

**CITY OF ROELAND PARK, KANSAS  
CITY COUNCIL MEETING MINUTES  
Roeland Park City Hall  
4600 W 51st Street, Roeland Park, KS 66205  
Monday, August 19, 2019 7:00 P.M.**

- Mike Kelly, Mayor
- Jan Faidley, Council Member
- Jennifer Hill, Council Member
- Tim Janssen, Council Member

- Jim Kelly, Council Member
- Tom Madigan, Council Member
- Claudia McCormack, Council Member
- Michael Poppa, Council Member
- Erin Thompson, Council Member

- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. Admin.
- Kelley Nielsen, City Clerk
- John Morris, Police Chief
- Donnie Scharff, Public Works Director

**Admin**

Madigan  
Thompson

**Finance**

Faidley  
McCormack

**Safety**

Janssen  
Poppa

**Public Works**

Hill  
Kelly

**Pledge of Allegiance**

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

**Roll Call**

City Clerk Nielsen called the roll. CMBRS Faidley, Thompson and McCormack were absent.

**Modification of Agenda**

CMBR Madigan noted in the July 22 Council minutes the results from the motion for Appointment of Judge, Prosecutor and City Attorney were not recorded. This will be moved to Item B, Unfinished Business.

CMBR Madigan also said residents had asked for some clarification on the engineering services agreement with Water's Edge. This will be moved to Item C, Unfinished Business.

**I. CITIZENS' COMMENTS**

**Michael Rebne** (5128 Clark) Mr. Rebne said he is running for City Council. In reaching to the citizens he has heard residents are feeling the pinch of rising home values and that they want to maintain quality services in the City. He added that the City has done well with the Roe & Johnson development and that they have also developed a good model for the City's strategic plan and appreciates how they are following that plan.

**Celso DeSouza** (5235 Juniper) Mr. DeSouza said he has witnessed the degradation of Roe Boulevard. He has looked for information on the City's website but did not find it easily available. He asked the Council about the status of Roe Boulevard and had questions about the hole in front of Quiktrip and also to the north of there. He noted that the southbound lanes are also torn up.

Mayor Kelly recommended Mr. DeSouza reach out to City Administrator Moody, Ms. Jones-Lacy or any of the Councilmembers to provide further information about the water line repairs currently taking place on Roe Boulevard or for the Roe 2020 plans. He noted that in the July meeting the Council discussed the Pavement Condition Index throughout the City and that report is available for citizens to review.

**II. CONSENT AGENDA**

- A. Appropriations Ordinance #932
- B. ~~July 22, 2019 Council Minutes~~ Moved to New Business Item B
- C. August 5, 2019 Special Called Council Minutes
- D. Adoption of Roe/48th and Johnson Drive Corridor Plan (PSP Project)
- E. ~~Engineering Services Agreement with Waters Edge for the Design of Improvements at the Aquatic Center~~ Moved to New Business Item C
- F. Social Media Policy

**MOTION:** CMBR MADIGAN MOVED AND CMBR KELLY SECONDED TO APPROVE THE CONSENT AGENDA AS AMENDED. (MOTION CARRIED 5-0)

### III. BUSINESS FROM THE FLOOR

#### Applications/Presentations

##### 1. State Legislature Update

Mayor Kelly introduced State Representative Rui Xu.

Representative Xu thanked the Governing Body for having him to speak at the meeting. He said that Roeland Park is the first city in the area to adopt an NDO and it has become a big topic of discussion over the past year or so throughout the area. Mr. Xu said this is his first legislative and that he also sits on three committees. The first of which is Financial Institutions and Pensions in which they added in over \$150 million back into the KPERS. Second is the House Education Committee which added \$90 million back into the K-12 system. The districts are able to use those funds in a way they see fit, but they have been encouraged to look at teacher pay. Lastly, as a member of the Agriculture committee they passed legislation to allow for the growth of commercial industrial hemp as another farm crop which adds to processing jobs and is also good for the environment.

He added they have passed the Medicaid expansion out of the house, but it has not passed in the senate. He said that some areas have passed universal polling places, and that Johnson County has ability to do this, but the election commissioner has not expressed an interest in that and they do not think it will be adopted here.

The next session will open with the Medicaid expansion in the senate. They expect to see a pared down version of the house bill with work requirements added. They also expect to see abortion continue as an issue with a constitutional amendment to address abortion.

Between sessions Rep. Xu has primarily been working on climate change policies with the Metro KC Climate Action Coalition, developing a state legislative platform that is trying to come up with the best strategy to pass the most amount of climate change policies. Kansas is the fifth most vulnerable state for climate change.

There is also a desire to bid for the World Cup in the Kansas City Metro area for 2026. They will look at what the state could do to maximize the bid to host the World Cup. It would be held at Arrowhead, but the area hotels and restaurants would get a lot of that revenue. Its six games is equivalent to six Super Bowls.

There is also H.B. 2345 that passed out of House Taxation and is also supported by local Representatives Clayton and Stogsdill, which addresses the property tax lid. It would not undo it as it stands but would allow for a five-year baseline to be set and allow the cities to lower and raise to that baseline at their discretion. This would give some flexibility for tax lid relief, which is one of the primary issues in Johnson County.

Mayor Kelly thanked Representative Xu for coming and thanked him for his work on the Climate Action Coalition. He said he hopes he will continue to work to make Kansas more resilient but more economically vibrant between wind power and putting the soil back to work, which is great for the economy. He also added that home rule is important to them and H.B. 2345 is a start.

## **2. Committee Report - Sustainability**

Judy Hyde reported that earlier this year Roeland Park received the Community for All Ages Gold Double Award from the Mid-America Regional Council. She said this is the result of several years' effort from current and former Sustainability Committee members and Councilmembers. To retain their Gold level status, the committee will continue to evaluate projects through the Community for All Ages lens and ensure that Roeland Park is successful in attracting new businesses and is a city where citizens of all ages and abilities can thrive.

Ms. Hyde said the Sustainability Committee is in transition as both co-chairs are moving out of the City. The group is wanting to welcome in new members. They are also pursuing other sustainability committees in northeast Johnson County cities. A member of Mission has attended one of their meetings and they are now exploring a possible collaboration on a charrette inspired by the project draw-down resource for climate solutions to determine what types of sustainable practices might be adopted by Roeland Park and neighboring cities.

Other defined goals of the committee include increased communications and outreach. They have a Facebook page and they also want to increase their presence in the City's newsletter and also at City events. They are pushing to get the Ripple glass bin reinstated since it is a disappointment that Lowe's had it removed. The community has also stated how much they miss that. Ripple Glass met with Sustainability at a recent meeting to discuss alternative placement sites. Before reopening, Aldi had expressed some interest as long as it would not interfere with their customer parking. They will be sending a letter to Lowe's from the Mayor and the Sustainability Committee asking for them to reinstate the bin and give them reasons why it's good for the City to do so.

Further topics that Sustainability is working on are the future traffic garden to be consistent with Community for All Ages standards. This would further the goal of a walkable/bikeable city. They also want to make sure that the amenities installed at R Park are accessible such as the small picnic table, shelters and the future pavilion. The sculpture plaque for "See Red Run" was cited to be accessible. There should be sustainable installations and maintenance practices related to Roe 2020. And they strongly encourage the City to use sustainable installation and eco-friendly maintenance practices for the extensive landscaping and plantings in the project and for all the City's parks and greenspaces. All pesticide and herbicide use has far reaching consequences and should also be thoroughly researched for maximum environmental safety.

Mayor Kelly thanked the Sustainability Committee for the work they continue to do on behalf of Roeland Park.

#### **IV. MAYOR'S REPORT**

##### **A. Diaper Need Awareness Week Proclamation**

Mayor Kelly said that diapers cannot be bought with WIC vouchers or food stamps and that babies use an average of 50 per week. He recognized the importance of the work by organizations in the City by providing diapers and economic stability to families facing various challenges.

**MOTION:** CMBR POPPA MOVED AND CMBR JANSSEN SECONDED TO ADOPT THE DIAPER NEEDS AWARENESS WEEK PROCLAMATION. (MOTION CARRIED 5-0).

#### **V. WORKSHOP AND COMMITTEE REPORTS**

*No reports were given.*

#### **VI. REPORTS OF CITY LIAISONS**

##### **A. Aquatic Center Advisory Committee**

CMBR Madigan, Council representative on the committee, said they had their first meeting in which they reviewed everything from ethics to quorum to open meetings to comply with all laws. They also elected a committee chair and secretary. City Administrator Moody also attended the meeting and fielded questions. Mr. Madigan said it was a good first meeting and a copy of the minutes is in the agenda.

CMBR Janssen, also a Council representative, said he was impressed with a lot of the members' experiences and it will be a definite asset to have this committee in place as they take ownership and build out the Aquatics Center.

##### **B. Ad-Hoc Development**

CMBR Kelly reported that the buyers of the northeast Johnson and Roe Corner are going through their due diligence and things are progressing. They have completed their preliminary development which will go to planning and zoning meetings next month.

In regards to The Rocks, the committee is trying to generate new ideas for marketing the project to help move it forward.

##### **C. Parks**

CMBR Madigan said the minutes for the Parks meeting are in the agenda packet. He said he is always impressed of the scope of what Parks does as well as all the topics they discuss and what they are willing to take on in a very short amount of time. They look at everything dealing with parks and trees. They also had a discussion about the Roe House and what it will look like and where it will be placed. It seems that place will be in Nall Park and situated in a position where it can easily be seen by residents and police officers as they patrol. It will also be close to the playground equipment. They also discussed changing and putting in new amenities that are ADA approved at Nall Park. This will make it more of an asset and draw in more people.

#### **VII. UNFINISHED BUSINESS**

## **A. Create an Ad Hoc Committee to Lead Community Center Design Project**

Mayor Kelly said they have received applications from community members expressing an interest to serve. He said they should also consider appointing the Community Center Director Libby Scarborough as well as the Facility Maintenance Supervisor, a Roeland Park employee, David Mootz. CMBRS Faidley, McCormack and Hill have also expressed an interest in being on the ad hoc committee.

CMBR Madigan said under the ad hoc rules there can be no more than two-thirds other than Governing Body members. City Administrator Moody clarified that there can be two non-elected officials for every one elected officials.

**MOTION:** CMBR POPPA MOVED AND CMBR MADIGAN SECONDED TO AMEND THE MOTION TO INCLUDE SARAH AND BRYAN SNYDER, RESIDENTS, TO SERVE ON THE AD HOC COMMITTEE. (MOTION CARRIED 5-0)

**MOTION:** CMBR POPPA MOVED AND CMBR MADIGAN SECONDED TO CREATE THE COMMUNITY CENTER DESIGN PROJECT AD HOC COMMITTEE TO INCLUDE CMBRS FAIDLEY, MCCORMACK AND HILL, LIBBY SCARBOROUGH, DAVID MOOTZ, SARAH AND BRYAN SNYDER, RICHELLE BASGALL. (MOTION CARRIED 5-0)

## **B. JULY 22, 2019 COUNCIL MINUTES**

CMBR Madigan noted on page 12 of the July 22 Council minutes there is a motion to approve the prosecutor, the City attorney and the judge, but does not reflect the results of the motion.

The minutes will be amended to reflect the vote and it will be placed on the Consent Agenda at the September 3rd Council meeting.

## **C. ENGINEERING SERVICES AGREEMENT WATER'S EDGE FOR THE DESIGN OF IMPROVEMENTS OF THE AQUATICS CENTER**

CMBR Madigan said some residents have contacted him requesting clarification if there will be any additions made to the pool in 2020 or if there will be any improvement to the furniture. City Administrator Moody said that is an option. Furniture is not something that has to be designed and it is possible they could get through a selection and bid process and have it available for the 2020 season. That is part of the scope for the pool and they can have Water's Edge start working on concepts for furniture. They will first need to settle on the palette for the shade structures and the painting of the exterior and interior before they can get something final. They would also need to make an order in March for furniture to be here in time for the opening.

There was also a question if the amenities outlined in Phase 1 could possibly be changed between now and 2021. City Administrator Moody said that would be up to the Governing Body. They have given clear direction to Water's Edge on what amenities the Governing Body wanted to see added. If it changes would come it would be at Council's direction.

**MOTION:** CMBR POPPA MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE ENGINEERING SERVICES AGREEMENT WITH WATER'S EDGE FOR THE DESIGN OF IMPROVEMENTS AT THE AQUATICS CENTER. (MOTION CARRIED 5-0)

## VIII. NEW BUSINESS

### A. Task Order for Design of 57th and Roeland Dr Storm Sewer Replacement

Public Works Director Scharff stated that they believe the best option is to move forward with the reinforced concrete pipe. They will need to get nine temporary construction easements. A letter will be drafted and sent out to those residents and they hope to meet with the property owners to discuss the project and obtain those easements. If the residents are not willing to grant those easements, then depending on the shape of the pipe, their option will be the cure in place pipe. This may not functionally work as well depending on the bottom flow line. If the flow line is gone, then there is nothing for the liner to adhere to.

City Administrator Moody followed up that they have videotaped the inside of the pipe. The bottom of the pipe has a considerable amount of gravel and dirt that has collected in it and it is preventing them from seeing the condition of the bottom. They do not want to take material out because if the bottom is not there, then they will perpetuate a problem by removing the gravel that is there. They will do some spot checking before having the meeting with residents so that they properly inform the property owners of the condition of the pipe.

CMBR Janssen asked about the replacement of the pipe and the condition of what it connects to. Public Works Director Scharff said it connects to a junction box and the pipe on the other side is in good shape as it is already reinforced concrete pipe.

CMBR Madigan asked if it is the same size as the corrugated metal. Public Works Director Scharff said the size is a 42-inch pipe.

**MOTION:** CMBR JANSSEN MOVED AND CMBR HILL SECONDED TO APPROVE THE TASK ORDER FOR DESIGN OF 57TH AND ROELAND DRIVE STORM SEWER, NOT TO EXCEED \$29,475. (MOTION CARRIED 5-0)

### B. Voting Delegates to the League of Kansas Municipalities Annual Conference

Mayor Kelly said the conference is being held in Overland Park this year.

CMBR Poppa said been a delegate in the past and wouldn't mind doing it again. Mayor Kelly said he will be at the conference and will be able fill the second role.

**MOTION:** CMBR HILL MOVED AND CMBR JANSSEN SECONDED THAT CMBR POPPA AND MAYOR KELLY ARE THE DELEGATES FOR THE LEAGUE OF KANSAS MUNICIPALITIES ANNUAL CONFERENCE. (MOTION CARRIED 5-0)

## IX. ORDINANCES AND RESOLUTIONS

**A. Ordinance 984** - An Ordinance Regulating Traffic Within The Corporate Limits Of The City Of Roeland Park, Kansas; Incorporating By Reference The "Standard Traffic Ordinance For Kansas Cities," Edition Of 2019, With Certain Amendments And Additions; Amending And Repealing Existing Sections 14-101 And 14-103 Of The Code Of The City Of Roeland Park, Kansas And Repealing Ordinance No. 971.

Police Chief Morris said this is a yearly process to update the codes.

**MOTION:** CMBR JANSSEN MOVED AND CMBR KELLY SECONDED TO APPROVE ORDINANCE 984. (MOTION CARRIED 5-0)

**B. Ordinance 985** - An Ordinance Regulating Public Offenses Within The Corporate Limits Of The City Of Roeland Park, Kansas; Incorporating By Reference The "Uniform Public Offense Code For Kansas Cities" Edition Of 2019, Amending And Repealing Existing Section 11-101 Of The Code Of The City Of Roeland Park, Kansas, And Ordinance No. 972.

**MOTION:** CMBR JANSSEN MOVED AND CMBR POPPA SECONDED TO ADOPT ORDINANCE 985. (MOTION CARRIED 5-0)

**C. Ordinance 986** - An Ordinance Amending Chapter 5, Article 7 Of The Municipal Code Of The City Of Roeland Park, Kansas To Address Short Term Rentals And To Include A Penalty Section As Section 5-712.

**MOTION:** CMBR JANSSEN MOVED AND CMBR HILL SECONDED TO ADOPT ORDINANCE 986. (MOTION CARRIED 5-0)

#### **X. REPORTS OF CITY OFFICIALS**

##### **A. Executive Session**

**MOTION:** CMBR POPPA MOVED AND CMBR KELLY SECONDED TO RECESS INTO EXECUTIVE SESSION IN ORDER TO DISCUSS THE POTENTIAL OF A REAL ESTATE TRANSACTION, PURSUANT TO THE REAL ESTATE EXCEPTION OF THE KANSAS OPEN MEETINGS ACT, K.S.A. 75-4319(B)(6). THE OPEN MEETING TO RESUME AT 8:05 P.M. IN COUNCIL CHAMBERS. (MOTION CARRIED 5-0)

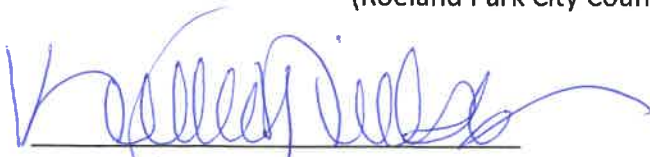
**MOTION:** CMBR POPPA MOVED AND CMBR HILL SECONDED TO CONTINUE IN EXECUTIVE SESSION WITH THE OPEN MEETING TO RESUME AT 8:10 P.M. IN COUNCIL CHAMBERS. (MOTION CARRIED 5-0)

**MOTION:** CMBR POPPA MOVED AND CMBR HILL SECONDED TO CONTINUE IN EXECUTIVE SESSION WITH THE OPEN MEETING TO RESUME AT 8:15 P.M. IN COUNCIL CHAMBERS. (MOTION CARRIED 5-0)

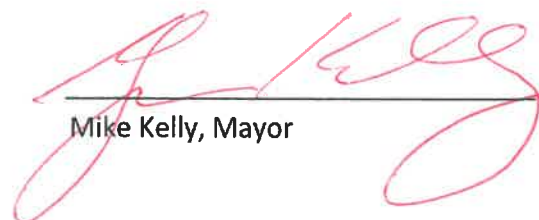
#### **XI. ADJOURN**

**MOTION:** CMBR POPPA MOVED AND CMBR HILL SECONDED TO ADJOURN. (MOTION CARRIED 5-0)

(Roeland Park City Council Meeting Adjourned at 8:15 p.m.)



Kelley Nielsen, City Clerk



Mike Kelly, Mayor