

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday February 15, 2021 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 Councilmembers were present. Staff members present were City Administrator Moody, Assistant City Administrator Jones-Lacy, Public Works Director Scharff, Police Chief Morris, Parks and Recreation Superintendent Nichols, Management Intern Verbrugge, Building Inspector Jacobson, City Attorney Mauer, and City Clerk Nielsen.

Modification of Agenda

There were no modifications to the agenda.

I. Citizen Comments

Emma Green (5444 Linden) Ms. Green said she is grateful to live in a community that is working with its neighbors and leaders in making their City more welcoming to immigrants. Ms. Green said the police policies and the ordinance passed need to be brought in line and reflect the tone of the safe and welcoming Roeland Park. She said as written the police can cooperate with ICE on jail holds when there is not public threat to safety and allow for the collection and sharing of information about an individual’s immigration status. She felt this is harmful to the relationship between the police and the community and does not focus on serious criminals. She also said there is no clear definition as to what constitutes a public safety threat. Ms. Green said she is proud of the work that is being done in Roeland Park.

II. Consent Agenda

- A. Appropriations Ordinance #968**
- B. Council Minutes February 1, 2021**

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

III. Business from the Floor

A. Applications/Presentation

1. Legislative Update from Representative Rui Xu

Mayor Kelly introduced Rui Xu, their representative for the 25th District of Kansas. He said he is proud to have him representing them in Topeka.

Representative Xu said there are a lot of things to do. Currently S.B. 22 is before them and he said that it is a very bad tax bill in that it blows up the state budget. It increases the budget to \$470 million in year 1 and over three years up to \$1 billion. They are also discussing the property tax lid repeal and truth in taxation. Also of concern is a series of school voucher bills which could affect the Shawnee Mission School District, but they anticipate the Governor will veto it.

Mayor Kelly said he appreciated Rep. Xu's work on opposing bad tax bills. He also appreciates the recognition of home rule when it comes to taxation. Mayor Kelly mentioned Senate bill 24 and the need for home rule so that cities can make their own decisions as it relates to energy policies especially on their own buildings and that Roeland Park residents who want to take advantage of renewable opportunities can do so.

CMBR Faidley thanked Rep. Xu for his updates saying they were helpful, concise, and appreciated.

Mayor Kelly said Rep. Xu has an open invitation to come back to speak with the Council. Mr. Xu said he is grateful to work with such an engaged City Council.

2. Presentation from United Community Services of Johnson County on Racial Equity Pilot Program - Kathryn Evans

Kathryn Evans is the Manager of Special Projects for United Community Services of Johnson County (UCS). United Community Services has prioritized greater action to racial equity and the program started in Roeland Park is very timely. She said that racism has negative health consequences, affects education, and being able to have healthy food. She said this needs to be addressed as Johnson County continues to be more racially diverse. They need to be thoughtful now so that every person has access to safe housing, communities, an opportunity to build wealth, and to feel included and connected.

UCS has formed an internal committee to determine what they will offer to racial equity. They have developed a theory of action with a purpose and principles and how they would structure participation and practices in that action plan. UCS will launch the racial equity in cities program to provide planning, support, and technical assistance to jurisdictions as they incorporate their own racial equity, diversity, and inclusion initiatives.

The developed model program for jurisdictions is to be an enduring initiative. The core is a community of practice with five to six jurisdictions. They will receive a range of support and technical support from UCS and various other partners. They will learn with and from their colleagues in other

jurisdictions. The plan is to launch the pilot program in the first quarter of 2021. Ms. Evans also reviewed the pooled funding needed to run the program.

Mayor Kelly said he appreciates this opportunity and Roeland Park is just at the beginning of their work. He said that any resources would be incredibly helpful to the City. He asked what other Johnson County cities are participating. Ms. Evans said that Lenexa, Mission, Prairie Village, and Johnson County Government are getting involved.

CMBR Faidley asked they see UCS' pilot project working with their established Racial Equity Committee. Ms. Evans sees that as being a close relationship and one reason they wanted to invite Roeland Park in the pilot program is because of their active committee.

Mayor Kelly asked what the next steps would be, the City's financial commitment, and a timeline for action to sending a representative from the City. He said they could put this item on the next Workshop agenda in March if Ms. Evans would come back with more information. Ms. Evans said the estimated financial commitment for the City is calculated to be \$4,000 to \$6,000 in the pilot program. The timeline is dependent on when they can get enough resources from pooled funding to pay for the balance of the consultants and facilitators who are giving their donation in kind.

CMBR Rebne said he appreciates that UCS is out there in support of area jurisdictions and that they are also recognizing racial equity in relation to health outcomes, which is an important thing to tie in. He felt this is something they should invest in as a community.

Ms. Evans said they are cheering on Roeland Park and think they are doing well.

The item will be planned for the March Workshop and they hope to have the Racial Equity Committee weigh in and to be able to certify Roeland Park's commitment at that time.

CMBR Madigan asked if the Racial Equity Committee is keeping minutes and posting them? Ms. Jones-Lacy said audio recordings of the meetings are online as well as the minutes.

3. Update on Dynamhex Project

Ms. Jones-Lacy said that Sunny Sanwar with Dynamhex will providing an update on the City's tool to measure and track greenhouse gas emissions. The dashboard went live on the City's website February 1 and allows both the City and individual residents keep track of the City's carbon emissions. Another feature of the tool is that residents can look at their own household and determine their own carbon footprint. They hope from this there will be an increase in solar and electric vehicles with the hope to make an impact to reach their goal adopted earlier in Resolution 676 reducing carbon emissions 28 percent by 2025.

Mr. Sanwar reviewed the tool on the City website. He said there is also information to learn the City's climate goals and a few informational videos as well as how to use the tool. Mr. Sanwar reviewed the many options on the tool. For a more detailed look visit <https://roelandpark.net/384/Carbon-Emissions-Dashboard>

Mayor Kelly thanked Mr. Sanwar and Dynamhex for their work and empowering them as a City and also as an individual homeowner. As further plans develop or goals come forth, he would appreciate Mr. Sanwar continuing to implement those into the tool.

CMBR Rebne said he explored the tool and said it was something motivating. He also asked if there was a way to see how his individual emissions tracks with the Paris goal or even the City's goal, and whether his contribution is in proportion with the City. Mr. Sanwar said measuring a building's footprint in relation to the entire City is something they can do.

Mr. Sanwar thanked Roeland Park for working with them and said they have been getting good media attention and anticipates this being in the *New York Times*.

Mayor Kelly thanked Dynamhex for helping them gather the data to empower the citizens for a healthier City and he looks forward to continuing to work together.

IV. Mayor's Report

A. Black History Month Proclamation

Mayor Kelly thanked Haile Sims, Chair of the Roeland Park Ad Hoc Racial Equity and Inclusion Committee for his work and asked him to accept the proclamation on behalf of committee. The contents of the proclamation are included in the agenda packet.

Mayor Kelly said he has been excited to see the results from the committee and declared February 2021 to be Black History Month in Roeland Park.

Mr. Sims thanked the Governing Body on behalf of racial advocacy and the awareness group of Johnson County and was proud to accept the proclamation.

MOTION: CMBR FAIDLEY MOVED AND CMBR DICKENS SECONDED TO APPROVE THE PROCLAMATION MAKING FEBRUARY 2021 AS BLACK HISTORY MONTH IN THE CITY OF ROELAND PARK. (THE MOTION CARRIED 8-0)

V. Reports of City Liaisons

A. Ad Hoc Police Policy Review Committee

Lisa Brunner, Chair of the Police Policy Review Committee said that Haile Sims has been a big part of this committee and recognized all his hard work.

Ms. Brunner said they reviewed Chapter 2, Administrative Policies. One section of interest is Section 203 regarding the training policy. It calls for a training committee with a scope of training to meet minimum standards. She said she has learned from working with Police Chief Morris, Sgt. Chaffee, and the committee that the Police Department already goes above and beyond Kansas requirements. Almost every officer is crisis intervention trained even though they do not have to be. Most of the calls they receive are for situation diffusion and it does require those mediation and de-escalation skills. Police Chief Morris added that 18 officers out of 20 are CIT trained to be equipped to handle those types of situations.

CMBR Faidley asked if the Police Department currently has a training sergeant.

Police Chief Morris said that Sgt. Honas would be considered the training sergeant. The sergeants in the departments all have dual purpose assignments with specialties in areas such as weapons, traffic, et cetera.

Ms. Brunner said there are about 32 policies left to present to the committee. Ten of those are within the scope of the committee's purpose. They are also on track to have all of the policies presented to their committee by the end of March with a final report to City Council at some point in April.

Ms. Brunner also responded to Emma Green's public comment made at the beginning of the meeting. She said they do have an immigration police policy that has not gone through the committee yet. She was correct in her comments in the way the policy is currently written. It is currently in the hands of City Attorney Alex Felzein and Catalina Velarde, Board Chair at El Centro, who is also an attorney, are working on getting it in line with the ordinance that was passed earlier in January. At their next meeting, the committee will get a chance to review the revisions.

Mayor Kelly said he appreciates the work the committee, Chief Morris and Sgt. Chaffee have put into this.

B. Ad Hoc Racial Equity Committee Update

Committee Chair Haile Sims reported that they have been moving forward in their last couple of meetings. They have adopted the following four goals:

- Develop economic and workforce opportunities for businesses and employees of color and identify any obstacles that may exist.
- To establish that Roeland Park is an open and welcoming community to people of all races and backgrounds, where acting on racist beliefs is not tolerated.
- Focus on developing racial bias and equity education and outreach for City staff, elected/appointed officials and residents.
- Create more community engagement activities that involve our Police Department to facilitate building strong relationships with the community.

From this framework they have developed a list of 29 items they want to work on and will provide ongoing reports to the Council of the work they have done.

They will also be sending out a survey to the community to get feedback on what people are expecting from them as a committee.

CMBR Faidley said they are doing extraordinarily important work and she appreciates what they are doing. She said the concept of the survey is interesting and asked how it will be disseminated. Mr. Sims said they will advertise on social media formats. They do not want it limited to only Roeland Park residents, but those that travel here to shop and work, all of those that come to Roeland Park.

Mayor Kelly asked if it is the committee's intent to gather demographic information. Mr. Sims said it will be an anonymous survey, but it will ask some demographic questions and whether they are a resident or an employee.

CMBR Madigan asked who the keeper of the data would be. Mr. Sims said the City will receive and maintain the responses.

Mayor Kelly asked that Mr. Sims coordinate with Mr. Moody on the timing of their survey with their upcoming Citizen Satisfaction Survey. Mr. Sims said the plan is not to overlap and understands the Mayor's concern.

Ms. Jones-Lacy added they will issue the survey before the citizen in early March. It will be published through social media and on the City's website. They hope to push it out through different mediums like Google or Constant Contact.

Mr. Sims brought a request to make them a standing committee to continue to tackle to issues to make Roeland Park a better place to live, play and work. He added that in addition to Black History Month, they would also like to recognize, women, Hispanics, and others which certainly gives them plenty of work to do.

Mayor Kelly said he appreciates the request. He noted that they are at the beginning of this process and it is incumbent that it be ongoing. He said it is clear there is a lot of continuing work to be done by the Racial Equity Committee and he would like to see an ordinance prepared at Workshop. He will work with the City Attorney to do that for presentation to the Council Committee.

CMBR Madigan seconded the idea.

VI. Unfinished Business

There was no unfinished business discussed.

VII. New Business

A. Award Bid for ADA Improvements at City Hall

City Administrator Moody reviewed the bid alternates budgeted out of TIF 2 and which need to be utilized before it expires the end of 2021. Even after including Alternates 2 and 3, the TIF fund will still have a reserve of \$18,000.

CMBR Faidley asked about the pump, its longevity and the water supply. City Administrator Moody said they will go through the ceiling to get the water supply and waste to a gravity line. He said the line will not be carrying a lot of water as it is used mostly for hand washing and rinsing out a coffee pot. With that type of use, they expect a lifespan of ten years on the pump.

Kelly Stindt with SRS Architecture agreed with the ten-year lifespan on pump given that it is not a high use area.

Ms. Jones-Lacy added that the upgrades include universal design elements. She said it was agreed that the City would lead by example and this is their first opportunity to do this.

CMBR Madigan asked if there will be a warning to tell them that the pump is not working. Ms. Stindt said she will need to confirm that. She said the mechanical plumbing subcontractor will supply the

specifications before any installation and they can follow through on a warning system during that phase of review.

MOTION: CMBR MCCORMACK MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE BID FROM B. DEAN CONSTRUCTION FOR ADA IMPROVEMENTS AT CITY HALL INCLUDING ALTERNATES 2 AND 3 PER STAFF RECOMMENDATIONS. (MOTION CARRIED 8-0)

B. Award Bid for 2021 CARS Project (Roe Mill and Overlay with Landscaping; City Hall Improvements)

City Administrator Moody reviewed the alternates as outlined in the packet. Alternate 2 allows for all the plants to be planted in the spring. There are 28,000 bulbs that are part of the bid package and cannot be planted until the fall. Trees will require ongoing water after the maintenance period and that responsibility will fall to the Public Works staff. A summary of the budget has been provided and this falls within budget. The project is also supported by CARS funding. Phase 2 will be covered primarily with 50/50 CARS money and then the Special Infrastructure Fund will cover the remainder. Alternate 2 allows them to complete the next two components of Roe Boulevard together to provide a more complete package for the residents.

Also included in the bid are parking lot improvements as the contractors will be doing asphalt work for Roe and this will save a little bit of money adding it to the bid. There is no reimbursement from CARS for the lot improvements and that portion will be segregated out.

Mayor Kelly thanked staff for finding efficiencies where they can.

CMBR Faidley asked if the company will come back in the fall to plant the 28,000 bulbs. Mr. Moody said the landscaping was rolled into project and then broken out. They did save money by doing that. City Administrator Moody also clarified there will likely be some alternative species planted because of the timing and that more hardy species and comparable substitutes are proposed. They will be keeping the design consistent even with substitutions.

MOTION: CMBR KELLY MOVED AND CMBR MCCORMACK SECONDED TO APPROVE THE BID FROM MCCONNELL & ASSOCIATES FOR THE 2021 CARS PROJECT-ROE BLVD MILL & OVERLAY & LANDSCAPING AND CITY HALL PARKING LOT IMPROVEMENTS INCLUDING ALTERNATE 2. (MOTION CARRIED 8-0)

C. Direction on Weed Control Approval for 2021 Season

At an earlier Committee meeting, the Governing Body asked for more information from Parks Superintendent Nichols on organic versus traditional weed control measures and also for recommendations from the Parks and Trees Committee

Laura Savage with the Parks and Trees Committee said they were recommending the traditional weed control measures to protect their \$122,000 investment of soccer fields and surrounding greenspaces. Jake's Lawn and Landscape has quoted \$8,970 for two chemical treatments in 2021 with Strike 3 that has an estimated 98 percent effective rate. The spray is safe after it has dried in about two hours. Jake's is recommending a two-year program with two applications annually to get the turf strong enough and then ending those applications and returning to something more organic.

CMBR Madigan asked if the amounts quoted were for R Park only. Mr. Nichols said the cost would cover all the green spaces in the City with the exception of Nall Park. They plan to leave Nall Park as a natural park with no treatments of any kind.

Mayor Kelly asked Mr. Nichols for his opinion. Mr. Nichols said it could work and as they transition away from traditional treatments. They may also need to seek overseeding and additional aeration. They will continue to work to help establish the grass in other ways than treating the weeds.

CMBR Dickens said he understands some residents may balk at traditional chemical treatments, but they have put a lot of money into these parks and greenspaces. He knows that organic is the preferred method, but it is not as effective. He is also intrigued by this compromise and trusts Strike 3 is safe once dry.

CMBR Faidley thanked Mr. Nichols for mentioning overseeding as this is a blended approach used by other cities. She wants to make sure they are not just approving the use of chemicals but also incorporating those other systems. Mr. Nichols has talked to Jake's Lawn and Landscape and this method has been done at the Community Center in the past. He said it was not part of the initial plan, but they are capable and willing to add in the weed management approach in the future. CMBR Faidley asked if the parkland around the Community Center and Aquatics Center would be treated the same and Nall Park is the only area not treated. Mr. Nichols reiterated that Nall Park will be kept natural and the rest of the greenspaces will use the traditional approach.

CMBR Madigan added that he has been a long-time Nall Park advocate and has participated in different removals of invasive plants. He thinks the idea is good to leave it natural, but they will have to monitor the park as they do not want to see it become weed central. He said he backs the Parks and Trees Committee's idea, but he does not want Nall Park to become the forgotten park once again.

Ms. Savage asked if in the spring they would be overseeding in R Park. Mr. Nichols said they will have additional seeding in all of the areas that did not establish in Phase 2. He said the perimeter of R Park is full of weeds and will require extra help. The front of Cooper creek will be left chemical free as Judy Hyde is establishing a monarch waystation there. He said Cooper Creek is CMBR Brauer's objective and they need to discuss no chemicals there. He also said the soil is very compacted and that will require aerating and a lot of seeding.

MOTION: CMBR DICKENS MOVED AND CMBR MCCORMACK SECONDED TO APPROVE THE TRADITIONAL APPROACH TO WEED CONTROL FOR THE 2021 SEASON. (MOTION CARRIED 7-1 WITH CMBR KELLY VOTING NO.)

D. Approve Engineering Task Order Roe Parkway Extension and Maintenance Project

CMBR Madigan asked if the improvements now include a sidewalk. City Administrator Moody said the Roe Parkway sidewalk improvements are incorporated in the scope where it connects at 58th Street all the way to the future connection with Roe Boulevard.

MOTION: CMBR MADIGAN MOVED AND CMBR KELLY SECONDED TO APPROVE THE ENGINEERING TASK ORDER UTILIZING \$113,000 OF TIF 3 RESOURCES. (MOTION CARRIED 8-0.)

E. Reappoint Toan Nguyen to the Community Engagement Committee

MOTION: CMBR REBNE MOVED AND CMBR DICKENS SECONDED TO REAPPOINT TOAN NGUYEN TO THE COMMUNITY ENGAGEMENT COMMITTEE. (MOTION CARRIED 8-0.)

F. Enhance Project Scope for Cooper Creek Improvements - Add Fence

CMBR Brauer said she has been speaking with Mr. Nichols about fencing as there are some severe drop-offs of 8-10 feet which are becoming more exposed as they eradicate more invasive plants. There is the fear that someone may fall and hurt themselves.

CMBR Faidley asked about the wintercreeper problem and if installing the fence before getting rid of the vines will be a problem. Mr. Nichols said the plan for the fence will be about six feet off of the streambank and should not interfere with the invasive plant species eradication efforts.

MOTION: CMBR BRAUER MOVED AND CMBR REBNE SECONDED TO ENHANCE THE COOPER CREEK IMPROVEMENTS TO INCLUDE A SPLIT-RAIL FENCE ALONG THE STREAMBANK AT A COST NOT TO EXCEED \$3,787.50. (MOTION CARRIED 8-0.)

VIII. Ordinances and Resolutions:

A. Ordinance 1007 - Right-of-Way Permitting Procedures and Requirements

The proposed ordinance provides for a minor code language for permitting to help streamline the process. The full information is as outlined in the packet.

MOTION: CMBR MADIGAN MOVED AND CMBR FAIDLEY SECONDED TO APPROVE ORDINANCE 1007-RIGHT-OF-WAY PERMITTING PROCEDURES AND REQUIREMENTS PER STAFF RECOMMENDATIONS (MOTION CARRIED 8-0.)

IX. Workshop Items

There were no Workshop Items discussed.

X. Reports of City Officials

A. COVID Update

City Intern Chris Verbrugge reported the state is now in Phase 2, Tier 1. Johnson County is now vaccinating those 65 and older. They will be opening up the opportunity to get more people vaccinated. Currently the demand greatly outweighs the supply. It is strongly encouraged to continue to wear masks and practice social distancing. For the next two days the Johnson County drive-thru testing sites will be closed due to weather. The possibly remains that they will also be closed Wednesday and Thursday. Staff will be updating the website and other forms of communication as announcements are made.

Mayor Kelly said he is glad they are moving forward with vaccinations. He said it looks like cases, hospitalizations and deaths have declined sharply, which is great. He added that this is not a time to let up with social distancing and masks and other preventative measures.

B. Assistant City Administrator Update

Ms. Jones-Lacy said she is on the Johnson County Housing Task Force and representing Roeland Park. At their first virtual meeting this week they had 125 participants. She was impressed with how United Community Services gathered together the group and the good representation of people participating in the process. There was an overview by the recent housing study's authors to discuss the vision and goals of the study. They then broke into cohorts and went through questions trying to delve deeper into the topics brought up in the study. They also discussed the frustrations people have with barriers and availability of affordable housing and the potential they have to make the situation better. They also talked about advocacy and bringing to the city meetings where they are discussing zoning and development. They realized that the NIMBY reason is key for not having more affordable housing available. They want to work to where everyone can find an area close to work where everyone can live or work within their community.


C. Police Department Update

Police Chief Morris said he hired new officer today and their new court clerk has started. He will introduce those new members at a future meeting. He encouraged everyone to drive safely and reminded them that they are always on duty and to call if needed.

Adjourn:

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

(Roeland Park City Council Meeting Adjourned at 8:02 p.m.)



Kelley Nielsen, City Clerk



Mike Kelly, Mayor