

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Tuesday, September 7, 2021, 6:00 P.M.

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| ○ Mike Kelly, Mayor | ○ Jim Kelly, Council Member | ○ Keith Moody, City Administrator |
| ○ Trisha Brauer, Council Member | ○ Tom Madigan, Council Member | ○ Erin Winn, Asst. City Administrator |
| ○ Benjamin Dickens, Council Member | ○ Claudia McCormack, Council Member | ○ Kelley Nielsen, City Clerk |
| ○ Jan Faidley, Council Member | ○ Michael Rebne, Council Member | ○ John Morris, Police Chief |
| ○ Jennifer Hill, Council Member | | ○ Donnie Scharff, Public Works Director |

Admin
Brauer
Hill

Finance
McCormack
Madigan

Safety
Rebne
Faidley

Public Works
Kelly
Dickens

(Roeland Park Council Meeting Called to Order at 7:03 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. CMBRS Dickens and McCormack were absent. Staff members present were City Administrator Moody, Assistant City Administrator Winn, City Attorney Moeller, Public Works Director Scharff, Police Sgt. Cory Honas, City Clerk Nielsen, Management Intern Verbrugge, and Parks and Recreation Superintendent Nichols.

Modification of Agenda

Mayor Kelly requested the COVID report be moved to Unfinished Business as Item A to coordinate with the discussions on Resolution 692 and virtual meetings.

I. Citizen Comments

Citizen Comments were made during the Joint Council and Planning Commission meeting held prior to the Council meeting.

II. Consent Agenda

- A. Appropriations Ordinance #981**
- B. Council Minutes August 23, 2021**

MOTION: CMBR MADIGAN MOVED AND CMBR BRAUER SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (THE MOTION CARRIED 6-0.)

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

There was no Business from the Floor.

IV. Mayor's Report

A. Diaper Need Awareness Week Proclamation

CMBR Madigan brought up that some adults need diapers and they are also a difficult expense at this time.

Mayor Kelly said that is a key point for them to acknowledge especially in their effort to be a Community for All Ages. He recommended that people could donate diapers to Happy Bottoms or another organization that accepts diaper donations.

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE PROCLAMATION FOR DIAPER NEED AWARENESS WEEK FROM SEPTEMBER 27 THROUGH OCTOBER 3, 2021. (MOTION CARRIED 6-0)

B. Proclamation in Support of H.R. 2307 - Carbon Dividend Bill

Mayor Kelly said this bill was brought to them through many area advocates as well as their own Sustainability Committee. He said he is proud of the work their community does for the environment.

CMBR Rebne said he too is proud they are bringing something like this to Roeland Park on a local level. He did express concern over Exxon's support of the bill and asked whether there is an accountability component to hold organizations responsible for damage that has already been done. He would like to see the bill address related labor issues.

Mayor Kelly said that despite Exxon's support, this is a valuable tool in their toolkit and Exxon's support shouldn't be a preclusion to Roeland Park's stated support.

Jennifer Brown from the Citizens' Climate Lobby said there are a number of advocacy groups on that issue. The Citizens' Climate Lobby has never been a part of that. She said this is not an environmental justice bill. She did note with regard to the labor issue that the poorest quintiles of the community are already being hurt by climate change. They will be asking fossil fuel companies to pay for the cost of what the fuels they are burning are doing to the society.

Mayor Kelly does have an economic impact on the labor issue as they will be receiving a dividend.

Mike Miller said the urgency of passing this bill as they have seen an increase in forest fires, hurricanes, and flooding. All of this has resulted in high insurance costs. The hope is to make the price of carbon high enough that no one wants to produce it.

Ms. Brown said they are still at the point for building political good will, but the details Mr. Miller outlined should be worked out.

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO SUPPORT OF H.R. 2307 - THE ENERGY INNOVATION AND CARBON DIVIDEND ACT OF 2021. (MOTION 5-0 WITH CMBR MADIGAN NOT PRESENT FOR THE VOTE.)

V. Reports of City Liaisons and Committees

A. Aquatics Center Advisory Committee

Mayor Kelly congratulated Parks and Rec Superintendent Nichols on their first summer season with the improvements at the pool.

(Applause)

Mr. Nichols said the Aquatics Committee met last week and elected Michael Calovich as their new chair.

Some suggestions from the pool manager for next season would be signage updates and a hope to plan an after-hours party and other events. Attached in the report is a summary of attendance. In October, Mr. Nichols will provide a final report as they finish up expenditures. He did note that for single visits the majority of people were non-Roeland Park residents. He also noted that they made \$11,000 in concession sales.

On September 8th, there will be a dog swim at the pool to benefit the Roeland Park K-9 unit and Rango. For those unable to attend the event, they can contact Mr. Nichols to donate.

CMBR Faidley said her cats will be contributing to the fund.

CMBR Rebne thanked Mr. Nichols and said he brought his visiting family to the pool and they enjoyed it.

CMBR Madigan said it is a great idea for people to be able to donate that cannot attend.

B. Community Engagement Committee

Melissa Dobbin, Chair of the Community Engagement Committee said they participated in a block party and were able to give away Roeland Park swag.

There is also a virtual scavenger hunt going on right now. The purpose is to get people to go to unusual parts of the City that they normally wouldn't go to. The hunt is on through October. More information can be found on the City's website.

<https://www.roelandpark.net/CivicAlerts.aspx?AID=477>

On October 23rd from 5:00 to 8:00 p.m. there will be a Halloween Haunted Trail at Nall Park. The event will be for all ages. There will be a costume contest and a Jack-o-Lantern contest. There will also be games and candy. Ms. Dobbin asked for volunteers to help set up/tear down/work the event. She also would like to borrow any Halloween props that people might have.

CMBR Rebne asked that people please participate in the scavenger hunt and that it is appropriate for all ages. He also said there are prizes available.

CMBR Madigan thanked them for including Nall Park in the events. He said he likes to see children and adults being able to have an enjoyable time.

C. Arts Committee

Arts Committee Co-Chair Michael Poppa spoke to the updated art placements along Roe. Photos of a couple pieces of the art are in the packet. He said they are saving up for a signature piece to be placed on the northern side of the island.

CMBR Faidley asked where the location of the entry sign would be. City Administrator Moody said it is south of where the original sign was.

Mayor Kelly asked about the art tree and whether it is currently placed somewhere in Roeland Park. Mr. Poppa said they had taken it down to have it restored.

Mayor Kelly asked about the perception of a dead tree in the middle of the newly planted trees. Mr. Poppa said it has been redone to silver.

CMBR Madigan said it looks ripe for decorating for fall, the holidays, St. Patrick's Day, etc.

Mayor Kelly expressed his thanks to the committee. He added that the mural is looking great and they are getting good press on that. He said he is excited to see this project come to fruition. He also noted that people are also posting images on Instagram using it as a background for photos.

VI. Unfinished Business

A. COVID Report

City Intern Verbrugge reported the FDA has provided for full approval of the Pfizer vaccine. He also said the Supreme Court has ended their eviction moratorium. Mr. Verbrugge added that state resources are still available and he will provide those links tomorrow.

His report also includes the eligibility requirements for a third dose for Pfizer or Moderna vaccines.

Johnson County Department of Health & Environment has changed the testing hours for their clinic. Also, in response to the spread of the Delta, Governor Kelly has recommended a return to remote work.

It was also noted that the vaccine does bring a small risk of heart problems but scientists agree the benefits outweigh the risk.

Mr. Verbrugge said they remain in an area of high transmission and he encourages vaccination, wearing masks, and practicing social distancing.

To date, 65.6 percent of the eligible Johnson County population has received at least one dose while 60.2 percent of the population is fully vaccinated.

Mr. Verbrugge also provided memo on how to talk to people and encourage them to get the vaccine. He said it is important to understand their hesitancy without judgment and to listen. They have found that being informed, sharing your own personal experience with the vaccine, and offering help to someone to get the vaccine are positive steps. He said it is important to make a genuine connection with someone.

CMBR Rebne said he appreciated having a script. He also asked Mr. Verbrugge if he has tried it and seen it work. Mr. Verbrugge provided his encounter with his own father and conversations they had to get him vaccinated.

CMBR Madigan said the script is great but if they start getting pushback to back off. Mr. Verbrugge said, for some people with hesitations, they will not respond to information on case studies. He also said that shaming does not work. Their desire is to build on correct information.

CMBR Hill asked what the source of data is for those vaccinated. Mr. Verbrugge said it is from the Johnson County dashboard and counts Johnson County residents who are eligible.

CMBR Hill asked about those who may live in Johnson County but were vaccinated in Wyandotte or elsewhere. Mayor Kelly said the number is representative of Johnson County residents who were vaccinated in the state of Kansas.

B. Discuss Resolution 692 - Masking Requirement

Mayor Kelly said they are seeing a plateau of cases but they are still at high capacity in the ICU and that it is also important to look at the surrounding region. Based on this, he is not advocating to making any changes to Resolution 692.

CMBR Madigan agreed with the Mayor that no changes should be made by them at this time.

CMBR Hill said she would like to see the City take a stronger stance in regards to the masking requirement. In stores she has been in the signage is not displayed very clearly. She has also spoken with managers who said they are afraid to enforce the mandate because they do not want confrontations. When they see people in the businesses that aren't wearing a mask, they don't say anything because they do not want to engage. She believes there are people who don't know and possibly need more education.

Mayor Kelly thanked the Police Department for helping to educate their community and making resources available to business owners. He said they are building good bonds of trust between the Police Department and community.

CMBR Faidley asked if the City could make signs and distribute them to businesses so they don't have to make their own signs.

Sgt. Cory Honas said that officers went to every business they could and passed out information to managers to let them know the City passed this mask resolution. They have noticed a stronger participation from residents and some of the businesses. He acknowledged that sometimes they need to go two and three times to a business but that they are starting to see more compliance. He also added that education is the key to continue with the businesses. When they do a business check, they can remind them of the mask regulations. As far as signage, he said he is not sure whose responsibility it is to provide signage, whether the City or the business. He said they could encourage businesses to make signage more visible to the community.

Mayor Kelly said there is no requirement in the resolution for any type of signage to be placed, just a requirement for mask wearing. They would hope they would provide good signage so that their customers would be in compliance.

CMBR Hill agreed with CMBR Faidley that signage is not good. She would like to see them provide signage such as standing signs outside the door.

CMBR Madigan asked if CMBR Faidley wanted the City printing the sign that's easy to see and then go to businesses to have them voluntarily put it up.

CMBR Faidley said she is thinking of people from outside of Roeland Park who shop there and are less likely to know their mandate. She said they don't have security people at the door and it's important that signage be extremely visible.

Sgt. Honas said for the larger companies, they have to go through their corporate office to get approval for things like that.

CMBR Rebne said there are varying opinions by workers and managers in the stores and he believes putting a sign outside would be helpful.

Sgt. Honas said they hand-delivered the resolution to its businesses.

City Administrator Moody said that printing signs for businesses is not a large investment. Their approach is to educate and it has taken several visits to help them understand what their goal is, which is to make residents safe. He said they do have good overall participation.

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO AMEND TO ALLOW STAFF TO SPEND UP TO \$1,000 ON MORE OBVIOUS SIGNAGE FOR BUSINESSES, AND TO PROVIDE EDUCATIONAL RESOURCES TO BUSINESSES OWNERS TO ENSURE BETTER COMPLIANCE WITH RESOLUTION 692. (MOTION CARRIED 6-0.)

MOTION: CMBR HILL MOVED AND CMBR REBNE SECONDED TO FUNDS UP TO \$1,000 AS DETERMINED BY THE CITY MANAGER TO PAY FOR MORE PREDOMINATE SIGNS TO BE PLACED AT THE CITY'S BUSINESSES REGARDING THE MASK REQUIREMENT. (MOTION CARRIED 6-0.)

C. Discuss Virtual Meetings

Mayor Kelly said again that Governor Kelly has recommend virtual attendance. Mayor Kelly wants to make sure that staff and everyone feels safe and noted they are currently using a hybrid method.

CMBR Madigan said it is appropriate to continue to do hybrid.

CMBR Brauer said they have the technology available to them and for many reasons people may not always be able to be in in-person attendance at a meeting.

CMBR Faidley asked about the camera. City Administrator Moody said it is not working properly and CMBR Faidley recommended bringing someone in to take a look at their system.

CMBR Kelly also recommended an RFP on addressing the camera issue. Mayor Kelly agreed.

CMBR Hill said she sees the value of meeting in person. She said it helps in their relationship and would like to continue the hybrid model.

Mayor Kelly said he also wanted to discuss meetings of other City committees. He said the Council is an essential meeting of the City and they should continue going forward in a hybrid mode.

CMBR Hill said she would like to see the other committees meeting virtually only.

CMBR Kelly said it is important to have staff available at the meeting to provide the proper support, technical and otherwise.

CMBR Rebne echoed CMBR Kelly's that they need proper support. He said that meeting in person is more efficient but they should keep the hybrid version.

CMBR Madigan agreed with CMBR Hill the committee meetings should be virtual. He said when the pandemic is over, they will still be meeting hybrid especially if someone is sick or traveling. He noted that being able to meet in a hybrid fashion has improved the Council and there is more participation from the Governing Body.

CMBR Faidley said the committees should make their own call.

Mayor Kelly said he wanted to make sure that staff is comfortable. He also said there are a lot of meetings and wants to make sure there is a good work environment for those staffing those meetings.

City Administrator Moody noted their citizens academy would be starting soon and they polled those 15 participants who said they preferred to meet in person. City Administrator Moody said part of the program involves getting to know the facilities in the City.

MOTION: CMBR MADIGAN MOVED AND CMBR HILL SECONDED TO AMEND THE MOTION TO INCLUDE ALLOWING THE PLANNING COMMISSION TO MEET IN A HYBRID FASHION. (MOTION CARRIED 6-0.)

MOTION: CMBR MADIGAN MOVED AND CMBR KELLY SECONDED TO ALLOW THE CITIZEN ACADEMY TO MEET IN PERSON. (MOTION CARRIED 6-0)

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED THAT NON-ESSENTIAL MEETINGS WOULD BE VIRTUAL ONLY WITH THE EXCEPTION OF THE PLANNING COMMISSION AND THE CITIZEN ACADEMY. (MOTION CARRIED 6-0)

VII. New Business

A. Plat for Nall Park, Community Center, and Pool Property

MOTION: CMBR MADIGAN MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE NALL PARK & COMMUNITY CENTER FINAL PLAT. (MOTION CARRIED 6-0.)

B. 2022 Land Lease Agreement to JCPRD for Sports Dome

Mayor Kelly said that JCPRD has been a good partner with the City especially on the improvements at the Community Center. He added they are scheduled to replace the dome next year.

MOTION: CMBR MADIGAN MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE 2022 LAND LEASE AGREEMENT WITH JCPRD FOR THE SPORTS DOME. (MOTION CARRIED 6-0)

C. Appoint Emily Schlitz to the Community Engagement Committee and Laura Savidge to the Ad-Hoc Historical Committee

CMBR Madigan asked if they are staying within the two-thirds rule on the ad hoc committees.

CMBR Rebne said there are two Councilmembers on the Historical Committee and they were unsure of how many citizens were appointed to the committee versus being a consultant.

City Clerk Nielsen said four citizens have been appointed to the committee and Ms. Savidge would be the fifth.

MOTION: CMBR BRAUER MOVED AND CMBR REBNE SECONDED TO APPROVE THE APPOINTMENT OF EMILY SCHLITZ TO THE COMMUNITY ENGAGEMENT COMMITTEE AND LAURA SAVIDGE TO THE AD-HOC HISTORICAL COMMITTEE. (MOTION CARRIED 6-0.)

VIII. Ordinances and Resolutions

A. Ordinance 1013 - STO

MOTION: CMBR HILL MOVED AND FAIDLEY SECONDED TO APPROVE ORDINANCE 1013 - 2021 STO (STANDARD TRAFFIC ORDINANCE) BOOKS PUBLISHED BY THE LEAGUE OF KANSAS MUNICIPALITIES. (MOTION CARRIED 6-0.)

B. Ordinance 1014 - UPOC

MOTION: CMBR KELLY MOVED AND CMBR HILL SECONDED TO APPROVE ORDINANCE 1014 - 2021 UPOC (UNIFORM PUBLIC OFFENSE CODE) BOOKS PUBLISHED BY THE LEAGUE OF KANSAS MUNICIPALITIES. (MOTION CARRIED 5-0 WITH CMBR MADIGAN NOT PRESENT FOR THE VOTE.)

C. Ordinance 1015 - Allowing Consumption of Alcohol in R Park - for Concert

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO APPROVE ORDINANCE 1015 ALLOWING CONSUMPTION OF ALCOHOL FOR THE NEIGHBORS FOR A BETTER ROELAND PARK BENEFIT CONCERT TO RAISE MONEY FOR THE HOLIDAY KINDNESS PROJECT. (MOTION CARRIED 5-0.)

D. Ordinance 1016 - Universal Design Incentive Policy

Mayor Kelly appreciates the changes staff has made and that helped to clarify the minimum requirements for the incentive program.

CMBR Faidley said she is interested in the quarterly report from staff that will be provided to them.

MOTION: CMBR FAIDLEY MOVED AND CMBR HILL SECONDED TO APPROVE THE UNIVERSAL DESIGN INCENTIVE POLICY. (MOTION CARRIED 5-0.)

IX. Reports of City Officials:

A. COVID Report

This item was moved to Unfinished Business.

Adjourn:

MOTION: CMBR HILL MOVED AND CMBR REBNE SECONDED TO ADJOURN. (MOTION CARRIED 5/0)

(Roeland Park City Council Meeting Adjourned at 8:41 p.m.)



Kelley Nielsen, City Clerk



Mike Kelly, Mayor