

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, December 7, 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 6:00 p.m.)

Pledge of Allegiance

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

Roll Call

City Clerk Nielsen called the roll; all Governing Body members were present. Staff members present were City Administrator Moody, Assistant City Administrator Jones-Lacy, Public Works Director Scharff, Police Chief Morris, Police Sgt. Chaffee, City Clerk Nielsen, City Intern Verbrugge, and City Attorney Alex Felzein.

Modification of Agenda

There were no modifications made to the agenda.

Mayor Kelly, on behalf of the Governing Body and staff, wished CMBR McCormack a happy birthday and thanked her for her service to the City.

I. Citizens Comments

Stephanie Iser (5714 Cedar) Ms. Iser said she is proud of City leaders moving forward on policy work that would make the City safer and more inclusive to immigrants. She asked them to seriously consider what constituents, immigrant residents, and local advocacy groups are asking for, which is that the safety ordinance include both a judicial warrant requirement and a set of clearly defined public safety exclusions to guide when City agents would work with immigration enforcement.

Christie Smerchek (5226 Pawnee) Ms. Smerchek spoke in support of the Safe and Welcoming Roeland Park ordinance. She too is excited about the work City leaders are doing in response to residents wanting to live in a more inclusive city. She also said that language regarding judicial warrants and public safety exclusions should be included in the ordinance as precursors to any assistance with ICE.

Chris Roesel - Mr. Roesel spoke of his personal experience and work with the immigrants coming into their communities. He urged the Governing Body to do everything possible to be welcoming and to only comply with what is absolutely required by a federal judge and to support the immigrants as they adjust to being here.

Tyler French (5208 Delmar) Mr. French is a member of the Safe and Welcoming Roeland Park group. The group has put forth a proposal that would require a judicial warrant or that a clearly defined public safety exclusion be in place prior to any law enforcement assistance given to federal immigration authorities. The group looks forward to seeing the final draft and to see the efforts by City officials to build transparency and trust with the immigrant community.

Valerie Espadas - Ms. Espadas is the Community Mobilizer at El Centro. She related an incident of an immigrant whose car was broken into her car. She was encouraged by others to make a report, but she did not want to get the police involved because she did not feel safe speaking with officers in her community. She thanked Roeland Park for moving forward on this but said that leaving the ordinance so broad and open could still hurt some of the people in the community and as written it does not give the protection these people are asking for.

II. Consent Agenda

- A. Appropriations Ordinance #963
- B. Council Minutes November 16, 2020

MOTION: CMBR HILL MOVED AND CMBR BRAUER SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (MOTION CARRIED 8-0.)

III. Business from the Floor

- A. Applications/Presentations

IV. Mayor's Report

No report was given.

V. Workshop and Committee Reports

No report was given.

VI. Reports of City Liaisons

- A. Ad Hoc Police Review Committee - Report on Chapter 3, 4 (Continued)

Mayor Kelly welcomed Lisa Brunner, Haile Sims, and Police Sgt. Cliff Chaffee from the Police Policy Review Committee to the meeting.

Sgt. Chaffee said the committee has made significant progress since their last report to the Council. He reiterated that this is a very large project for them to undertake. Chapters 3 and 4 with noted changes were presented to the Council.

Ms. Brunner introduced Mr. Sims and said he has been an integral part of the committee and is on the work group with them. He also serves on the Racial Equity Committee.

Ms. Brunner said the large committee is recommending 19 policies to be adopted by the Roeland Park Police Department. She said they are about halfway through working on the policies. Including the 19 being recommended tonight, 28 in total have been recommended to the Council.

One of the things they look for in their review is to make sure that Roeland Park's non-discrimination ordinance, language and scope is inserted wherever you see typical EEO mentions. They are also modernizing the domestic violence policy such as instances identifying or speaking with the alleged father, it is being changed to "other parent."

Some takeaways they have learned in their review is that good policy does not stand on its own, but comes in the hiring, training, and continuing education on the police force as well as emotional intelligence training. One of the best things smaller communities can do is community outreach and building relationships. Ms. Brunner said she sees good opportunities for those who live in Roeland Park and visit their community.

Mayor Kelly said he recognizes the amount of work that has gone into this since August, expressing gratitude to the committee because it is putting into practice the values espoused and recognized by Roeland Park.

CMBR Rebne asked about Policy 319 related to hate crimes if it would address racially motivated calls to 911 and taking steps to make sure the community understands that this goes against state statute.

Ms. Brunner said that Policy 319 is well-written, and the committee did not have any changes to make. There is a section in there on training and education on this subject and about getting out in the community and developing the trust.

CMBR Hill said this was discussed and addressed previously and it would fall under police policy. She also stated that 911 are not received directly by Roeland Park and are outsourced to the county.

CMBR Rebne said there is information that people have involved in those 911 calls that do not pertain to county dispatch.

Mayor Kelly asked if they are finding upon review that the policies they currently have are well-written. Sgt. Chaffee responded they are working with Lexipol and the advantage of using them is they keep police policies up to date nationwide. As policies change, they have Lexipol who stays up to date on all this. Most of the changes they have found have been grammatical because of the fantastic job that Lexipol does.

CMBR Kelly the review is more or less department policies for the staff and police officers to use that direct how they handle things and how they act as a department.

Mayor Kelly said the police department will continue training and they appreciate their willingness to go through this process to meet the community's needs.

VII. Ordinances and Resolutions:

There were no ordinances or resolutions presented.

VIII. New Business

A. Approve 2021 CARS Agreement with Johnson County

This agreement addresses work to be done from 48th Street to the northern City limits on Roe Boulevard and includes landscaping, and 153 new trees along the entire Roe Boulevard corridor. Pictures have been included in the packet.

MOTION: CMBR KELLY MOVED AND CMBR REBNE SECONDED TO APPROVE THE 2021 CARS AGREEMENT WITH JOHNSON COUNTY. (MOTION CARRIED 8-0)

B. Approve Task Order for Bidding and Construction Admin Services of 2021 CARS Project

CMBR Faidley asked for a summary of the process that they have gone through for Roe 2020 and that these are two alternate bid items identified to be completed later.

City Administrator Moody said they will mill and overlay north of 48th Street as well as landscaping along the entire corridor from Johnson Drive north to corporate limits. The design of the two add-alternate elements was completed as part of the main project. The pricing they received for those two items was higher than they felt it would be as standalone projects, so they opted to bid them later. They plan to get the bid out this winter with hopes to proceed with both components as soon as possible. Larkin will be involved with submitting reimbursements to CARS for approximately \$280,000.

MOTION: CMBR BRAUER MOVED AND CMBR HILL SECONDED TO APPROVE THE TASK ORDER WITH LARKIN FOR BIDDING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE 2021 CARS PROJECT. (MOTION CARRIED 8-0)

C. Approve Winter Season Street Light Banners

The Community Engagement Committee has recommended and staff is requesting approval for Speed Pro to print banners for the new streetlights that have been put up on Roe Boulevard.

CMBR Hill liked the first three designs and asked they not include the fourth. Mayor Kelly said the Community Engagement Committee expressed the same sentiment.

CMBR Faidley asked if the committee only looked at the four designs or if there were other options that were just ruled out.

Daniel Vandebos said there was other artwork done but these four designs were what the committee recommended. The four presented are all the same theme, have the same colors and were done by Midtown Design.

CMBR Rebne said the designs presented reflected Roeland Park better in spirit and attitude. The committee liked that it was a winter theme rather than a particular holiday or religious insinuation or symbol.

Mayor Kelly said they will look nice with a snow cover on the ground.

CMBR Dickens said he liked the colors. He asked if the “Uniquely Rooted” had Roeland Park branding anywhere. Mayor Kelly said the branding is not on the flag.

CMBR Hill said that “Uniquely Rooted” is their motto and is part of their branding. With the others having Roeland Park on them it works.

CMBR Madigan likes the “Uniquely Rooted” flag. He would like to see that tree stay as one of their banners and change with the seasons as he thinks it would be interesting. Mayor Kelly said that is a cool idea.

CMBR Faidley asked if the banners will go the full length of Roe. Mayor Kelly said when the streetlights north of 51st are up, the banners will go the entire length of Roe.

City Administrator Moody said the streetlights may not be installed in time for all the winter banners to go up. However, they are anticipating banners for all four seasons.

MOTION: CMBR HILL MOVED AND CMBR MCCORMACK SECONDED TO APPROVE THE FIRST THREE WINTER SEASON STREETLIGHT DESIGNS. (MOTION CARRIED 8-0)

CMBR Hill asked if Speed Pro is being recommended because they are the lowest bidder or if they have any reviews on any of the three companies. Mayor Kelly said the Community Engagement Committee liked their bid because they had the lowest price, a quick turnaround, and are a local company.

MOTION: CMBR REBNE MOVED AND CMBR BRAUER SECONDED TO APPROVE SPEED PRO FOR THE PRINTING OF THE BANNERS IN AN AMOUNT OF \$6,565. (MOTION CARRIED 8-0)

D. Cost Recovery Policy Discussion for Parks and Recreation Fees

This item was discussed previously at a Committee Workshop. Tony Nichols, Parks and Recreation Superintendent reviewed the presentation he made at the last Workshop. He went over what the City will provide as far as recreational services and that residents will have an equal opportunity to participate in a wide variety of programs and services.

CMBR Faidley wanted to emphasize the importance of an annual review because as Councilmembers they will be getting feedback and that should be incorporated into their fees and services as going forward.

CMBR Kelly said he was not a fan of the phrase “local taxpayer” in Section IV(A)(1). He would prefer they use the term “Roeland Park residents.” The other things had to do with the pricing policy guidelines in (C)(1) and could they consolidate the list of events to “City Events” or something similar.

Mr. Nichols said he would be happy to make those changes. He said this was their first time putting out the information and he wanted to be clear what community service events would be free of charge.

Mayor Kelly said he was in favor of changing “local taxpayer” to “Roeland Park resident.”

CMBR Kelly asked if they must list every single event every time.

City Administrator Moody said it is educational and lists the programs not being charged a fee. It provides guidance as to what types of events are a hundred percent subsidized.

CMBR Kelly would like to see an amendment as to Roeland Park residents.

MOTION: CMBR KELLY MOVED AND CMBR HILL SECONDED TO AMEND IV(A)(1) TO CHANGE THE LANGUAGE FROM “LOCAL TAXPAYER” TO “ROELAND PARK RESIDENT.” (MOTION CARRIED 8-0).

MOTION: CMBR MADIGAN MOVED AND CMBR DICKENS SECONDED TO APPROVE THE PARKS AND RECREATION PRICING POLICY AS AMENDED. (MOTION CARRIED 8-0)

E. Agreement with JOCO for COVID Health Order Enforcement

On November 16, 2020, Johnson County adopted Order No. 2-20 that establishes social distancing requirements, limiting gatherings, and other health guidelines for the county. The Board of County Commissioners wanted to alleviate district court pressures and allow the county to enforce its own health order and is asking to work with cities to enforce the order. Roeland Park would be working with the county and the county would be responsible for enforcement of the order. The county’s authority would only be limited to this public health order and not future ones. Mayor Kelly said this is a sign of solidarity of support.

City Administrator Moody wanted to thank the City of Prairie Village for their assistance in the review and development of the agreement.

Mayor Kelly also thanked Prairie Village Mayor Mikkelson, their council, and their city attorney David Waters.

CMBR Rebne questioned about mask wearing at the Community Center and who has jurisdiction there. Mayor Kelly said the residents are the first line in terms of ordinance enforcement ordinance in reporting instances of violations of the health ordinance. Until a violation is known it cannot be addressed, so they are asking their residents to be vigilant about this. The county is taking an education first approach to this ordinance to the business owner or the operator of the Community Center to rectify any conduct. Per the agreement with the county they would be responsible for the enforcement.

City Administrator Moody added that the facility owner is responsible to ensure that the activities occurring at the facility or place of business follow the health order. Additionally, the City is the owner of the Community Center and would be responsible to ensure that it complies with the health order.

Police Chief Morris added if there is a situation, they would do what they could to educate the individuals. If they were asked and refused to comply with the health order that could end up being a criminal trespass situation. They have limited action of what they will do, but they will do an educate first and an educate second and three or four more times after that. If they continue to completely refuse to cooperate, then they can go the route of criminal trespassing.

CMBR Brauer commented that the mask mandates and the other mandates are truly for the health of all of people out and it takes everyone together to do this. She asked everyone to do their part. She acknowledged that wearing a mask isn’t fun and is inconvenient, but to please come together and be the Roeland Park that helps make all of them safe.

MOTION: CMBR HILL MOVED AND CMBR KELLY SECONDED TO APPROVE THE AGREEMENT WITH JOHNSON COUNTY FOR COVID HEALTH ORDER ENFORCEMENT. (MOTION CARRIED 8-0)

F. Appointments and Reappointments

Mayor Kelly presented his slate of candidates to the City Council stating that they will serve the City well.

CMBR Madigan asked if someone left the Planning Commission and is this a ward appointment or a mayoral appointment. Mayor Kelly said it is a Ward 2 appointment and someone is leaving the Planning Commission.

MOTION: CMBR HILL MOVED AND CMBR MCCORMACK SECONDED TO APPOINT JOSEY SHAW TO THE PLANNING COMMISSION BEGINNING ON JANUARY 2, 2021. ALSO TO REAPPOINT EMILY HAGE TO PARKS, DAVID SMITH TO SUSTAINABILITY, BRITTNEY NORIEGA AND MAREK GLINIECKI TO THE ARTS COMMITTEE. (MOTION CARRIED 8-0)

IX. Unfinished Business

There were no Unfinished Items to discuss.

X. Workshop Items:

There were no Workshop items presented.

XI. Reports of City Officials:

A. COVID Report

Chris Verbrugge, City Intern, provided an update on the City's actions as it relates to COVID-19. The main item is the emergency order has gone into effect on November 16th which is now enforceable in Roeland Park. The Director of the Health and Environment Department has been providing updates to the Board of County Commissioners and those comments are in the packet. One item of note is that Johnson County has released several different resources and reduced barriers to those resources to a variety of groups who are disproportionately affected by the pandemic. There is also an update in the packet on the CARES Act funded projects.

CMBR Faidley asked if they were close to expending the funds by the end of December. City Administrator Moody said they will be close to the \$213,000 allocation. The big projects are touchless faucets, water closets and water fountains with the Nall Park restroom being the last one to be completed. The HVAC projects should be completed by mid-December. If there are additional resources allocated, the City will have the opportunity to request reimbursement for police-related payroll expenses.

B. Public Works Report

Public Works Director Scharff said the contractor will begin paving on Roe Boulevard tomorrow morning between 48th and north of 51st Street. The work is anticipated to last three days. Most of the hardscape is

already complete. The traffic signals are also operational at 50th Terrace and Roe Lane. They will now begin working on the lights at 51st and Roe in the next day or so.

XII. Adjourn

MOTION: CMBR MADIGAN MOVED AND CMBR REBNE SECONDED TO ADJOURN. (MOTION CARRIED 8-0)

(Roeland Park City Council Meeting Adjourned at 7:35 p.m.)



Kelley Nielsen, City Clerk



Mike Kelly, Mayor