

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, May 17, 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○ Erin Winn, Asst. City Administrator○ 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. CMBR McCormack was absent. Staff members present were City Administrator Moody, City Attorney Felzein, Assistant City Administrator Winn, Public Works Director Scharff, Police Chief Morris, City Clerk Nielsen, Management Intern Verbrugge, and Parks and Recreation Superintendent Nichols.

Modification of Agenda

There were no modifications to the agenda.

Mayor Kelly introduced Erin Winn, the new Assistant City Administrator and Finance Director and said they are pleased to have her join the Roeland Park team.

(Applause)

Public Hearing - 2022 CDBG Projects

Mayor Kelly opened the public hearing for the 2022 CDBG projects and asked for public comments. He said the projects were presented twice to the Council for their review. No public comments were given and the public hearing was closed.

I. Citizen Comments

No public comments were made.

II. Consent Agenda

A. Appropriations Ordinance #974

B. Council Minutes May 3, 2021

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

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

A. Presentation on Nelson Wastewater Treatment Plan Reconstruction Project - Susan Pekarek

Ms. Pekarek said they are excited to kick off the Nelson Treatment Plant project. She thanked Commissioner Becky Fast for recommending that she speak to the Council. She introduced Aaron Witt, Chief Engineer, Isaac Crabtree, Managing Engineer of Collections, and John Keller from Black & Veatch, project manager.

Mr. Witt said the Nelson Plant services the northeast part of the county. He said the pump stations are not in Roeland Park, but some of the force mains do run through the City. The facility and its technology are out of date. The upgrades they plan to make will allow them to meet future limits for ammonia and nutrients. It will also increase the wet weather treatment capacity to allow wet weather solutions out in collection. They will also be minimizing nuisance issues such as odors.

They will be looking to finish up design services by 2023 with construction to run through 2029. They will have a Construction manager at-risk to help with the design and also create a cost model.

The project has been selected by the EPA which allows for financing of water and wastewater projects. The cost of the low interest loan could be in the \$230 million range.

City Administrator Moody will be part of the selection process for the design team made up of Black & Veatch, George Butler Associates, and Shockey. And they will choose a Construction manager at-risk over the summer.

The new facility, once completed, will meet the requirements similar to the Tomahawk facility in Leawood. The facility will be at the northernmost portion of the site to lessen the impact on residents. They want to build community and stakeholder trust through early and ongoing engagement and will seek input from residents and businesses. They have developed a comprehensive stakeholder list to use throughout the life of the project and asked if there are any suggestions of who should be involved to please let them know.

Public meetings will be held to let people know of project schedules and impacts as they will listen to concerns from residents and take input on how to minimize disruption during construction.

A website for the site is under development. www.JcNelson.com It will be a focal point for communication and outreach. It will be similar to the www.JcTomahawk.com site. Mr. Witt invited everyone to visit that website and look at the "How it Works" page. This will be a great resource and for everyone and also for teachers in the classroom. They will also reach out via message boards, press releases, and through social media to keep everyone apprised of the project.

They will come back before the Council to introduce the team once it is established.

Mayor Kelly thanked everyone for coming and for the wealth of experience they bring to the project. He said that the impact to Turkey Creek and odors are the most important things residents are interested in and he is glad to see they have a point of contact should issues arise.

CMBR Madigan said that Commissioner Fast has been an advocate for residents on this site for years and appreciates the fact that she has arranged for them to come and talk to the Council. He thanked Mr. Witt for explaining to them what will be happening and for making it a point to do community outreach.

CMBR Faidley expressed her concerns about traffic on Nall and did not want to disrupt access or use of the Nall Park. She also is expecting them to eliminate any smells with the upgraded facility. Mr. Witt confirmed that the principal access to the site will be off Foxridge Drive. CMBR Faidley said she is excited to see this happening and wants to make sure that they get the same quality and type of construction that the rest of the county gets.

CMBR Rebne asked if they would be doing any upgrades to remove chemicals from the water. Mr. Witt said the facility will meet state and EPA regulations. Removing things from the water is a conversation they are having on whether it occurs at the water facility or at the site of origin such as from a business. The facility they are constructing will serve the area for 75-plus years and meet the standards it is required to have.

B. Legislative Update from Senator Ethan Corson

Senator Corson will provide an update at the first Council meeting in June.

IV. Mayor's Report

V. Reports of City Liaisons and Committees

A. Ad Hoc Police Policy Review Committee - Lisa Brunner, Jim Kelly

Lisa Brunner said the committee held their first meeting August 31, 2020 online and their last full committee meeting was held April 29, 2021. Recently they were given an opportunity for a police continuing education program that was made available to them free of charged. She thanked the Governing Body for convening the committee noting that the City responded quickly and appropriately when national events started happening.

She has noticed some typos and corrections that need to be made in the policy and once that is complete, she will get that to the Governing Body for their final review.

CMBR Kelly asked if the Council will be asked to approve the policy. Ms. Brunner said Chief Morris has the final word on Police Department policies and personnel issues. The presentation to the Council is more for a review.

CMBR Kelly thanked the committee for the wonderful job they have done. He did have an issue with the use of force review board, when that is convened and who would be on the board. He had asked that it have at least one Councilmember and resident, someone that is not associated with the Police Department. Ms. Brunner said that Policy 301 pertains to the use of force review boards. It provides the Police Chief the ability to establish a group to determine whether actions had violated the policy

when there has been a death or severe injury. It was recommended to add a Roeland Park resident to the review board, but that is an option for the Police Chief. CMBR Kelly said he made this request strictly for transparency.

CMBR Rebne asked if it is typical that the Governing Body does not get to vote on a policy. Mayor Kelly said personnel policies remain within the purview of the director of the department.

City Administrator Moody added that directors have the ability to direct policy. They cannot adopt policies that go beyond the authority extended to that department director or adopt policies contrary to the City, state, or federal government. They are provided to the Governing Body to review to raise awareness of policies before they are put in place or practice.

CMBR Faidley asked Ms. Brunner if she felt this was a positive and constructive process and would there be anything going forward that would reactivate the committee. Ms. Brunner said she would like feedback from the committee members to learn if it was worth it to them, whether it was an educational experience, or if they learned something. She said she has learned a lot and it has moved her to take a more active role with the City. Currently she is serving as a Planning Commissioner.

Through the continuing education police transparency program they learned for a city their size the best thing they can do is build trust through relationships with the community. They need to find a way to continue that education between the police and the community somehow.

Mayor Kelly said that bonds of trust and ways to foster those relationships ongoing and requires work. He said that is the entire point of the whole process they've undertaken.

CMBR Hill thanked Ms. Brunner and said her leadership was amazing in challenging moments.

Mayor Kelly thanked the entire committee of volunteers and the Police Department for their time and resources dedicated to this effort. He also appreciated the department's willingness to do this.

B. Sustainability - Judy Hyde

Judy Hyde from the Sustainability Committee provided an extensive update on the committee's activities. She said that Sunny Sanwar from Dynamhex provided an update to the committee and asked for their input on the emissions tracking program he constructed for the City. She said that 200 buildings have already been assessed since its implementation. The goal is to have lower emissions by 2025. Data collected for 2020 emissions will be uploaded to the City's dashboard in June. The committee will also continue to explore ways to encourage participation in this and other energy-saving programs.

In collaboration with the City of Westwood, the Roeland Park Engagement Committee, and BikeWalkKC, there is a plan to fund and install a bike repair station at 47th and Mission Road. This will signal support for biking as healthy, ecological, and economical alternative mode of travel. A second repair station will be placed in one of the City's parks.

BikeWalkKC's Michael Kelley previously made a presentation to the Governing Body at a Workshop on Complete Streets. The Sustainability Committee recommended that Roeland Park adopt an ordinance

to make Complete Streets a part of the City’s policy to be considered for street improvements. (An ordinance is currently in development.)

Vision Zero has a goal of zero traffic fatalities by creating safer streets with equitable mobility. Complete Streets is the first step toward that outcome. The committee will create a cohort of six jurisdictions to launch their Vision Zero as a lens to evaluate ongoing city street projects in conjunction with their Community for All Ages policy, which Sustainability does what is necessary for them to retain their certification.

The Sustainability Committee also reaches out to the community through the *Roeland Parker* and their Facebook page.

Additional issues being tackled by the committee are options to encourage the reduction of use of single-use plastics within the City, protection of the City’s tree canopy, options to reduce light pollution and its negative effects on human health, wildlife, environmental, and economic effects. They are discussing transportation issues and ways for emissions reduction, vehicle efficiency, and promoting healthy lifestyle practices. They are also investigating more options for recycling such as for food waste, and the Climate Action KC plan.

Ms. Hyde commended the City for their ongoing efforts to sustainability by including in their April community forum featuring Dynamhex. She also mentioned support of programs such as Bridging the Gap Rain Barrel program, the composting program, and the Mayor providing an update on the Climate Action KC plan. Other efforts included the installation of solar panels at the Community Center, eradication of invasive species at City parks and greenspaces and the addition of native plants to which Sustainability donated funds towards those plantings. They also continue to encourage the reduction of herbicide and pesticide use on City property.

Ms. Hyde said they continue to prioritize their action goals and are always open for input from City Council.

Mayor Kelly thanked them for their efforts and told them to keep up the good work and let them know how they can help.

VI. Unfinished Business

A. Final Approval of 2021 Citizen survey

Ryan Murray from ETC was on hand to answer any questions. Mayor Kelly asked about the options for Q. 19 and whether that was deliberate. Mr. Murray said they will be reviewing the final draft this week and will make those corrections. He thanked the Mayor for bringing it to his attention.

Mayor Kelly said he is looking forward to the input from their citizens and hopes to get a good response to the survey. Mayor Kelly also look forward to the data so they can continue their work to make the City the best it can be.

Mr. Murray said he would present the final results as soon as they’re ready.

MOTION: CMBR DICKENS MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE 2021 CITIZEN SURVEY LANGUAGE. (MOTION CARRIED 7-0)

B. Update on Pool - Hiring and Opening Plans

Mayor Kelly said he had an opportunity to walk through and see all the improvements that have been done at the pool and said it is such a wonderful facility. He thanked Tony Nichols, Parks and Rec Superintendent for all of his efforts.

Mr. Nichols reported he had 19 lifeguards of the 30 he needs for full operation. Once he gets to 20 then he will open likely Tuesdays, Thursdays, and weekends. When they reach 25 lifeguards, he will expand that to three weekdays and weekends and 30 will be every day.

They are sufficiently staffed for concessions, the front desk, and managers, but Mr. Nichols will continue to accept applications for concessions at this point.

Mr. Nichols said they did have to cancel the first session of swim lessons as they did not have enough lifeguards or swim instructor staff. Once they get enough help, they will market for swim lessons.

They have had to move their training to alternative locations due to a leak in the pool. There is a leak and they cannot recirculate the water until it is fixed. They are still trying to locate the source of the leak asap.

Mr. Nichols said he has received multiple quotes for a pool heater pump and motor replacement. \$5,000 was the lowest quote they got. He is not recommending replacement as most outdoor facilities do not have a heater. He also added that there is a \$3,000 expense for use of the heater for two weeks.

CMBR Faidley said she disagreed on the heater and said the water temp is crucial and could be used as a drawing point. She said they have energy coming from the solar panels at the Community Center, so she would definitely be in favor of replacing the heater and pump. She doesn't feel the pool is fully enjoyable until July and given the dollar amount, she think it's worth.

CMBR Hill agreed with CMBR Faidley about heating the pool especially for young children, swim team, lessons, and it allows them to be more inclusive by having a heated pool to accommodate all people who want to use it. She said they also talked about extending their swim season and this would allow them to do that.

CMBR Dickens said he initially had reservations about a new pump replacement. However, he does recognize the benefit of having it and seeing it as a draw to the pool. He would be open to discussion of repairs as long as they make it known that a heated pool is a benefit in Roeland Park.

CMBR Madigan said he has spent a lot of time at the pool and has lot of experience of the water being too cold and children wanting to go home. He said the heater does not heat the pool very much even when they had the dome as it doesn't heat the entire pool. He said if it will work to heat the entire pool that would be great. He added that the Aquatics Committee also agreed not to replace it. The heater is used one week a year and \$5,000 in repairs for one week use is a lot. He asked for clarification on the location of the heater and its efficiency.

Mr. Nichols said the most the heater would be on is two weeks and there is no reason to use it beyond the first week of June. The heater they have will not heat the spray pool but only the main pool. It

also does not use solar energy but natural gas. In his experience, he finds that a couple weeks into June heat in the pool is not an issue.

He added the \$5,000 cost is to fix only the pump and motor. They have not turned on the heater itself because of the pump and motor. He said there could be additional expenses within the boilers that they know nothing about.

Mayor Kelly asked about the \$3,000 and Mr. Nichols said that was for the cost of natural gas. He also cautioned extending the season as they do have a difficulty in staffing.

CMBR Dickens said he did not realize the hefty price tag for that short of time of use. He asked what the lifetime is on a pump like that. Mr. Nichols said with proper maintenance the average would be about seven to ten years. He did say that the motor is completely seized up at this point.

CMBR Madigan added the reason they have not extended the season into September because the lifeguards go back to school. From past experience, he does not believe extending the season is viable.

CMBR Faidley asked about the work JCPRD did before turning the pool over to the City. She asked if the pump was replaced or worked on. City Administrator Moody responded that he is not familiar with any work on the pump and motor. In 2014, the City replaced the pool water heaters with high-efficiency units. He does not know whether they replaced the pump and the motor at that same time.

Mr. Moody said he has been speaking with staff about the importance of keeping a log on the age of equipment and the hours the pumps have on them. He said it is important to keep track of that utilization so they do not get in a position in the middle of the summer and can plan for rebuilding and replacement in the off-seasons.

Mr. Nichols did say they are on track to open Memorial Day weekend. As they get more staff, they will add additional days. He said the social media posts are paying off. The recruitment bonus approved by the City Council is working and staff is now recruiting their friends.

Mayor Kelly said he is looking forward to opening day.

VII. New Business

A. Approve 2020 CDBG Application

Public Works Director Scharff said that on May 3rd, the Governing Body was presented with two potential projects for CDBG funding. One would be parking lot improvements to the Community Center and the other would be street improvements to Elledge Drive from Roe Lane to 47th Street. The Community Center project is currently slated to begin in the fall of 2021 which would make the project ineligible for CDBG funding. Elledge Drive is slated for 2022 on the CIP and funds will be available for that project.

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE SUBMISSION OF THE 2022 CDBG APPLICATION FOR THE ELLEDGE DRIVE STREET PROJECT. (THE MOTION CARRIED 7-0.)

B. Approve Public Defender Service Agreement

Mayor Kelly said Mr. Peer comes at the recommendation of Judge Torline and he is also fluent in Spanish.

MOTION: CMBR KELLY MOVED AND CMBR HILL SECONDED TO APPROVE THE AGREEMENT WITH ADAM PEER FOR PUBLIC DEFENDER SERVICES. (THE MOTION CARRIED 7-0)

VIII. Ordinances and Resolutions

A. Resolution 669 to Approve 2022 to 2025 CARS Program

Public Works Director Scharff said there are three projects scheduled for 2022, Elledge being their number one project. There will also be a sidewalk extension on Buena Vista from 53rd to Shawnee Mission Parkway as well as a mill and overlay on 53rd from Buena Vista to Reinhardt.

The City of Mission will also be paving Johnson Drive from Roe Boulevard to Lamar.

CMBR Rebne asked about a meeting with the Reinhardt community and possible concerns about the entire street being done all at once and a possible inconvenience this could create. Public Works Director Scharff said he is meeting with Reinhardt property owners to go over the proposed schedule. The schedule will have the time reduced from five to six months down to three and they will be complete by the middle of August. He added that street access will be granted throughout the entire project.

CMBR Faidley noted there was CARS and CDBG funding and asked if there is any overlap in funds. Public Works Director Scharff said each group has different requirements and does not see any problems.

CMBR Faidley said she did not see any mention of Nall Avenue improvements. Public Works Director Scharff said Nall is broken into two phases and is on the CIP.

City Administrator Moody added that most recent traffic counts do not show enough traffic on Nall to qualify for the CARS program. Public Works Director Scharff said they need 3,500 cars in 24 hours to meet that criteria.

CMBR Madigan said a resident pointed out that a majority of the projects are on the east side of the City and are they ignoring the west side. Public Works Director Scharff said a project has to meet certain criteria before it can become eligible for funding.

MOTION: CMBR REBNE MOVED AND CMBR DICKENS SECONDED TO APPROVE RESOLUTION 669 TO APPROVE THE 2022 TO 2025 CARS PROGRAM. (MOTION CARRIED 7-0)

B. Discuss Amending Resolution Concerning COVID Best Practices

Mayor Kelly said the CDC has issued new guidance for those who have been fully vaccinated. They are recommending masking indoors and when it is not possible to keep a six-foot distance.

CMBR Dickens said he has been giving this issue a lot of thought. He feels that those not vaccinated should be masked for their own safety, but it is worth discussing an easing up on mandates. He said all of the Governing Body has been vaccinated so maybe they could drop the masks on the dais.

CMBR Kelly said he is not ready to remove restrictions and said that some are not honest about vaccinations. He's noted that mask signs are not on businesses even though they are recommended. He said right now it's an honor system and they're not there yet to relax restrictions.

CMBR Hill said that personally she is exposed to a lot of unvaccinated kids and she will be keeping her mask on.

CMBR Faidley said they should take that into consideration as well as those with immune issues. She feels they are close getting on top of this but still has a few reservations doing away with the mask.

CMBR Brauer said she has been vaccinated and chooses to wear a mask. She noted that the statement from the CDC is conflicting to some and believes the City needs to clarify their position why they require a mask when the CDC says some people can stop.

CMBR Madigan agreed with CMBR Dickens and would like the option to not wear one. He feels for the teachers who have to wear one all day.

CMBR Rebne said he feels like he understands the argument but is hesitant to drop the mask. He did note that at the Community Center says masks are recommended not required.

Mayor Kelly said the resolution was a recommendation not a requirement. The language contained in the resolution almost mirrors the county language who recommend wearing a mask where appropriate. If they recommend it, then they are choosing to put their recommendation on display. He does have kids who are not eligible to be vaccinated and he chooses to wear a mask where appropriate. He said it is important to continue to be a good partner throughout the metropolitan area.

CMBR Faidley wanted everyone to note the fact that the Shawnee Mission School District will be wearing masks to the end of the year. She noted there has been some pushback but hopes it doesn't change anything. She recommended they wait until the end of the school year to make any further decisions.

City Attorney Felzein reminded the Governing Body that they entered into an interlocal agreement within Johnson County to allow them to enforce their guidelines within the City limits of Roeland Park. A Johnson County spokeswoman said they did not have immediate plans to make changes to their recommendations. The legal department then recommended that the City keep in place the same regulations as the county since they have the agreement to allow them to enforce it within the City limits.

IX. Reports of City Officials

A. COVID Report

Chris Verbrugge, the City's Management intern began his report noting that the Johnson County public health order expired at the beginning of May. Governor Kelly has encouraged small businesses to apply federal paycheck program and has extended the deadline to May 31st.

Johnson County has expanded their COVID-19 dashboard and has updated information to include vaccination data and other stats.

Mr. Verbrugge said that May is Mental Health Awareness Month. He suggested that people check in with each other and also with themselves as this has been more than difficult time for everyone.

On May 10, 2021, the FDA expanded the emergency use authorization of the Pfizer vaccine to include children aged 12 to 15 years of age. This includes two doses three weeks apart. The FDA has said that Pfizer has met the statutory criteria and the potential benefits outweigh the known risks of the virus. Children under 15 must be accompanied by an adult or an authorized representative and sign a parental waiver form.

CMBR Dickens said he heard on NPR that for those not vaccinated Uber and Lyft will give free rides so you can get the vaccine.

B. Public Works Report

Public Works Director Scharff said it was Public Works Week. *(His other comments were made away from the microphone.)*


C. Assistant City Administrator/Finance Director's Report

Ms. Winn said she is getting acclimated to her new position. *(Her other comments were made away from the microphone.)*

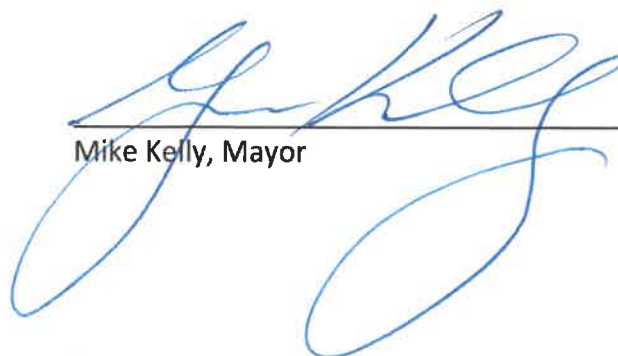
Adjourn:

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

(Roeland Park City Council Meeting Adjourned at 7:42 p.m.)



Kelley Nielsen, City Clerk



Mike Kelly, Mayor