

**CITY OF ROELAND PARK, KANSAS  
CITY COUNCIL MEETING MINUTES  
Roeland Park City Hall  
4600 W 51st Street, Roeland Park, KS 66205  
Monday, November 1, 2021, 6:00 P.M.**

- Mike Kelly, Mayor
- Trisha Brauer, Council Member
- Benjamin Dickens, Council Member
- Jan Faidley, Council Member
- Jennifer Hill, Council Member

- Jim Kelly, Council Member
- Tom Madigan, Council Member
- Claudia McCormack, Council Member
- Michael Rebne, Council Member

- Keith Moody, City Administrator
- Erin Winn, Asst. City Administrator
- Kelley Nielsen, City Clerk
- John Morris, Police Chief
- 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 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 joined the meeting virtually shortly after roll call. CMBR Kelly was absent. Staff members present were City Administrator Moody, Assistant City Administrator Winn, City Attorney Mauer, Public Works Director Scharff, Police Chief Morris, City Clerk Nielsen, Parks and Rec Superintendent Nichols, and Management Intern Verbrugge.

### **Modification of Agenda**

*There were no modifications to the agenda.*

### **I. Citizen Comments**

**Tristen Young** - Mr. Young spoke to the amount of traffic on 55<sup>th</sup> Street and asked the City to look into making it so it would not be a thru-street. His main concern was over aggressive ticketing and the high price of fines. He also said that virtual court is not real court and he should therefore be refunded for his fine. He added that the Police Department needs to prioritize what offenses they are giving tickets for.

### **II. Consent Agenda**

- A. Appropriations Ordinance #985**
- B. Council Minutes October 4, 2021**
- C. Council Minutes October 18, 2021**

**MOTION:** CMBR DICKENS MOVED AND CMBR FAIDLEY 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**

Mayor Kelly reminded everyone to vote on November 2<sup>nd</sup>.

(CMBR McCormack joined the meeting at 6:09 p.m.)

#### **V. Reports of City Liaisons and Committees**

##### **A. Sustainability Committee**

Judy Hyde from the Sustainability Committee said the bicycle repair stations with pumps have arrived. Public Works has installed one adjacent to Granada Park and a second one will be near 47<sup>th</sup> and Belinder. She said these signal Roeland Park's support that cycling is a healthy, energy efficient mode of transportation. The stations were funded by the Sustainability Committee, the Community Engagement Committee, and the City of Westwood. Ms. Hyde said that there are also two bike racks that will be installed but their location has yet to be determined.

Ms. Hyde said the Governing Body is contemplating two ordinances in regard to Complete Streets and for tree canopy protection. The Committee and will provide input if needed in the development and fine tuning.

With regard to a tree ordinance, the Committee recommends the City include both private and public property in the ordinance for tree protection. Mr. Hyde then spoke to the benefits of protecting the mature canopy. She said she would anticipate genuine concerns regarding private regulation but they can create a balanced and equitable ordinance by taking individual extenuating circumstances into account.

In September, Susan Classen spoke about the regional Climate Action KC plans, their challenges, and solutions. She said the three major challenges they are facing are floods, droughts, and heat.

In August, My Hyde attended a collaborative environment fair.

Ms. Hyde noted that eradication of invasive species continues in Cooper Creek Park. They have recently planted ten native trees to replace the non-native ones that were removed. The Committee continues to contribute funding toward pollinators and submitting articles to the *Roeland Parker* and the Facebook page. She said the group is still meeting virtually.

Mayor Kelly thanked Ms. Hyde and the Sustainability Committee for the work that they do.

##### **B. Planning Commission**

Asst. City Administrator Winn noted that Lisa Brunner has been appointed Vice Chair of the Planning Commission.

The Commission also approved the special use permit for the mobile taco truck at the Boulevard Apartments. The operator of the truck has agreed to the conditions proposed. Ms. Winn and John

Jacobson, the City's building official, will go out and inspect the operation after a 30-day trial. If the business' operations are in line with the permit, it will be reviewed annually.

The Planning Commission is also recommending that the Governing Body approve the Residential Design Standards that have been compiled.

Ms. Winn noted that there is an opening on the Planning Commission for at-large members adding that Haile Sims is up for a vote on the Commission later in the meeting.

CMBR Faidley asked if the permit is connected with the food truck ordinance. Ms. Winn said they are subject to sanitary and traffic conditions as in the ordinance, but there is an additional level of conditions because of where it is located.

## **VI. Unfinished Business**

### **A. COVID Report**

City Intern Chris Verbrugge noted a change in his report in that the FDA has now authorized vaccines for children aged 5 to 11. Also, Governor Kelly said Kansas has adopted the CDC's recommendation for booster shots and people have the option to choose which booster they would like.

Mr. Verbrugge said that Johnson County is at the substantial transmissibility level as of October 28<sup>th</sup>.

Included in Mr. Verbrugge's report are figures regarding the available assistance programs.

CMBR Dickens asked if there was anything they need to know about mixing vaccines. Mr. Verbrugge said he is not aware of anything.

CMBR Hill asked if the definition of being fully vaccinated has changed with the addition of a booster shot. Mr. Verbrugge said it remains at two weeks after the final shot and does not include the booster.

CMBR Madigan said his first two shots were Pfizer and he had some reactions but did not on the booster shot.

### **B. Continued Discussion Resolution 692 - Masking Requirement**

Mayor Kelly said that Resolution 692 remains in effect through midnight of November 16<sup>th</sup>. He said he did not recommend making any changes this evening.

There was no Governing Body discussion on this item and the requirement remains in effect.

## **VII. New Business**

### **A. Appoint Haile Sims to the Planning Commission**

Mayor Kelly emphatically expressed his support of the appointment of Mr. Sims noting the valuable work he did on the Racial Equity Committee.

CMBR Madigan said he has worked with Mr. Sims on the Police committee and that he worked tirelessly and also was very impressed with the work he did. He agreed with the appointment to the Planning Commission.

**MOTION:** CMBR HILL MOVED AND CMBR DICKENS SECONDED TO APPROVE THE APPOINTMENT OF HAILE SIMS TO THE PLANNING COMMISSION. (MOTION CARRIED 7-0)

**B. Approve Purchase of UTV for Police Department**

Police Chief Morris said the original donation is for \$25,000 and will be a gasoline engine. He noted that the electric version is not available yet and had 20-30 percent higher price tag. After purchasing the vehicle, they will have \$3,700 available which will be spent on graphics, lighting, and other others and should leave a \$2,200 balance. Chief Morris said this is a 100 percent community policing vehicle that they may store in their utility trailer. They are also looking at purchasing a trailer the unit could tow.

CMBR Madigan asked if Rango would be able to ride in it. Chief Morris said that Rango can do whatever he likes.

CMBR Rebne said he does not see the real reason behind this vehicle/donation. He asked if the \$25,000 might be better spent at the food pantry, on the Neighbors Helping Neighbors program, or residential tax relief. He felt those funds could be put to better use in the community.

Police Chief Morris said the donation was strictly toward public safety for this specific item. He said it is a win-win for the community. It is for community outreach and not enforcement. He said it can help bridge the gap and help with public relations, bring kids together, it is a tool that builds trust since it's approachable. He said they are very fortunate to have an individual who is very passionate about public safety and community relations.

CMBR Dickens said that knowing what the money is for is a good thing. He asked what some of the plans are for the vehicle. Chief Morris said they could take Santa around, drop in at birthday parties, and can be used with Shop with a Cop. He said there is an unlimited use for the vehicle and reiterated it will not be used in enforcement. It's to help show the community they care.

CMBR Hill clarified that even the Governing Body does not know who the donor is. She said a resident reached out to her about driving a personal ATV on the streets to plow snow versus the City driving one. Police Chief Morris said they are a public safety entity and this is not for leisure, pleasure, or errands. It is a public relations tool for official duty use only.

CMBR Madigan asked if there will be a sign on the back that it was paid for by donation and not City funds. Chief Morris said there would be but they don't know the specifics yet. He said it will be well known that it is a donation.

**MOTION:** CMBR MADIGAN MOVED AND CMBR DICKENS SECONDED TO APPROVE THE PURCHASE OF A UTV FROM A RECENT PUBLIC SAFETY DONATION OF \$25,000 SPECIFIC FOR THAT ITEM. (MOTION CARRIED 6-1 WITH CMBR REBNE VOTING NO.)

**VIII. Ordinances and Resolutions**

#### **A. Ordinance 1017 - Banning Fireworks**

Mayor Kelly thanked the Police Department and Chief Morris for helping them go through this ordinance. He said that he wants a buy-in from everything. He also thanked staff, their legal team, and the residents in support of the ordinance.

CMBR Madigan wanted to clarify that the Kansas Fire Marshal and the American Pyrotechnics do not recognize caps and cap guns as fireworks.

CMBR Hill said she still had concerns on a timeframe for snappers. She said she does not want to see children being issued fines for throwing snappers on their patio.

CMBR Madigan said in his research snappers are considered a novelty firework. The Kansas Fire Marshal and American Pyrotechnics also not feel that caps or smoke bombs are firework but do consider snappers fireworks.

**MOTION:** CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE ORDINANCE 1017 - AMENDING SECTION 7-402 - USE OF FIREWORKS PROHIBITED; 7-403- EXCEPTIONS: 7-404 - DAY ON WHICH EXCEPTED FIREWORKS MAY BE USED; AND SECTION 7-414 - PENALTY. (MOTION CARRIED 7-0)

#### **B. Ordinance 1018 - Residential Design Standards**

Mayor Kelly said they spent months in the Comprehensive Plan process and this is through the vision and work of the Planning Commission and Governing Body working through design standards with Confluence.

CMBR Faidley asked about the timeline for the illustrated guide. Ms. Winn said they are awaiting approval on this item, then they will work with Confluence to get that done as it is part of their contract with them.

CMBR Madigan asked if this would be changing the zoning codes of the City. Ms. Winn said it is implementing additional standards to residential design.

**MOTION:** CMBR FAIDLEY MOVED AND CMBR BRAUER SECONDED TO APPROVE THE ORDINANCE CODIFYING THE RESIDENTIAL DESIGN STANDARD TEXT AMENDMENTS DEVELOPED BY CONFLUENCE CONSULTING IN COLLABORATION WITH THE GOVERNING BODY, PLANNING COMMISSION AND STAFF. (MOTION CARRIED 7-0)

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

#### **A. RPAC End of Season Report**

Mayor Kelly congratulated Mr. Nichols on his successful first summer and said he appreciates the work he and his staff put in at the Aquatic Center.

Mr. Nichols said they worked on a modified schedule and reviewed the days closed in relation to when they were budgeted to be open. He said that when they first opened there were no COVID restrictions but by mid-July they required staff to wear masks when indoors.

Mr. Nichols also reviewed the staffing and noted that they were not able to provide swim lessons this year. He said they were able to have a swim team and next year they will be able to host some swim meets. In summary, he said it was a trying season but staff throughout the season performed really well especially for all the brand new lifeguards they had. He said it was a great season to build on and that the budget numbers were great.

He noted that the website needs to be updated and the Aquatics committee is planning on three after hours events. Additional loungers will also be purchased with CIP funds and the Super Pass program will return. They will also be working on signage around the center.

CMBR Madigan said that Mr. Nichols has done an exemplary job and hit the ground running. He asked how they did on the bonus referral program. Mr. Nichols said he did not have a specific breakdown but he believed he authorized about six to eight disbursements. CMBR Madigan said they should look at continuing that again next year.

CMBR Faidley asked if on their list of next steps and beyond whether it includes maintenance and upgrades to the ladies' room. Mr. Nichols said there is nothing current on the CIP plan. CMBR Faidley said they need to do something with the counters, floors, and driers.

CMBR Rebne echoed that the pool was great. He also said that it is important that both locker rooms be brought up to the same standard.

City Administrator Moody said there are maintenance dollars in each budget that are not specifically tied to one item and they can look into it.

## **B. 3<sup>rd</sup> Quarter Financial Report**

Assistant City Administrator Winn said they are trending ahead of budget for sales tax. She noted that court fines are in the red at more than 15 percent behind what is budgeted. She noted that is due to COVID restrictions placed on police officers to limit stop for their safety.

In the General Fund, they have collected about 87 percent of their annual revenue and are on track. Their investment summary portfolio is about \$10 million and they are ahead of where they expect to be on funds. There are also debt payments to be made in December. She noted that for TIF 1 they are 96 percent of expenditures which is higher than it should be. She noted that they missed a change order and are working with Columbia Capital and they may need to amend the budget.

Mayor Kelly noted that sales tax is doing well.

CMBR Faidley asked if they can also account for court fines being down as a factor to them lowering fines. Ms. Winn said those reductions are already accounted for in the budget.


City Administrator Moody noted the entry signs were changed to orange in line with Halloween. He noted that Officer Stamper is on color guard for that.

Public Works Director Scharff said the leaf program is back in action and to check out the City's website and Facebook for the schedule.

**Adjourn:**

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

(Roeland Park City Council Meeting Adjourned at 7:06 p.m.)



Kelley Nielsen, City Clerk



Mike Kelly, Mayor