removal of the two-thirds majority vote. Mayor Kelly said it was his understanding that there was no particular reason why two-thirds was included and keeping it as a majority vote keeps things simple and does not set a precedent.

City Administrator Moody added that resolutions are generally approved with a simple majority.

CMBR Madigan said he was concerned about removing the requirement of the developer to present reasons to the Governing Body explaining why strict application of the resolution would not be appropriate. He added that the original idea of the public art is to have it placed on the person's property to bring beauty to the City and the developer should be required to state why they do not want it on their property.

Mayor Kelly said in Paragraph 8 the language remains and has been removed from the prefatory language.

CMBR Madigan said the language has been changed from "must" to "may" and reiterated a person should be compelled to come before the Governing Body and state their reasons for not wanting art on their property.

CMBR Poppa had questions about the limits of the definition of "public art" in Paragraph 5 and asked as an example if it would prohibit them from artistic expression on the side of a shelter. Mayor Kelly said the way he reads Paragraph 5 allows for public art to be an integral part of a building, a facility or a structure like a shelter.

CMBR Janssen said he would like to add to Paragraph 9 that they do have the option to use the funds or a portion thereof for ongoing maintenance for that specific piece of art.

Mayor Kelly asked for an amendment to Paragraph 9 after "to complete a public art project," and add "and ongoing maintenance therefore."

MOTION: CMBR JANSSEN MOVED AND CMBR MADIGAN SECONDED TO ADD THE PHRASE "AND ONGOING MAINTENANCE THEREFORE" TO PARAGRAPH 9 AFTER THE PHRASE "TO COMPLETE A PUBLIC ART PROJECT." (MOTION CARRIED 7-0)

MOTION: CMBR POPPA MOVED AND CMBR KELLY SECONDED TO ADOPT THE MAYOR'S AMENDED RESOLUTION FOR ONE PERCENT CONTRIBUTION FOR ART ON RESOLUTION 601. (MOTION CARRIED 7-0)

B. Appropriation Ordinance #924 (Item A from Consent Agenda)

CMBR Madigan stated that an item is duplicated on the December Appropriations #923 and on January Appropriations #924, specifically a check to CMBR Becky Fast in the amount of \$470.

City Clerk Bohon said CMBR Fast had submitted a travel and training expense that was approved at the December Council meeting. Miller Financial who does the appropriations inadvertently put it in January again, but it is not being approved twice and can be removed from the January appropriation.

MOTION: CMBR POPPA MOVED AND CMBR MADIGAN SECONDED TO AMEND ORDINANCE NUMBER 924 TO REMOVE CHECK NUMBER 32374 IN THE AMOUNT OF \$470. (MOTION CARRIED 7-0)

MOTION: CMBR POPPA MOVED AND CMBR THOMPSON SECONDED TO APPROVE ORDINANCE NUMBER 924 AS AMENDED. (MOTION CARRIED 7-0)

X. WORKSHOP ITEMS

No items were discussed.

XI. REPORTS OF CITY OFFICIALS

A. 2018 4th Quarter and Yearly Safety Statistics Report

Police Chief Morris provided an overview from 2012 through 2018 of the crime rate in Roeland Park in comparison with other communities. He noted it has gone down again in 2018.

Overall, in the 2018 fourth quarter from October to December, there were 168 total incidents, 51 arrests, 19 accidents, 649 citations and 75 warnings. Most incidents continue to occur in the business district. Walmart is a little less active than in previous years but still remains busy for the department.

The SRO program continues to be successful at Bishop Miege High School and they continue to provide some security to St. Agnes Church. SRO Officer Chaffee has implemented a hotline number for students and parents to report incidents anonymously. They are also working on vaping issues. Since the SRO implementation, Miege has increased their safety protocols and are compliant with tornado and fire drills. The officers continue to have a presence working in an off-duty capacity at activities and games.

K-9 Rango is doing fabulous. He has done a couple of demonstrations. He's had 10 deployments and has also been used for tracking and helped to apprehend someone who stole a vehicle.

City Administrator Moody noted that on the Uniform Crime Report for the City from 2008 to 2018 that the reports of crime have dropped to about half but also to keep in mind there is also a decline in population. There are, however, significant declines in crime due to the efforts taken in the first half of 2018 with the targeted business initiative which certainly had an influence and they are seeing the fruits of that work.

CMBR McCormack asked why there weren't any statistics on drug charges. Police Chief Morris said drug-related arrests are not a part of the Uniform Crime Report. They do have records of totals of arrests each month that can be added in as a separate report item each month. The same is true with DUI reports which are also not included.

CMBR McCormack said she also sees a correlation with both the yearly crime statistics as the economy improves and the efforts of the police department. She also noted a higher crime rate on the east side of Roe where there are more rentals and lower property values and see this as relevant to what poverty creates sometimes. Chief Morris

noted the east side of Roe is also closer to the county line district of Kansas City, Kansas, but his department continues to work hard.

City Administrator Moody asked if they would like to see comparisons over the years regarding drug-related offenses. Chief Morris said there will be differences whether they are for city charges or felony charges but the reports could be done. CMBR McCormack said what would be relevant to her is the minor marijuana charges and how that compares with what kind of income they've had and the statistics since it is becoming a moot point whether that is a crime or not. Chief Morris said the majority of the marijuana cases in municipal court are just citations. They are not considered to be arrestable offenses but it is ultimately at an officer's discretion. CMBR McCormack said she would also like to see trends with regards to opioids and heroin arrests. Chief Morris said he can provide that information for the past few years.

CMBR Hill said she would be interested in seeing that data as well.

Mayor Kelly said they are seeing crime go down in the City with the implementation of these new programs. He mentioned the K-9 program and community support for the initiative with the financing they provided. He also noted that Sgt. Honas, who developed the K-9 program, received the Officer of the Year award. Mayor Kelly also appreciated that in a short amount of time they created the SRO program and that Officer Chaffee has fit in seamlessly at Miege. The Mayor said he gets only positive reports about the program. He commended Chief Morris and the two officers for what they have done for the City.

Chief Morris thanked the Mayor for his comments and added that his department could not do what it does without the support of the Governing Body.

CMBR Hill asked about the motorcycle. Chief Morris said it is ordered and should be here in February or the first of March. The day after it was approved he ordered it.

B. City Clerk Report

City Clerk Bohon said the Community Forum is Monday the 28th on the Water's Edge report pertaining to the aquatic center.

C. Public Works Report

Public Works Director Scharff asked that everyone please be safe as they leave the meeting as the roads and sidewalks are beginning to get icy.


Mayor Kelly thanked the Public Works Department for continuing to work through the evening to keep the roads safe.

XII. ADJOURN

MOTION: CMBR POPPA MOVED AND CMBR JANSSEN SECONDED TO ADJOURN. (MOTION CARRIED 7-0)

(Roeland Park City Council Meeting Adjourned at 8:05 p.m.)


Mike Kelly, Mayor


Kelley Bohon, City Clerk