

**CITY OF ROELAND PARK, KANSAS**  
**CITY COUNCIL MEETING MINUTES**  
**Roeland Park City Hall**  
**4600 W 51st Street, Roeland Park, KS 66205**  
**Monday, May 3, 2021 6:00 P.M.**

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| <ul style="list-style-type: none"><li>○ Mike Kelly, Mayor</li><li>○ Trisha Brauer, Council Member</li><li>○ Benjamin Dickens, Council Member</li><li>○ Jan Faidley, Council Member</li><li>○ Jennifer Hill, Council Member</li></ul> | <ul style="list-style-type: none"><li>○ Jim Kelly, Council Member</li><li>○ Tom Madigan, Council Member</li><li>○ Claudia McCormack, Council Member</li><li>○ Michael Rebne, Council Member</li></ul> | <ul style="list-style-type: none"><li>○ Keith Moody, City Administrator</li><li>○ Erin Winn, Asst. City Admin.</li><li>○ Kelley Nielsen, City Clerk</li><li>○ John Morris, Police Chief</li><li>○ Donnie Scharff, Public Works Director</li></ul> |
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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 6:08 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, Public Works Director Scharff, Police Chief Morris, Management Intern Verbrugge, City Attorney Felzein, City Clerk Nielsen, Parks and Recreation Superintendent Nichols, and Public Works Superintendent VandenBos.

**Modification of Agenda**

*There were no modifications to the agenda.*

**I. Citizen Comments**

**Stephanie Iser** - Ms. Iser is a leader with the Safe and Welcoming Roeland Park group. She spoke to the immigration police policy on tonight’s agenda. She thanked everyone for their work on the proposal. She said that El Centro and the Safe and Welcoming group do not approve of the ordinance in its current state as it has an undefined policy exclusion for when officers can assist ICE and employ ice detainers. She said she appreciates how far they have come and there are good changes in policy. She added that she knows it is difficult to go against what the City attorney recommends, but 200 residents have expressed they want some clearer language. Advocacy groups have shared why it needs better accountability than as written in its current form. They want to be able to build trust, goodwill and accountability and want them to take it a step further so they can keep Roeland Park proud. Ms. Iser said they will be looking to see how they build trust now that these policies are coming into place.

Mayor Kelly thanked Ms. Iser and the Safe and Welcoming Roeland Park group, as well as the advocacy groups for the concrete efforts they have made on behalf of residents of Roeland Park.

**II. Consent Agenda**

- A. Appropriations Ordinance #973**
- B. Council Minutes April 19, 2021**

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

### **III. Business from the Floor - Proclamations/Applications/Presentations**

#### **A. Presentation by Ripple Glass Concerning Curbside Glass Recycling**

Piercyn Charbonneau with Ripple Glass said that Roeland Park is a great partner with them. He said they have estimated that Roeland Park has recycled more than 150 tons of glass. They want to increase glass recycling and would like to partner with the City to launch a pilot program for curbside recycling. They have estimated that there is about 400 tons of glass in Roeland Park alone that is not being recycled. Offering curbside services would eliminate common barriers such as no time or an inability to get to the purple bins or just being aware that they are available. By recycling more glass, it will also help them reduce their waste costs.

Mayor Kelly thanked Ripple for being a great resource for their community.

CMBR Dickens said he is excited about exploring this opportunity as he never remembers to take glass to the bin.

CMBR Hill asked how much glass was being collected through third-party programs. Mr. Charbonneau's response was inaudible.

CMBR Rebne asked what the service would include and would it be open to everyone. The pilot program would include bins for individual homes. Currently the apartments and condos have glass collection.

CMBR Faidley asked if this would be included in their solid waste fee. Mayor Kelly said they have not decided how the program would be paid for yet. He did note that some of their neighboring cities recycle through a third-party.

CMBR Madigan expressed concerns of spills on the street and broken glass. He also added that his wife uses the bin as stress relief tossing in the glass.

Mr. Charbonneau said they hire trained drivers who will make sure there is no broken glass. They have been four years with their current broker.

Mayor Kelly said they will contact him to finalize the details so they can move forward with the pilot program.

### **IV. Mayor's Report**

#### **A. Fair Housing Month Proclamation**

**MOTION:** CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE MAY 2021 AS FAIR HOUSING MONTH IN THE CITY OF ROELAND PARK. (THE MOTION CARRIED 8-0)

## **V. Workshop and Committee Reports**

### **A. American Rescue Plan Act Presentation/Update - Matthew Hanson with Witt O'Brien**

City Administrator Moody asked Matthew Hanson, Associate Managing Director with Witt O'Brien's, to speak to the Council on the American Rescue Plan Act as their firm is engaged with the Office of Recovery. Mr. Hanson said the American Rescue Plan Act (ARPA) is the 7<sup>th</sup> COVID-related relief bill with allocated funds of almost \$1.9 trillion. He said that most of that money has not yet begun to move. The signature piece is a local fiscal recovery fund, which is money going to the state, counties, and large municipalities. Allowable uses are to respond to the public health emergency and addressing its negative impacts. It provides premium pay up to \$13 an hour to hard hit industries and up to \$25,000 for an individual. It is available in almost any sector of the economy that is struggling. The plan gives the ability to the government for revenue replacement to offset loss of income caused by the pandemic. It also has an infrastructure component and can be used for items such as water, sewer, and broadband infrastructure. There is a prohibition for use towards pension funds.

The rescue plan act has dozens of programs that would be of interest to Roeland Park. The City can look to receive an allocation of just under a million dollars in direct federal grant assistance. It will not all come at once, but in two blocks about 12 months apart and it cannot be more than 75 percent of the annual budget. The availability started in March and will go to the end of the year in 2024.

Mr. Hanson said that everyone is struggling with coordination and planning and direct allocations versus state only allocations from the CARES Act. They need to make an effort to avoid duplication of services and programs already being provided for by the county and state. He said it does not solve a problem when you're doing what someone else is doing, so they are still waiting on the treasury for guidance on how to disburse the funds.

Of interest is that the governor's office is holding conversations with stakeholders on different opportunities and the state is putting together a shared services contract and offering grant management support.

Mr. Hanson said now is the opportunity for Roeland Park to do planning work, conduct a needs assessment, and list their priorities as well as seek stakeholder input. So far, the only requirement is to make sure the City has a Dun & Bradstreet number for reporting purposes while they wait for information from the treasury or state on what the distributions will look like.

Bloomberg Cities Network and Bloomberg Philanthropies have put together a resource and partnered with national consulting firms for the e-311. This is where cities can submit questions as to how the money is going to work, what type of internal controls they need, and ways to avoid duplication. This resource is available to staff and will provide strategies for community engagement, and some potential infrastructure projects.

Mayor Kelly said he is excited about the opportunities ARPA has for them.

CMBR Faidley asked about how long they have to distribute the money once they receive it. Mr. Hanson said the treasury has 60 days to distribute the first tranche of money to the state. The state then has 30 days to distribute to non-entitlement units. There is also the opportunity for the state to apply for an extension. Kansas is already applying for an extension in case they run into a community where there is a technical issue meeting the 30 days required. The Office of Recovery is looking to get

the money out very quickly once they receive it. He said that Roeland Park could expect to see their first allocation around June 11<sup>th</sup>.

CMBR Faidley said she understood they might be able to use some of their allotment towards revenue losses such as those from the Aquatic Center and Community Center. Mr. Hanson said that revenue replacement is part of the program for government services and would hope that it would include aquatics, parks and recreation.

CMBR McCormack asked Mr. Hanson what the most novel ideas are he's heard from assisting individuals in a community. Mr. Hanson responded with the premium pay. He said it is interesting that not just the government is distributing pay, but they could make grants to businesses to provide premium pay to their employees. He said there are so many programs to help, rental assistance, utilities, moving expenses, first/last month's rent, mortgage assistance and first time homebuyer's assistance. There is also an FCC broadband discount program to help with internet subscriptions and devices one might need.

Mayor Kelly said monies are precluded from being used for tax cuts. Mr. Hanson said there is a big distinction between money going to the state and pass-thru money to cities.

CMBR Rebne said a good democratic way to distribute the funds is to give each resident committee a portion for their budget and let them determine how they could use it.

Mayor Kelly thanked Mr. Hanson for his presentation and said that he appreciated his insights and expertise.

#### **B. Ad Hoc Police Policy Review Committee Report - Lisa Brunner**

Mayor Kelly thanked Lisa Brunner for her service and for all members of the committee that took time to work through this process.

Ms. Brunner said in 2 weeks they will be coming back before the Council to deliver their final report. She said the committee's work will be done, but great opportunities have come out of this. The police policy is now in line with the immigration ordinance and the language mirrors one another. It also states that someone does not need to have a driver's license or a government ID, but just a picture and a name on an identification card is fine.

Both victims and witnesses have been added that police will not inquire about citizenship and other statutes. This policy will help with not only victims but witnesses reporting crime.

Immigration status or information related to such status has been added to the policy that police will not stop, question or interrogate on citizenship.

Regarding immigration detainers issued by the federal government, Roeland Park will only honor them if they are judicial or administrative, and there has to be due process behind the warrant.

The police will notify the public for safety purposes unless there is a specific threat or crime in progress where it is unsafe to notify people immediately surrounding an action.

There were not many changes under training, but they did come up with more detail requiring officers to gain a broader understanding of immigration issues, procedures, regulations, visas, and identification required related to immigration.

A sticking point for the group is 8 U.S.C. §1373(c), stating that no one can stop someone from reporting an immigration violation. They can say they will not stop someone as a policy, but they cannot stop someone from making a report. This does not create a responsibility for anyone to collect or share information on immigration status. Some cities have a policy like this that prohibits inquisitions or approaches to inquire about civil immigration violations. Roeland Park, as a policy, will not inquire about civil or criminal violations.

Mayor Kelly said they are a cut above what others are doing in the region and noted that both the Police Department and their legal department worked on this.

CMBR Faidley asked about the public notification and what would cause that to happen. The Police Department will make sure it goes out even though the notification itself may come from City Hall.

CMBR Rebne said he appreciates the amount of work that has gone into this. He said this is a policy that is mostly about folks of color and to not have El Centro and those of color do not endorse it and for it to only be endorsed by white representatives makes it feel like a space to grow on. He said that should be acknowledged and reflected upon.

CMBR Madigan said it was a democratic process. The vote was 4-3 and all members present voted. The chair of the committee did break the tie. He said that just to say that only white people voted for it upsets him. He said they are always open to people of color and they voted their heart on what they thought was best.

CMBR Kelly said the committee did a yeoman's job going through the policies and he appreciates Lisa Brunner's leadership. He said he did vote against it because it is a U.S. code and they do not have to include it in their policy and that is why he voted as it goes against their Ordinance 1005.

#### **C. Art Committee - Present Recommendation on George Schlegel Memorial**

CMBR Hill said the Art Committee is hard at work. They will have a memorial tribute for George Schlegel on July 17<sup>th</sup> at 2 p.m. It will be held at City Hall by the "Damsel in Blue" sculpture as it was his last project.

#### **D. MARC – First Tier Suburbs (Jan Faidley and Benjamin Dickens Alt.)**

CMBR Faidley said the report update is in the packet.

CMBR Rebne said he thought some of the ideas were interesting and asked if there were any thoughts as to land trusts in Roeland Park.

CMBR Faidley said they have made contact with Rebecca McQuillen for Marlborough Land Trust in KCMO to get some ideas. She said that Roeland Park does not have a lot of publicly owned land but could they look into it.

## **VI. Unfinished Business**

*There was no business to discuss.*

## **VII. New Business**

### **A. Discuss and Take Action on Lifeguard Pay**

Mr. Nichols said they are woefully understaffed. He was asking the Governing Body for a hiring incentive of \$12/hour with a \$250 sign-on bonus. In the past several days they have been getting a few more applications in. Fox4 did an interview which helped, but they still do not have enough staff to operate at full capacity which is why they are asking for the additional monetary incentives.

CMBR Hill said they should offer the bonus at the end of the pool season to make sure they stay.

CMBR Brauer suggested they use a certain length of time for the bonus.

Mr. Nichols said his plan would be the recruiters would receive the bonus on their first paycheck. He said he has had some experience with end of season bonuses and with younger employees after the middle of July it isn't an incentive to keep them. His goal is to get applications in the system with hopes that the higher pay would keep them through the season.

CMBR Rebne suggested looking at an even higher wage such as a \$15 living wage. He asked if a lot of people quit before the end of the season. Mr. Nichols said there is a certain degree of attrition toward the end of the season. He said that one way to help is not to overwork the staff. He said there is a potential to modify the schedule so as not to overwork them. \$12/hour would be the highest pay of any lifeguard of any City in Johnson County.

CMBR Madigan said they are looking at pay at other pools, but the salary needs to be compared with all summer jobs. They want employees hired this year to come back next year. He suggested they divide the bonus, first now and second part later.

CMBR Hill said she did some research and hopefully \$12 is enough to get applicants to come to their pool. Many of the former lifeguards under JCPRD claimed to be overworked. They need to get word out the pool is under new management.

Mayor Kelly said a good group extends beyond the summer and they want to build that network of people.

Mr. Nichols said your best recruiter is your staff. Once they build it, it will feed itself; it just needs a kickstart. They don't have an existing staff and it is on them to build the culture.

CMBR Faidley agreed people need to understand the new ownership and new management and spread the word to help with hiring.

CMBR Kelly asked if the bonus is on for the recruiter. He said the incentive should be for the person signing up as well as the recruiter.

CMBR McCormack agreed with CMBR Kelly's sentiment. She would like to amend her motion to add a retention bonus.

Mr. Nichols said they lose college staff earlier than high school and they may need to have a different bonus date than high school. If the Council does want a retention bonus, Mr. Nichols said he could come up with something.

CMBR Kelly said they need to come up with a fair system and they can always mail checks.

CMBR Dickens asked if the retention bonus is in addition to a recruitment bonus. He said in his experience a recruitment bonus is typical.

CMBR Madigan said handing them \$250 too early and they will be gone.

Mr. Nichols said one of the best ways to build and retain staff isn't necessarily through financial compensation. They want to make the staff happy to work for you. One type of incentive that works is food, but right now he has to get them in the door. From there he can find ways to retain them and build that culture.

City Administrator Moody said he leans on Mr. Nichols who has a lot of experience and success in this area. He added that on average 350 hours as a lifeguard is the time commitment per season.

**MOTION:** CMBR HILL MOVED AND CMBR REBNE SECONDED TO CALL THE QUESTION. (THE MOTION CARRIED 8-0)

**MOTION:** CMBR MCCORMACK MOVED AND CMBR REBNE SECONDED TO PROVIDE A BONUS FOR THE LIFEGUARDS BY A DATE DETERMINED AT MR. NICHOLS' DISCRETION. (THE MOTION CARRIED 5-3 WITH CMBRS FAIDLEY, DICKENS, AND HILL VOTING NO.)

**MOTION:** CMBR MCCORMACK MOVED AND CMBR HILL SECONDED TO APPROVE PAYING LIFEGUARDS \$12 AN HOUR AND EXTENDING A RECRUITMENT BONUS OF \$250 FOR POOL STAFF THAT IS ULTIMATELY HIRED AS WELL AS A \$250 RETENTION BONUS TO BE MADE AT THE DISCRETION OF MR. NICHOLS, THE PARKS AND RECREATION SUPERINTENDENT. (THE MOTION CARRIED 8-0)

#### **B. Approve Replacement Dump Body Truck for Public Works**

Public Works Director Scharff said this item is for a Ford F550 dump truck which includes snow equipment.

**MOTION:** CMBR MADIGAN MOVED AND CMBR HILL SECONDED TO APPROVE THE PURCHASE OF A 2022 FORD F-550 DUMP BODY TRUCK AT A COST NO TO EXCEED \$73,000. (THE MOTION CARRIED 8-0)

### **VIII. Ordinances and Resolutions**

#### **A. Ordinance 1011 - Temporary Ordinance Allowing Alcohol at Events in R Park**

**MOTION:** CMBR DICKENS MOVED AND CMBR MCCORMACK SECONDED TO APPROVE ORDINANCE 1011 - A TEMPORARY ORDINANCE ALLOWING ALCOHOL AT EVENTS IN R PARK. (THE MOTION CARRIED 8-0)

### **B. Resolution 688 - Public Health Recommendations**

Mayor Kelly said the purpose of this resolution is to slow and reduce the spread of COVID-19. He said he is a proponent of the resolution for their City buildings and it would remain in place until amended, revoked, or replaced.

CMBR Kelly and CMBR Madigan recommended deciding on an end date certain on the resolution.

CMBR Hill recommended putting the discussion on each Council meeting to be addressed at each meeting.

CMBR Faidley said this is a recommendation and not a law. By keeping the item open, they can get information from health officials and utilize the resources they have available to help in their decision process.

**MOTION:** CMBR FAIDLEY MOVED AND CMBR HILL SECONDED TO CALL THE QUESTION ON THE AMENDMENT. (THE MOTION CARRIED 8-0)

**MOTION:** CMBR MADIGAN MOVED AND CMBR KELLY SECONDED TO HAVE A SUNSET DATE OF JUNE 30, 2021 ON RESOLUTION 688. (THE MOTION FAILED 2-6 WITH CMBRS FAIDLEY, DICKENS, HILL, MCCORMACK, BRAUER, AND REBNE VOTING NO.)

**MOTION:** CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE RESOLUTION 688-PUBLIC HEALTH RECOMMENDATIONS AS PRESENTED. (THE MOTION CARRIED 7-1 WITH CMBR MADIGAN VOTING NO.)

## **IX. Reports of City Officials**

### **A. 1<sup>st</sup> Quarter Financial Report**

City Administrator Moody reported their main revenue sources are good. Property tax revenues are up over last year due to the increased property assessments. Sales taxes year-to-date equal 28 percent of their 2021 budget. They had a 5-year high in 2020 and are off to a strong start in 2021. The report does not reflect the increase in the tax rate which will begin in the 2<sup>nd</sup> quarter. Court fines are down as anticipated because of their objective to reduce those fines.

The Special Street Fund received a CARS reimbursement and is driving that fund ahead of schedule.

Expenditures are at 17 percent of budget for all funds. The Special Infrastructure Fund is also ahead of schedule, and the Pool and R Park improvements are on budget and ahead of schedule.

General Fund first quarter revenues are up 8 percent over 2020 while overall expenditures are at 21 percent year-to-date.



Mr. Moody reviewed their community statistics and recommended that everyone look at the CERI Report in the packet. Roeland Park is showing a 63.8 higher sales tax over the January 2020 figure. The only explanation they have is that COVID continues to keep people local. They do not expect to see that trend continue. The increase in prices because of inflation will attribute to increased sales taxes.

Mr. Moody said the average remodel cost is \$77,000 per project on their building permit and that is a great indicator for Roeland Park's future. City Administrator Moody said the improvements will result in a strong increase in residential values going up. Their average sale price is higher than the appraised value.

CMBR Madigan said the unemployment rate for the City in 2021 is 3.7 percent and has increased over last year.

## **B. COVID Report**

Mr. Verbrugge reported that Johnson County Library has resumed regular operating hours although some services are not being provided. Cedar Roe Library, however, will remain closed for HVAC updates.

The Shawnee Mission School District will be bringing back their summer meal program and additional details are included in the packet.

The state has authorized licensing agencies to impose their renewal deadlines and fees.

CMBR Faidley said a celebration will be planned once the library reopens. She thanked Mr. Verbrugge for including the link for utility assistance and encouraged everyone to share that.

City Administrator Moody they will start seeing trees and plants on Roe Boulevard and at the 48<sup>th</sup> and Roe intersection. Because of the water line trees will have to be on the other side of the road where they do not have a utility easement conflict.

Mayor Kelly said that Thursday they are all welcome to the ribbon-cutting for Sunflower Medical Center at Johnson drive and Roe Boulevard which will be held at 4:30.

Also, on May 15<sup>th</sup> at 6 p.m., "Symphony in R Park" will be an event held to raise money for the Roesland School band.

## **Adjourn:**

**MOTION:** CMBR HILL MOVED AND CMBR KELLY SECONDED TO ADJOURN. (MOTION CARRIED 8-0)

(Roeland Park City Council Meeting Adjourned at 8:22 p.m.)

  
Kelley Nielsen, City Clerk

  
Mike Kelly, Mayor