

**CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, February 17, 2020 6:00 P.M.**

- | | | |
|--|---|--|
| <ul style="list-style-type: none">○ Mike Kelly, Mayor○ Trisha Brauer, Council Member○ Benjamin Dickens, Council Member○ Jan Faidley, Council Member○ Jennifer Hill, Council Member | <ul style="list-style-type: none">○ Jim Kelly, Council Member○ Tom Madigan, Council Member○ Claudia McCormack, Council Member○ Michael Rebne, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Jennifer Jones-Lacy, Asst. Admin.○ Kelley Nielsen, City Clerk○ John Morris, Police Chief○ Donnie Scharff, Public Works Director |
|--|---|--|

Admin

Madigan
Brauer

Finance

Faidley
McCormack

Safety

Dickens
Rebne

Public Works

Hill
Kelly

(Roeland Park Council Meeting Called to Order at 6:00 p.m.)

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. CMBR McCormack was absent. Staff members present were City Administrator Moody, Assistant City Administrator Jones-Lacy, Public Works Director Scharff, Police Chief Morris, City Clerk Nielsen, and City Attorney Mauer.

MODIFICATION TO THE AGENDA

There were no modifications to the agenda.

CITIZEN COMMENTS

Stephanie Iser (5714 Cedar) Ms. Iser said she is part of a neighborhood group called Safe and Welcoming Roeland Park, which wants to make the City safer and more welcoming to the community. She said she was in support of the civic leadership and their work to ameliorate discriminatory language in homeowner’s association covenants. She said she has spoken with Latino residents who have experienced racial bias and discrimination from fellow neighbors and it is felt through code violations reports, calling the police and avoiding houses during trick or treat. She would like to see city-sponsored education and training to understand racial bias and how to combat it.

Dulcinea Herrera (5230 Buena Vista) Ms. Herrera said as a Latina she knows many people do not feel welcome in their communities. She said they need to welcome everybody as the world becomes more diverse. She didn’t understand why they needed to vote on the restrictive covenants and they should just be cancelled.

Miel Castagna-Herrera (5230 Buena Vista) Ms. Castagna-Herrera said the restricted covenants should have prevented them from buying their house as the deed says no Jews and no people of color. She was

shocked to know it still exists and that it should have been erased a long time ago. She said she hopes the Council agrees it needs to change.

Mr. Young (5412 W. 55th) spoke to the use of salt on the roadways and the damage it causes to infrastructure, the environment, including pets as they lick it off their paws and get sick. He said he has called the City three times and said he understands they want to keep people safe but shouldn't be used in excess. He said he has \$8,000 in salt damage on his car. He also would like to see corrosion inhibitors put into the salt.

I. CONSENT AGENDA

A. Appropriations Ordinance #944

B. February 3, 2020 Council Minutes

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (MOTION CARRIED 7-0)

II. BUSINESS FROM THE FLOOR

A. Applications/Presentations

1. Carbon Emissions Inventory and Tracking Software

Mayor Kelly said this presentation is part of Roeland Park's continued commitment to be a sustainable community, and he was excited to hear about this potential software from Dynamhex.

Sunny Sanwar, CEO of Dynamhex, and partner Patrick Hosty made a presentation on ways the City can track their emissions with the company's new software program. Mr. Sanwar spoke to climate change and what could be done locally to draw down emissions citywide. Their software allows people to log on and see their footprint in relation to the City and also get personalized solutions to help them lower their footprint. The City can use it for better planning and local businesses could use it to create value and citizens could use it in their own neighborhoods. Mr. Sanwar showed examples of the software's dashboard of the personalized impact of individual houses, schools, and buildings. The software also allows for integration with the Paris Accord or Metro KC Climate Action targets and will show personalized ways to reduce emissions. It also allows the City to see its current emissions so they can target ways to reduce emissions where they are the highest.

Mayor Kelly said they started this process as part of the Sustainability Committee which works to make the community healthier by conserving fiscal resources, making the government operate more efficiently and making the community healthier. He also said that they have limited resources with staff and to evaluate their emissions and the associated data would be out of their reach and felt this software might help with that.

Mr. Sanwar added his research is what led him to create the software as he recognized the amount of work that goes into collecting the data and standardizing the information. The software is designed to help the City understand what its emissions are, what should be done and how to plan it out. It is ready-made so that the user can talk about solutions instead of diagnosing the problem. It also has real-time availability of what is going on in the City and is not based off of studies from previous years.

CMBR Rebne asked if they had more fixed route transportation, how much they could cut their emissions rate. Mr. Sanwar said they would be able to estimate different bike paths, traffic intensity or a higher walkability index against its effect on current emissions.

CMBR Faidley wanted to know if there is a way to look at incentivizing for individuals or businesses for greater participation. Mr. Sanwar said traditionally the main barrier for engagement has been the steep learning curve. The idea of the software is to make it as user-friendly as possible to people and also localize it so they can understand it's about their neighborhood and town.

Ms. Jones-Lacy said she could see this as a Community Forum topic presentation in the future. The software allows the City to find out where they are with emissions and then to set their goals as an entity and begin to mark their progress. Roeland Park would be an early adopter and getting a great deal if they choose to participate. She said they are also making great progress thanks to Mayor Kelly and the Climate Action Coalition.

Mr. Sanwar said they are working with Exelon in Washington, D.C. and a lot of their insights are going to be in the product as America addresses climate change and this will also be available to apply in Roeland Park. Also included in the software are periodic reports and the real-time dashboard.

CMBR Kelly asked for more information about the company of Dynamhex. Mr. Sanwar said the company started in 2018 and is based off of his PhD research at KU Engineering School. The product has been in testing and development since 2014. He said that he has a technical background and his partner Patrick Hosty has a municipal finance background and they have joined to tackle a problem that needs both of their expertise.

CMBR Brauer knows there are many things they should do and should not. She asked if they have any data that shows proof of concept that individuals participating in the program and making adjustments actually move the needle. Mr. Sanwar said the data is not so much on individuals, but on the corporate side they do have clients that are benchmarking their impact and evaluate what they need to do for reductions.

Mayor Kelly said cities will see that the cost of doing nothing will be exponential and that being proactive and preparing themselves sets Roeland Park to be in a better place. He said he was excited and thanked them for choosing Roeland Park. He asked staff what direction they would like from the Council.

City Administrator Moody said they anticipated just a question and answer for this meeting. He felt the Council would like to time to consider this proposal. He asked for the Governing Body to submit requests for additional information or questions to him and he will do his best to answer them.

CMBR Madigan said he was not comfortable with jumping into this yet. He said there were still outstanding questions on proof of concept and learning more about the company.

CMBR Rebne said this could be discussed at a Workshop to hear the answers to their questions and also get a full perspective before making a decision. He added he likes the prospect of it.

CMBR Faidley said this could be discussed at a Workshop and then moved to the Consent Agenda.

CMBR Hill said she would be comfortable moving this to New Business at the next Council meeting and their questions can be answered at that time. If they are still uncertain, then there is the opportunity to table it.

MOTION: CMBR MADIGAN MOVED AND CMBR REBNE SECONDED THE GOVERNING BODY FORWARD THEIR QUESTIONS TO CITY ADMINISTRATOR MOODY AND FOR THE ITEM TO BE PLACED ON THE NEXT GOVERNING BODY WORKSHOP. (MOTION CARRIED 6-1 WITH CMBR MADIGAN VOTING NO.)

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO AMEND THE MOTION TO FORWARD THE ITEM TO NEW BUSINESS AT THE NEXT COUNCIL MEETING. (MOTION CARRIED 5-2 WITH CMBRS MADIGAN AND KELLY VOTING NO.)

2. Discussion about Glass Recycling

Mayor Kelly welcomed representatives from Ripple Glass and thanked them for their purple presence in the Lowe's parking lot. Unfortunately due to contracts and policies outside of the City's control, the bin has been removed. The City would like to work with Ripple to find a new location for the bin or another solution for the recycling needs of Roeland Park residents.

Morgan Henderson, Metro Program Manager at Ripple Glass, and Piercyn Charbonneau, Manager of the Commercial Program introduced themselves to the Governing Body. Ms. Henderson said the support she has received from Roeland Park staff and the residents is unbelievable and they are dream city to work with. They are currently actively searching for another location. The Aldi is very supportive of having it in the lot but still need permission from corporate. She has also spoken with Mayor Kelly about The Rocks location. While it is an option it is not ideal and has the potential for illegal dumping. The area is a popular sledding spot for children and there is no business associated with the lot and poorly lit. Ripple likes to be in a business area to get the flow of shopping and dropping recycling off. They continue to work to find a new location, but the Mission Hy-Vee is the closest Ripple Glass container at this time.

Mayor Kelly said if can't find a central location he would be interested in exploring curbside and asked if Ripple would be interested in that. Mr. Charbonneau said they have been looking into that and that a number of cities around the metro are going to curbside glass recycling and Ripple is ready to begin that discussion.

CMBR Kelly asked what the objections are from the corporations to having a bin. Ms. Henderson said that Lowe's had changes to corporate policies and they felt that it was a liability issue. Locally the staff was supportive, but the corporate entity is not. CMBR Kelly asked if they provide liability insurance. Ms. Henderson said they have a signed agreement between the business and themselves where Ripple assumes the liability.

CMBR Rebne said he still supports the position at The Rocks but understands the reasoning behind not being able to have one there. He asked if there was anything as a Council they could do. Ms. Henderson said any support from the residents and the Council would help. CMBR Rebne said it's good to know that residents' voices make a huge difference.

CMBR Faidley said she had heard that Aldi was concerned about the loss of parking spaces. Ms. Henderson said the manager was concerned, but said it would be great if corporate is okay with it.

CMBR Dickens said he would like to explore the curbside pick-up. He asked if residents would have the opportunity to opt-out. Mr. Charbonneau said the opt-out program would be the easiest.

CMBR Hill said some residents have a privacy concern on the type of bin for recycling glass. Mr. Charbonneau said he has previously spoken with Mayor Kelly to discuss bin options. There are open totes and also a 32-gallon style bin option which is a roll cart and similar to the large trash curbside bins.

Mayor Kelly asked if they would like to move forward what is the next step. Mr. Charbonneau said he would love to set up a meeting to go over the numbers.

Mayor Kelly thanked Ms. Henderson and Mr. Charbonneau for coming to speak to them. He also reminded them that Ripple operates in nine states. Ms. Henderson said they are in over 100 communities regionally and there are over 100 big purple bins in the metro alone.

3. 2018 Certificate of Achievement for Excellence in Financial Reporting

Mayor Kelly congratulated Ms. Jones-Lacy on this being the 25th consecutive year for the City of Roeland Park having received this honor.

Ms. Jones-Lacy also said they have fantastic auditors and she can't claim responsibility for all 25 years and noted the work of her predecessors. She said they also received the Distinguished Budget Award for the first time in 2019 and have recently submitted again for 2020. She hopes to continue to show that Roeland Park is doing its due diligence and being fiscally responsible.

(Applause)

III. Mayor's Report

1. Miego Champions Proclamation

Mayor Kelly recognized the continuous success of the Bishop Miego High School teams which makes Roeland Park proud. They won state titles in Debate, Girls Basketball, Girls Soccer, Boys Soccer, and Football.

Coaches and team members were presented at the meeting and received a hearty round of applause.

(Photographs were taken)

MOTION: CMBR MADIGAN MOVED AND CMBR BRAUER SECONDED TO PROCLAIM THE WEEK OF FEBRUARY 17-21 AS BISHOP MIEGE HIGH SCHOOL STATE CHAMPIONS WEEK. (MOTION CARRIED 7-0)

IV. Workshop and Committee Reports

A. MARC - First Tier Suburbs (Jan Faidley and Claudia McCormack)

CMBR Faidley reported that she and Ms. Jones-Lacy attended the meeting held February 7th and there were four other communities who were recognized for the Community for All Ages. She said she was made quite aware of the amount of work that Roeland Park has done as a City for them to attain their gold

status. There was a special presentation made entitled “Unlocking the Unseen Potential of Kansas City” that explored the impact of high infrastructure costs on municipal services.

Ms. Jones-Lacy added that a point that was made is that there is another way to assess property taxes that may be more equitable based upon usage of infrastructure associated with the size of different pieces of land as well as its location. She is trying to get a copy of the presentation and will share that once she receives it.

V. Unfinished Business

A. Mowing Agreement or 2020

Mayor Kelly said the Governing Body had asked staff to provide updated information on the ingredients of fertilizers to be used by Jakes Lawn & Landscape.

Public Works Director Scharff put together information on some of the pre-emergent fertilizers which would be applied in the spring. One concern is that the granular has low solubility with water and does not break down as fast, which is to ensure that it stays where applied and does not end up as runoff. He also reviewed some of the other options. He noted the organic version is also a granular application. He noted going organic has a 60 percent efficiency rate and it takes longer to see results, which has been his experience.

Public Works Director Scharff said the standard application is \$2,500 and organic is \$4,700 with a yearly organic approach to be \$14,100.

CMBR Hill read a letter from former Councilmember Teresa Kelly who asked that they consider the least toxic approach for herbicide and fertilization practices for the City as there is a green purchasing plan in place that allows for paying more for environmentally safer products. She said that less toxic applications do take longer to work, and a new culture would be introduced, but it will also be an opportunity to educate and model new landscape care behaviors for the residents. She said the City’s leadership is part of the metro area leadership in conservation and climate change initiatives and this should be a priority for them. Ms. Kelly asked that they make Roeland Park a leader in decreasing toxic inputs that expose its residents, pets and the community watershed to unnecessary toxins.

CMBR Hill added that she has received similar e-mails to the one from Ms. Kelly. She understands it is cheaper to go with more toxic products, but does not believe that is what the community wants. She said they might have a few more dandelions, which in turn will help the bees which helps everything else. CMBR Hill said she too would like a green weed-free yard but does not want her children and dog playing in the chemicals. She said this should be a choice not based on aesthetics.

CMBR Dickens questioned if they go all organic and it does not treat certain weeds, then what is their option. (Public Works Director Scharff’s response inaudible due to static in recording.)

CMBR Faidley said they need to recognize that they also have an option of not treating at all. They would then be up against the public perception that greenspace needs to look like a golf course. She asked if they are willing to take the step to move towards more drought-resistant grass and ground covers that they know are better for them and the environment, and then do the work to educate the public. She said she is working on this in her yard right now.

CMBR Rebne asked CMBR Faidley if that would mean they change existing plantings. CMBR Faidley she said basically just to decide not to use chemicals. She added she would have a hard time voting for the hard chemicals adding that the best and safest option is not to treat.

CMBR Rebne asked if they choose not to treat, could they just keep the mowing cost and strike out the application of weed control. Public Works Director Scharff said if the direction from the Council was not to treat, then they would have the contractor only mow.

CMBR Madigan said he remembers organic weed control his father taught him was pulling weeds. He agreed that everything organic would be great. If they educate their people that greenspace is a greenspace, then that means you're going to have to weeds and vines. He said he would support CMBR Faidley's idea. He also remembered the people who complained of grass and weeds in the path in R Park. He said they do not have a money tree and as a City they cannot keep spending more and more money and not treating at all is the best for the environment.

CMBR Hill asked for more information about the purchasing plan that former CMBR Kelly mentioned. Ms. Jones-Lacy said there is a green purchasing plan and it is attached to the purchasing policy part of the agenda, Ordinances and Resolutions. In there, it states there is a preference towards purchases that are environmentally friendly.

CMBR Kelly said he appreciated his wife's e-mail being read. They need to fertilize the grass to help choke out the broadleaf weeds. At his house they mow more frequently to try to keep the weeds down and going to seed. He said he is definitely against the Strike Three application, but they do need to go with some sort of fertilizer.

CMBR Hill agreed with CMBR Kelly not to go cold turkey and they could end up with a big mud pit at the park. She would agree with continuing to use fertilizer and add some type of organic.

CMBR Kelly mentioned that in the agreement with the contractor it states, if ineffective, then they have to reapply at their cost. If the Council should select the organic fertilizer and it doesn't produce the results they expect he wanted to know if they should then penalize them for not going with their recommendation. Mayor Kelly said it is staff's recommendation if they do the organic application, then they remove that language from the mowing agreement.

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE 2020 MOWING SEASON CONTRACT WITH JAKE'S LAWN & LANDSCAPE.

MOTION: CMBR HILL MOVED AND CMBR KELLY SECONDED TO AMEND THE AGREEMENT WITH JAKE'S LAWN & LANDSCAPE TO UTILIZE AN ORGANIC FERTILIZER TREATMENT. (MOTION CARRIED 6-1 WITH CMBR MADIGAN VOTING NO.)

MOTION: CMBR KELLY MOVED AND CMBR HILL SECONDED TO REMOVE THE LIABILITY CLAUSE FOR A SECOND APPLICATION AT THEIR COST IF IT IS INEFFECTIVE FROM THE 2020 MOWING AGREEMENT. (MOTION CARRIED 7-0)

MOTION: CMBR KELLY MOVED AND CMBR MADIGAN SECONDED TO APPROVE JAKE'S LAWN AND LANDSCAPE FOR MOWING SERVICES AND ORGANIC FERTILIZER TREATMENTS FOR THE 2020

MOWING SEASON, AND REMOVING THE LIABILITY CLAUSE FOR A SECOND APPLICATION AT CONTRACTOR'S COST, AS AMENDED. (MOTION CARRIED 7-0)

B. Traffic Signal Color Selection for the Roe 2020 Project

Mayor Kelly said they seeking direction on colors and coatings for traffic signal poles and mast arms on Roe Boulevard.

Public Works Director Scharff said they have bid out the traffic signal poles separately from the actual KDOT project. He reviewed the prices as outlined in the staff report.

CMBR Dickens asked if they went with a standard galvanized finish would there be a difference with the coatings. Public Works Director Scharff said the painting is just for aesthetics.

CMBR Faidley asked if the poles on Roe will remain galvanized. City Administrator Moody said the streetlights are specified to be the black anthracite. They are seeking direction on the four signals. They do not have as much of a visual impact as the streetlights and he believes that most people will not be able to tell the difference between standard black and anthracite on the traffic poles, therefore, he would recommend the standard black.

Mayor Kelly said that he wants people to get out of the car and utilize the street to walk and when you do you pay attention a little bit more to your surroundings. He said they have spent a lot of effort on the project, as well as time and resources and in making decisions they are thinking about the long-term health of the project and believes it should be cohesive.

CMBR Madigan said he did not have a problem with galvanized traffic signals as people are going to be looking at the streetlights not the poles.

Mayor Kelly asked if they could give staff their decision at the March 2nd meeting. Dan Miller, the City's engineer, said that might not be too late. He said there are two things to get the poles in production. One is a decision on the color and structural shop drawings. The drawings will be there by the end of the week and then they would only be waiting on the color choice by Council.

Mayor Kelly asked about the \$40,000 price difference between the poles. Mr. Miller said that was for the poles in total and not individually.

CMBR Faidley said Kansas City, Kansas has standard black and it looks nice.

Mayor Kelly asked if they could change the light poles to a black coating to match the traffic poles. Mr. Miller said he has already sent the plans to KDOT.

CMBR Hill said this project is to take them a long ways for a long time and believes it will make a difference to have two different coatings.

CMBR Brauer agreed with having a consistent look and feel and added there are a lot of moving parts and there will probably be other pieces that will have a price increase and they need to keep that in mind moving forward.

City Administrator Moody said he did not know what the price would be for the black anthracite on the streetlights yet because that is a part of the general bid. They do know the price for the traffic signals. He recommended if they can get a change to the plans to reflect the streetlights of basic black, then they would support doing signals in basic black. If they cannot get the change to the streetlights incorporated into the project, then proceed with black anthracite for the light poles.

MOTION: CMBR MADIGAN MOVED TO APPROVE THE GALVANIZED TRAFFIC POLES ON THE ROE 2020 PROJECT. (MOTION FAILED FOR LACK OF A SECOND.)

MOTION: CMBR HILL MOVED AND CMBR KELLY SECONDED TO AMEND THE MOTION TO BE ANTHRACITE BLACK TO MATCH THE REST OF THE CORRIDOR. (MOTION WITHDRAWN)

MOTION: CMBR HILL MOVED AND CMBR MADIGAN TO AMEND THE MOTION TO MOVE FORWARD WITH BASIC BLACK COATING ON THE SIGNALS IF THE STREETLIGHTS CAN BE CHANGED TO BASIC BLACK COATING AS WELL. IF NOT, TO APPROVE BLACK ANTHRACITE. (MOTION CARRIED 6-1 WITH CMBR BRAUER VOTING NO.)

MOTION: CMBR MADIGAN MOVED CMBR DICKENS SECONDED TO APPROVE STANDARD BLACK FOR THE TRAFFIC POLES ON THE ROE 2020 PROJECT AS AMENDED. (MOTION CARRIED 7-0)

VI. New Business

A. Parental Leave Policy

Ms. Jones-Lacy provided an update since the last Workshop where the Governing Body focused on having a 12-week or a 6-week parental leave policy. There was a request from neighboring communities for other examples. The only area city that has adopted a parental leave policy is Kansas City, Missouri which is a 6-week policy. Several Johnson County communities are also considering their own policy. Shawnee has drafted a preliminary policy and it is included in the packet. She found helpful information from the National Partnership for Women and Families and added they have a spreadsheet of all the communities they're aware of that have parental leave policies in the U.S. There are no set policies in Kansas. Ms. Jones-Lacy said she would forward their policy to them if it is passed. Of those she reviewed 34 percent provide less than six weeks paid leave, 46 percent provide six weeks, and 20 percent provide greater than six weeks.

CMBR Faidley asked for the policy of the state of Kansas. Ms. Jones-Lacy said a policy was put in place in 2018 with six weeks for birth mothers and three weeks for partners or adoptive parents.

CMBR Rebne recommending giving the same amount of leave to everyone, whether adopting, fostering, or actual birth. He felt they were not accounting for the health impacts to women and would like to see birth mothers being given longer paid leave.

CMBR Madigan also commented that a lot of adoptions are of children that are only days old and have to be cared for just as with a birth mother. He believes this policy is a great starting point and noted the City has a history of being the first to do things and they need to take this step forward.

The Governing Body expressed their agreement with CMBR Madigan.

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE PARENTAL LEAVE POLICY. (MOTION CARRIED 7-0.)

B. 2020 Super Pass Agreement and Swim Meet Letter of Understanding

Mr. Nichols said the only difference this year would be that Merriam is not a full participant. They would like to encourage anyone that is a pass holder that on days that Roeland Park hosts swim meets to use the Merriam facility free of charge with the hopes they will be able to rejoin the Super Pass agreement next year.

MOTION: CMBR FAIDLEY MOVED CMBR REBNE SECONDED TO APPROVE THE 2020 SUPER PASS AGREEMENT AND SWIM MEET LETTER OF UNDERSTANDING. (MOTION CARRIED 5-0.)

C. Review Agreement with Gather Media

Mayor Kelly said this is for an agreement with Gather Media for PIO services and congratulated Katie Garcia on starting her own company. Ms. Garcia previously represented Roeland Park with Sturges Word. He said they are excited to be able to continue working with her.

Ms. Jones-Lacy said the contract remains the same as the previous contract as well as the contract price.

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE AGREEMENT WITH GATHER MEDIA FOR PUBLIC INFORMATION OFFICER SERVICES. (MOTION CARRIED 5-0.)

D. Discuss Ordinance to Eliminate Discriminatory Language Included in Homeowner’s Association Covenants

Mayor Kelly opened the conversation for a proposed amendment to the City’s non-discrimination ordinance addressing discriminatory language that exists in homeowner covenants. In 2018, the City worked with Roe Manor Heights Homeowner’s Association to vote to strike the restrictive deed covenants from the association. The Council expressed a desire to continue that process throughout the City in recognition of Roeland Park being a community for everyone and the restrictions have no place in their community.

CMBR Dickens said they have heard from some of their neighbors tonight about this in Public Comments. He agreed that it is long overdue and should have been remedied quite a while ago and this is the right step to take. They need to acknowledge that racism is not tolerated as part of their community. He has spoken to other communities that have restrictive covenants and believes that Roeland Park can lead the way for this.

CMBR Rebne said he appreciates CMBR Dickens for bringing this item up. CMBR Rebne read a statement into the record to fill in what he called as historical gaps.

“Racially restrictive covenants were instrumental in ensuring that most of Johnson County was built to segregate white people from black people and other people of color. The intent of this was to build wealth for developers to the perception of safety and comfort for white families. This had the corresponding impact of creating disinvestment, ultimately creating ghettos in some black and Latino neighborhoods. This incredibly unequal investment, in fact, continues today. Despite odds, black people

in Kansas City and nationwide have always fought for full democratic inclusion and equal access. Removing this covenant language as we are doing now is necessary but also easy for us. Black people took the real risk and sacrifice over decades. Let's acknowledge the real work has been done long before.

One narrative that illustrates this is told by Brian Gilmore in the online *Root* magazine. "Lorraine Hansberry's father of playwright Lorraine Hansberry, a successful Chicago businessman, purchased a house restricted to whites by racial covenant in Chicago. When the family ignored the 1928 covenant that excluded blacks and bought a house there, the Hansberrys were thrust, the playwright said later, into a "hellishly hostile 'white neighborhood'" where "howling mobs surrounded" their home. Hansberry was nearly killed when a cement slab was hurled through a window.

Conditions were so dangerous that Hansberry's mother, Nannie Perry Hansberry, patrolled the house at night with a "German luger" to protect her four children. Carl Hansberry joined forces with the NAACP to mount a legal challenge against the restrictive racial covenant, spending a small fortune in the process.

In the end, Carl Hansberry's persistence and courage paid off. On Nov. 12, 1940, over a decade of torment later, the U.S. Supreme Court ruled in favor of Hansberry, invalidating the racial covenant."

Shelley v. Kraemer, a case brought by a black family in St. Louis in 1948 was successful in making these covenants unenforceable nationwide.

Hansberry described "the emotional turmoil" of the struggle which left her father an "embittered exile in a foreign land..." He died young of a cerebral hemorrhage which she attributes to the extreme stress of his battle.

CMBR Rebne said he shared this example to make sure they know the black community has done the labor and suffering and won this long before now. He noted that a vast majority of whites did not support their work to invalidate the covenants. He said if they are genuine in their concern, then there is hard work ahead on the local level. He provided examples of steps they could take such as confirming through policy and practice they are welcoming to all; insisting that local businesses pay Roeland Park workers a living wage; pushing for an investment in fixed route mass transit; creating and managing affordable workforce housing; decoupling pathways to opportunity like school funding from property values; being intentional about hiring and electing people of color; explicitly forbidding with oversight racialized real estate steering; making sure the Police Departments receives and implements anti-biased training; and being explicit about the racial impact of all City policies.

Mayor Kelly said that City Attorney Mauer provided a memorandum regarding the approach of adding the prohibitions to the non-discrimination ordinance. He added that it would provide the enforcement mechanism that's within the NDO. Mr. Mauer explained that this is more than a symbolic change. They are not going back into every deed and striking out the language; however, what they are saying is the City of Roeland Park will not make that homeowner stand alone, bear all the legal fees, and that they will stand with the homeowner. A homeowner would be able to file a complaint to the City and know it will be investigated and make certain the racially restrictive covenants could never be enforced in Roeland Park.

CMBR Faidley thanked the Mayor, CMBR Dickens and the City Attorney Mauer for working out their approach to this. She has had residents of color tell her that they should not get rid of the language as it is part of their history and people need to know that this is what has happened and not to forget.

CMBR Madigan said they can pass the laws but it will not do away with racism, but they need to make the steps to let it be known.

CMBR Hill said the restrictive language is in deeds everywhere and it is a matter of finding them. They realized it would be cost prohibitive to get rid of it one by one, so this policy was created to find a way to deal with them as a whole. She said she was proud of CMBR Dickens that in his first two months on Council this is something amazing he's done.

There was consensus to move this forward to the March 2nd Council agenda under New Business.

E. Appoint Lisa Brunner to the Planning Commission

Mayor Kelly said Ms. Brunner comes highly recommended and thanked her for joining the Planning Commission.

Lisa Brunner (5311 W. 49th). Ms. Brunner said she just moved from Olathe. She previously lived in Roeland Park and added that Gretchen and Ardie Davis recommended her appointment. Her family lives in Roeland Park and she said it feels like coming home and is excited to part of this.

MOTION: CMBR MADIGAN MOVED AND CMBR FAIDLEY SECONDED TO APPROVE LISA BRUNNER AS THE WARD 1 REPRESENTATIVE TO THE PLANNING COMMISSION. (MOTION CARRIED 7-0.)

VII. Ordinances and Resolutions

A. Resolution 673 - City Purchasing Policy

Mayor Kelly said there were three changes made

- Eliminating sealed bids unless required by state and federal law.
- Changing the spending limit for department heads to \$5,000
- Eliminating a clause and requiring maintenance for public art per the Arts Committee request.

Ms. Jones-Lacy said an ethics clause is at the end to reinforce the importance of the staff and elected officials following ethical practices when it comes to procuring any service or goods for the City. The Arts Committee is working separately on a maintenance schedule for all public art in the City and will be presented to the Governing Body at a later date.

CMBR Faidley asked about the instances they would ask for a sealed bid. Ms. Jones-Lacy spoke with other cities and noted the standard practice is to do sealed bids for heavy construction. There is no reason they need to do that because they can be as transparent without having the sealed bids.

MOTION: CMBR KELLY MOVED AND CMBR HILL SECONDED TO ADOPT RESOLUTION 673. (MOTION CARRIED 7-0)

VIII. Reports of City Officials

City Administrator Moody said they had a water leak at the Community Center in the JCPRD childcare room. It cracked over the weekend and the area has been closed for an unspecified period of time. They have had a company come in to dry the area and perform clean-up and will replace the baseboards. He added that it was potable water.


Ms. Jones-Lacy said February 18th is the joint Planning Commission/Council meeting. They will be discussing the residential design standards and universal designs with their consultant.

City Administrator Moody asked if there was a consensus of the chairs they prefer. The Governing Body said the chair CMBR Madigan was sitting in was the most comfortable and is covered in pleather. City Administrator Moody said they will check to see if the chair comes in a faux leather.

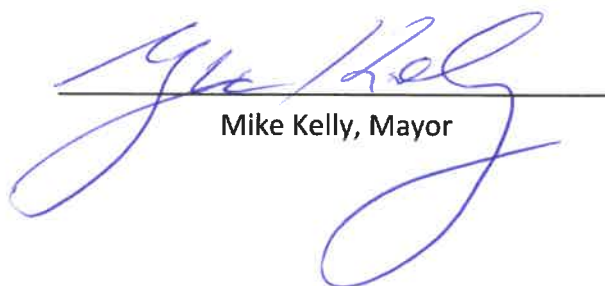
IX. Adjourn

MOTION: CMBR MADIGAN MOVED AND CMBR REBNE SECONDED TO ADJOURN. (MOTION CARRIED 7-0)

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



Kelley Nielsen, City Clerk



Mike Kelly, Mayor