

**CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, May 18, 2020 6:00 P.M.**

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| <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 |
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Admin
Brauer
Hill

Finance
McCormack
Madigan

Safety
Rebne
Faidley

Public Works
Kelly
Dickens

(Roeland Park Council Meeting Called to Order at 6:09 p.m.)

Pledge of Allegiance

Mayor called the City Council 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 Alex Felzien.

Mayor Kelly said they appreciate the public comments and thoughts from residents and community members. He instructed those on the phone to comment when they would like to speak to be recognized.

Modification of Agenda

There were no modifications to the agenda.

Public Hearing

Public Hearing for 2021 CDBG Project Application

Staff has recommended submitting an application for Community Development Block Grant (CDBG) funding for ADA improvements at the Community Center and at the Aquatics Center.

Mayor Kelly said he did not receive any requests from anyone wanting to provide public comment regarding the project application.

City Administrator Moody said they have completed the application for ADA improvements at the Community Center and Aquatics Center. In the alternative, they have identified a possible mill and overlay project. Their last two CDBG applications have been for street mill and overlay projects, but they do believe the ADA application is a good project and would better address the county's strategies better than

the mill and overlay project. The application is reflective of about a \$225,000 project. The City would provide \$25,000 and the application would bring them to the maximum \$200,000 that CDBG would award for a particular project. This application will preclude them from being able to apply for funds next year. City Administrator Moody said it is a good project and he would support applying for the ADA improvements at the Community Center and the Aquatics Center for CDBG funding in 2021.

CMBR Faidley clarified that they will not be submitting two applications and asked if there would be funding for the Delmar Street project through other sources. City Administrator Moody said the Delmar Street project is not listed on the Capital Improvement Program and neither are the ADA improvements. One of the compelling components reflected in the CDBG application is there has not been sufficient local resources identified to complete either of the projects. He noted they could apply in the future for the Delmar project with their next opportunity to submit a CDBG application in 2023.

Mayor Kelly said the ADA improvements would help with the spirit of universal design, Community for All Ages, and all abilities, which are things that Roeland Park adheres towards and he added his support for the project application.

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO SUBMIT AN APPLICATION FOR CDBG FUNDING FOR ADA IMPROVEMENTS AT THE COMMUNITY CENTER AND AQUATICS CENTER. (MOTION CARRIED 7-0)

I. Citizens Comments

There were no public comments.

II. Consent Agenda

- A. Appropriations Ordinance #950
- B. May 4, 2020 Council Minutes
- C. Approve Solid Waste Service Contract Extension with MARC
- D. Approve Annual Cooperative Agreement with Johnson County for Stormwater Best Management Practices Program

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

III. Business from the Floor

- A. Applications / Presentations

- 1. Parks Committee Update

City Clerk Nielsen said the Parks Committee Update is a written report attached in the packet and is available to the public online.

IV. Workshop and Committee Reports

There were no reports given.

V. Reports of City Liaisons

A. Aquatic Center Advisory Committee

Mayor Kelly said there are minutes in the packet from the Aquatics Center Advisory Committee. As a member of that committee, CMBR Madigan stated he had no further information to supplement that report.

VI. Unfinished Business

There was no Unfinished Business discussed.

VII. New Business

A. Elimination of Criminal History Question from Employment Application

MOTION: CMBR DICKENS MOVED AND CMBR FAIDLEY SECONDED TO ELIMINATE THE INQUIRY OF CRIMINAL HISTORY ON EMPLOYMENT APPLICATIONS FOR THE CITY OF ROELAND PARK. (MOTION CARRIED 7-0)

B. Adopt Solid Waste Assessment for 2021

Mayor Kelly said the assessment would be \$200 based on the analysis discussed previously at Workshop and further information is available in the agenda packet. He thanked staff for their work with the partner cities as well as WCA in being able to negotiate a very advantageous rate for the City.

MOTION: CMBR KELLY MOVED AND CMBR BRAUER SECONDED TO APPROVE THE SOLID WASTE SERVICE ASSESSMENT FOR 2021. (MOTION CARRIED 7-0)

C. Special Purpose Sales Tax Renewal Ballot Language

Mayor Kelly said the Governing Body previously discussed this topic and provided direction to City staff to put the item on the November ballot. They also discussed the ballot language, whether or not there would be inclusion of a corresponding mill levy reduction, as well as when the tax change would become effective.

City Administrator Moody explained the four examples of ballot language for the special purpose sales tax as outlined in the agenda packet.

- Extends the current quarter of a cent sales tax for ten years, which is set to expire 3/31/23.
- Terminates the existing quarter cent sales tax on 12/31/20, and imposes a half-cent sales tax beginning 1/1/21 and ending 12/31/31.
- Terminates the existing quarter cent sales tax on 12/31/21, and imposes a half cent sales tax in concert with a mill reduction taking effect 1/1/22 and ending 12/31/32.
- Renews the existing quarter cent sales tax through 12/31/25, and then imposes a half cent special purpose City Retailers' sales tax levy through 3/31/33.

The election office has said they will accept the language of one of the four options proposed for the November ballot.

The mill reduction tied to a sales tax increase would not take effect until the 2022 budget due to the results of the November 2020 election, following the August 2020 deadline for certifying the 2021 mill levy.

Also attached in the packet is a graph that shows the annual revenue generated from 2.5 mills compared to the annual revenue generated from the quarter cent sales tax. Based on a two-mill reduction (Example 3), they would see a net increase in 2021 of about \$173,000. If they were only to increase the sales tax, then they would likely see an increase of \$375,000.

CMBR Faidley asked what the purpose or strategy is to hop in before the end of ten years, and if this could be viewed as counter to what the citizens had voted on.

Mayor Kelly said they have an opportunity to continue the work the citizens asked them to complete by implementing a tax or renewing it. By providing the citizens an opportunity either to confirm or to change their course of action through a vote is the most democratic way to decide how best they fund certain assets of the City. He appreciates that they explored the opportunity of tying the renewal or increase of a sales tax with a mill levy reduction. He said he appreciates everyone's comments, but added that it is complicated. Mayor Kelly added he agrees with the idea of utilizing the tax as is and is ready for budget discussions regarding the reduction of the mill levy.

Mayor Kelly also views utilizing an increase in the sales tax will put them more on par with their peer communities and gives them an opportunity to improve the assets in the community that helps them thrive. He noted the Delmar Street project mentioned earlier in the CDBG discussion and the lack of funding. He said that 42 percent of the streets in Roeland Park are in a poor or worse condition based on their PCI (Pavement Condition Index) in that a surface treatment would not be appropriate. He said the Governing Body has adopted the pay-as-you-go option to improvements. He said that they run the risk of allowing some of their greatest assets to deteriorate. This tax structure gives them an opportunity to dedicate funds towards infrastructure and capital improvements.

CMBR Hill said she intends to vote to lower the mill; however she feels that tying it to the tax question complicates things for their residents, which is something that they do not want. She felt they could be more efficient in just voting for the small tax increase.

CMBR Rebne asked if they have made a comparison of sales tax in relation to property tax assessment. He noted that 70 percent of sales made locally are from Roeland Park residents. He asked if they had information on whether Roeland Park residents spend more on sales tax than they do on property tax. City Administrator Moody said the poll factor of 1.3 is an indication that they are receiving more sales tax revenue than what an average city would experience if only their residents bought items within their city and is 30 percent higher than an average city, which is significant. He said there is a calculation in the packet where they tried to come up with how much from residents outside the City contributed to sales tax.

CMBR Madigan said he was surprised they moved immediately on Option 2 without polling the Council to see what was favored. He wanted to state that he was in favor of Option 1 or 4. He also reiterated what he has said previously in that to raise the taxes on the people right now will be a non-issue to the voters. He said they should just leave it lay and come back when everything is settled and they have a better chance of getting it passed.

City Administrator Moody said the percentage of sales taxes between residents and non-residents seems to be 75 percent residents and 25 percent non-residents and is in the Additional Information section in the packet. In response to CMBR Rebne's question, City Administrator Moody said he is gathering data on the single-family cost of living comparison and hopes to present that to the Council. A Roeland Park family of four with a house value of \$240,000 would have a total property of about \$3,700 and their total sales tax, assuming they buy everything in Roeland Park, would be \$2,200.

CMBR Rebne said he was looking for information on the potential changes and how that would affect someone's income to raise sales tax or maintain the mill levy.

CMBR Dickens stated he was in favor of Option 2 and that simplifying the question and removing the mill levy will make it easier to have the discussion with their neighbors.

Mayor Kelly said they need to be clear with the residents that the funds will be well accounted for and utilized to improve infrastructure and capital improvements in ways that otherwise would require them to purchase bonds. He believes at the end of the day the residents will see they provide good service and this will allow them to continue to do so.

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO ADOPT OPTION NUMBER 2 OF THE BALLOT LANGUAGE CONCERNING THE QUARTER CENT SPECIAL PURPOSE SALES TAX ON THE NOVEMBER 2020 BALLOT. (MOTION CARRIED 6-1 WITH CMBR MADIGAN VOTING NO.)

VII. Ordinances and Resolutions

A. Ordinance 995 Adopting Solar Ready Requirements

MOTION: CMBR FAIDLEY MOVED AND CMBR HILL SECONDED TO ADOPT ORDINANCE 985 ADOPTING SOLAR READY REQUIREMENTS. (MOTION CARRIED 6-1 WITH CMBR KELLY VOTING NO.)

B. Resolution 676 Adopting Carbon Emission Reduction Goals

Mayor Kelly thanked Ms. Jones-Lacy for all the hard work that she has done with Dynamhex and for putting together the resolution.

CMBR Kelly said he wanted to discuss the possibility of changing the use of the name "Dynamhex" to "approved contractor." He would prefer not to have a company's name in the resolution in case they change contractors in the future.

CMBR Faidley said if they use the statistics compiled by Dynamhex it needs to be clear who did the work.

City Attorney Felzien said it is important to use the name Dynamhex where they state the results that they came up with such as how they determined the total carbon emissions City-wide. To provide the most coverage it is important to leave the name in.

Ms. Jones-Lacy added that Dynamhex is the only company that provides this type of service and there is not currently another alternative, not to say that there could not be in the future. Dynamhex is unique in the service that they offer. She would not have a problem removing their name in some of the clauses but the estimates are attributable to them and she believes they should be included.

CMBR Kelly wanted to make the wording change in Section 2 to City contractors in the event anyone else comes to the City and has ideas that it is not limited to one specific contractor.

CMBR Rebne said he likes the resolution and they are making on this goal to meet the Paris Climate Agreement carbon reduction by 28 percent and he is happy to live in a place that is doing that. He would like to propose adding one more statement to the resolution that gets at the collaboration between Roeland Park and neighboring cities, particularly with those more vulnerable populations across County Line, Kansas City, and Missouri and Wyandotte County, in particular. His amendment would include:

“Whereas, Roeland Park recognizes that climate change will continue to have a disproportionate effect on vulnerable populations and, therefore, seeks to utilize partnerships with neighboring communities to address compelling regional climate needs and issues of equity in obtaining clean air and water.”

Mayor Kelly said CMBR Rebne is correct in that those most vulnerable to a changing climate are already those that are most vulnerable in society and it is proven from data from the National Climate Assessment, the IPCC (Intergovernmental Panel on Climate Change) and from various papers throughout the world. He added that Climate Action KC is putting a climate action plan together along with partners on the national and international level. Also addressed is the equity issue, and they will also tackle that at a regional level because of the transboundary nature of air and water and efforts that can be made to reduce emissions such as those from public transportation or infrastructure.

CMBR Hill said she appreciates CMBR Rebne’s motion and believes it is a noble one, but does have concerns as municipal leaders that they could be overstepping their boundaries to begin discussing what they will do in other communities.

CMBR Dickens wanted to echo the comments of Mayor Kelly and CMBR Hill.

CMBR Rebne said his intent is not to speak for another community and his suggestion was for defining the intentions of the Roeland Park community in terms of reaching across the city or county border and working as a partnership and looking at the way their own air and water impacts people across the border.

CMBR Hill said it is one thing for a group of people in the community to decide they can fix something in another community and that it could come across as offensive that others might think that they as the Governing Body have the answers.

CMBR Madigan said this is a resolution and not an ordinance and did not see any problem with adding CMBR Rebne’s amendment.

MOTION: CMBR KELLY MOVED AND CMBR REBNE SECONDED TO AMEND THE RESOLUTION TO REMOVE THE NAME “DYNAMHEX” AND CHANGED TO “CLIMATE ACTION KC PLAYBOOK AND CITY CONTRACTORS” WHERE APPLICABLE IN SECTION 2 OF THE RESOLUTION LANGUAGE. (MOTION 5-2 WITH CMBR HILL AND CMBR BRAUER VOTING NO.)

MOTION: CMBR REBNE MOVED AND CMBR MADIGAN SECONDED TO AMEND THE RESOLUTION TO ADD THE PREFATORY CLAUSE STATEMENT READ INTO THE RECORD AS THE FIFTH WHEREAS CLAUSE. (MOTION CARRIED 5-1-1 WITH CMBR DICKENS VOTING NO AND CMBR HILL ABSTAINING.)

MOTION: CMBR REBNE MOVED AND CMBR FAIDLEY SECONDED RESOLUTION 656, ADOPTING CARBON EMISSION REDUCTION GOALS AS AMENDED. (MOTION CARRIED 7-0)

IX. Workshop Items

No Workshop items were presented.

X. Reports of City Officials

A. Weekly COVID 19 Update

Ms. Jones-Lacy said the update is in the packet and provides links to the Governor's order. It also includes additional steps Johnson County is taking as well as what is happening at City Hall.

City Administrator Moody said there could be some dates changes that will affect the City's reopen plan based on the State's reopen plan. They will send out those revisions if necessary.

City Administrator Moody gave an update on the Roe 2020 project noting that cones and traffic control devices are starting to appear on Roe Boulevard. Miles Excavation is beginning to mobilize and set up. They also had a neighborhood meeting with the property owners last week. It was recorded and available for review.


Phase 1 and Phase 2 are both underway at R Park.

Police Chief Morris said on May 7 there was a meeting between the city officials and staff from Fairway, Westwood, and Roeland Park. With the current conditions of COVID-19, the majority consensus was not to hold the annual Fourth of July fireworks event.

XI. Adjourn

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

(Roeland Park City Council Meeting Adjourned at 7:19 p.m.)



Kelley Nielsen, City Clerk



Mike Kelly, Mayor