

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, December 6, 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 and CMBR Brauer were absent. Staff members present were City Administrator Moody, City Attorney Felzien, Public Works Director Scharff, Police Sgt. DeMoss, City Clerk Nielsen, and Management Intern Verbrugge. Assistant City Administrator Winn, Parks and Rec Superintendent Nichols appeared virtually.

Modification of Agenda

There were no modifications to the agenda.

Swearing in of New Council Members

Mayor Kelly thanked the outgoing Councilmembers for their service. He recognized CMBR Kelly who was present at the meeting and presented him with a plaque noting that his business acumen was instrumental in the recent development that has taken place in the City and benefits the community. He also thanked CMBR McCormack for her service not she was honest and spoke her mind. Mayor Kelly stated it was good to have a medical professional on the Council during the pandemic and noted that she continues to work on the frontlines.

(Applause)

Mayor Mike Kelly took the oath of office for his second term administered by City Clerk Nielsen.

(Photos were taken)

CMBR Tom Madigan was sworn in for another term representing Ward 1. CMBR Jennifer Hill was also sworn in again for another term to represent Ward 2.

(Photos were taken)

New Councilmember Kate Raglow was sworn in to represent Ward 3. And Michael Poppa, who was previously a Roeland Park Councilmember, was sworn in to represent Ward 4.

I. Citizen Comments

No citizen comments were made.

II. Consent Agenda

- A. Appropriations Ordinance #987**
- B. Council Minutes November 15, 2021**
- C. Ordinance 1020 - Occupational License Revocation**

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

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

A. Presentation by Sunflower Development for the Rocks Site

Jason Swords from Sunflower Group congratulated the new Councilmembers. He is working on the Rocks development site, a project he has been involved with since late July 2021. Mr. Swords provided the Governing Body a 15-year history of Sunflower Group and showed a slide presentation of the projects they have done which include market rate and affordable housing as well as hotels. He said he is excited to be working on the Rocks site. Currently Sunflower is working on market rate housing at the former Mission Bowl site. He added that 20 percent of that project will be affordable housing units.

For the Roeland Park Rocks site, they are still developing the overall plans to include three stories of parking that are built into the grade of the site and provide amenities such as a rooftop pool and ground-level retail and a dine-in restaurant. He said there will be 322 parking spots in the garage with 41 surface spaces. There will be 202 living units ranging from 672 to 1,200 square feet. He showed potential schematic designs and potential site views noting that sizes and number can vary depending on the final design.

Mr. Swords said they will be seeking input from the City and the surrounding neighbors. He said it will be a large building with a gross square footage of 225,000 square feet.

The site will focus on safety and will have assigned unit parking and cameras to monitor activity. Tenants will have key fobs and residents will have phone communication with management. The plan is for units to have balconies and there will most likely be a penthouse. Twenty (20) percent of the units will be affordable housing.

The estimate of investment into the project is just under \$50 million. Mr. Swords expects to do a sales contract with the City that will allow him to complete the architectural drawings and then get a permit. Mr. Swords said he has good success in raising equity and is confident to be able to do so for this project. Once he gets the construction loan, he will take the project to market.

Mr. Swords noted that they would be purchasing Lot 1 at a later date to accommodate PW. He would like to close on the other lots within nine months. He expects the project to start September 1, 2022 and anticipates a 20-month construction schedule.

Mayor Kelly thanked Mr. Swords for Sunflower's investment in their City and appreciates the time and expense he has put in working on this site. He said this will be a long-term benefit to Roeland Park.

Mr. Swords said if staff or the Governing Body would like to tour any of his projects, he would be willing to take them and would show them inside actual units they have completed.

CMBR Dickens said this project looks like what they have been wanting in their City for a long time. He stressed that they do want restaurants. He noted that he sees these types of buildings and the bottom retail section does not get filled. Mr. Swords said it is a loss leader. He said it is filling a gap to make the building more rentable and they put that infrastructure in.

Mayor Kelly said with regards to the affordable housing would they be able to have a discussion on this prior to closing. City Administrator Moody said the sales agreement will have general terms. The development agreement will contain the percentage of living units committed to affordable housing.

CMBR Faidley asked about Lot 1 and the Public Works buildings. Mr. Swords said he is not purchasing that land until a later date, and it will have a separate purchase contract. He is also not quite sure what to build there yet. He said it could still be a hotel site with limited services, but the hotel business is not doing well right now. He did add that a hotel next to a restaurant is good for the restaurant.

CMBR Rebne spoke to the affordable housing issue and the discussions they have had about the ability to work and live in Roeland Park. He felt the 70 percent AMI didn't feel affordable and they are looking for what grows diversity in the City. He felt they should put the AMI down further and increase the number of affordable units.

Mr. Swords said he is very close to the issue of affordable housing and was part of the Johnson County housing task force and the AdvanceKC 2.0 task force whose sole purpose is how to build more affordable housing. Currently Sunflower is building over 100 affordable housing units in Shawnee at K-7 and 74th. He has also built units in Tonganoxie and Kansas City and so he understands the need. The problem they have is the financing. He did say that next year there will be some programs coming out of Kansas that might help. He did agree that a 70 AMI isn't low enough, but he also knows how much it costs per door to build. He continues to work with Kansas on affordable housing. Mr. Swords said a mixed-income community is a great community and he certainly understands the need for it.

CMBR Madigan said affordable housing is a concern. He noted the redevelopment in the urban core. He also asked if the restaurant would serve liquor and Mr. Swords said that restaurants that do serve are the ones that make the most money.

Mayor Kelly said he is looking forward to further discussion on this.

IV. Mayor's Report

Mayor Kelly noted the Christmas Tree Lighting will be held Wednesday, December 8 at 6:00 p.m. at the Community Center

CMBR Faidley added there will be cookies and music.

V. Reports of City Liaisons and Committees

A. Aquatic Center Advisory Committee

Mr. Nichols said the committee reviewed the end-of-season reports that the Council received last month. They also reviewed recommendations made by their staff and finalized rule changes. They had discussions and are planning for their after-hour parties in the 2022 season. Mr. Nichols is also collecting information on pricing for a dive-in movie. They are also working on the operational plan for the 2022 season.

CMBR Faidley asked about committee membership. Mr. Nichols said they currently have three members and could use more. To date, they have had only one response.

VI. Unfinished Business

A. Extend Ad Hoc Historical Committee

Mayor Kelly said the committee's work is just getting underway.

MOTION: CMBR MADIGAN MOVED AND CMBR FAIDLEY SECONDED TO APPROVE EXTENDING THE AD HOC HISTORICAL COMMITTEE. (THE MOTION CARRIED 7-0.)

VII. New Business

A. Approve Upgrade of Audio-Visual System for City Hall and the Community Center

Assistant City Administrator Winn said that Mission Electronic ran a diagnostic of their system and to also see if they would be able to utilize any of the existing equipment.

CMBR Hill said she would like to see a secure network for the Councilmembers as they are currently on the guest network and always getting kicked off. Ms. Winn said she will look into that.

CMBR Madigan said they upgraded the multi-purpose room at the Community Center in 2015 and it is still not sufficient. He said they need to be upgraded for the 21st century. Ms. Winn said that Mission Electric was chosen because they had a compelling bid as they are the only one to do a diagnostic. The others were simply a response to the RFQ. She said that Mission Electric's thoroughness speaks well of their ability to complete the work. The fact that they are the lowest bidder is a bonus.

CMBR Faidley said the Community Center envisioned improvements that included access to AV capabilities to other rooms and suggested it could be mentioned to the company doing the upgrades.

CMBR Rebne asked about getting upgraded Zoom accounts. Ms. Winn said she can look into that concurrently with improved internet connections.

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE PURCHASE OF AUDIOVISUAL SYSTEM UPGRADES FOR THE COUNCIL CHAMBERS AND COMMUNITY CENTER FROM MISSION ELECTRONICS FROM THE ARPA FUNDS. (MOTION CARRIED 7-0)

B. Reappointment of Judge, Prosecutor, City Engineer and City Attorney

MOTION: CMBR POPPA MOVED AND CMBR DICKENS SECONDED TO REAPPOINT STEVE MAUER AND THE MAUER LAW FIRM AS CITY ATTORNEY; DAN MILLER AND LARKIN AS CITY ENGINEER; KAREN TORLINE AS MUNICIPAL JUDGE, AND FRANK GILMAN AS CITY PROSECUTOR THROUGH 12/31/2022. (MOTION CARRIED 7-0)

C. Approve 2022 CARS Agreement with Johnson County

Public Works Director Scharff said the project is scheduled for spring/summer of 2022. The total project cost is about \$1.5 million, and they anticipate receiving \$620,000 CARS reimbursement, which is slightly less than the usual 50 percent reimbursement for qualified costs. Their reimbursement was lowered to allow CARS funding of other projects in other cities. Mr. Scharff said they have applied for and received CDBG funding of \$125,000 which will be used to offset what they lost in CARS reimbursements.

CMBR Hill wanted to make sure the construction work around the school was done over the summer break so not to interfere with student drop-off and pick-up.

CMBR Madigan was not present for the vote.

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO APPROVE THE 2022 CARS AGREEMENT WITH JOHNSON COUNTY FOR ELLEDGE DR, ROE LN TO 47TH ST. (MOTION CARRIED 6-0.)

D. Approve Purchase of Peace Poles for Nall Park

Christine Webster from the Arts Committee made a request to be able to purchase seven Peace Poles to be installed at Nall Park to help beautify the walking trail. She said they have spoken with the Parks Committee who requested that they not be placed too close to the trail so that it didn't interfere with sledding. They are to be installed in the ground and will speak with Public Works on how that is to be done.

CMBR Faidley said at the southernmost part where the trail dead ends is a wastewater line so they should maintain the option to leave it open in case it needs to be worked on. Ms. Webster said that she understood, and they are starting with seven poles and may add more over time.

CMBR Dickens said he likes them and they are fun. He inquired about their durability because they are made of wood. Ms. Webster said they are cedar and painted with acrylics and coated with a marine varnish to make them more resistant to the elements.

CMBR Madigan was not present for the vote.

MOTION: CMBR FAIDLEY MOVED AND CMBR POPPA SECONDED TO APPROVE THE PURCHASE OF SEVEN "PEACE POLES" FOR NALL PARK. (MOTION CARRIED 6-0.)

VIII. Ordinances and Resolutions

A. Ordinance 1021 - Removing Project Area 2D from the TIF Redevelopment District and Termination of Redevelopment District No. 2

City Administrator Moody stated that the TIF District encompasses the area east of Roe Blvd, 48th Street south to the bank and scheduled to expire at the end of 2021. He noted this is the first TIF to be dissolved in the City's history. With the ending of the district, the City anticipates receiving \$73,000 annually back to the General Fund.

CMBR Madigan returned to the meeting and was present for the vote.

MOTION: CMBR FAIDLEY MOVED AND CMBR DICKENS SECONDED TO APPROVE ORDINANCE 1021 REMOVING PROJECT AREA 2D FROM REDEVELOPMENT DISTRICT NO. 2 AND TERMINATING REDEVELOPMENT DISTRICT NO. 2. (MOTION CARRIED 7-0)

IX. Reports of City Officials

A. COVID Report

City Intern Verbrugge reported that Moderna and Pfizer are cleared to offer boosters. He noted that the Unified Government has extended their mask mandates. Mr. Verbrugge said there is a new variant, Omicron, which is more contagious than Delta in that it shares a genetic code with the common cold. He has added this to his glossary of terms. He noted that transmissibility increased and attributed to the holidays and people being in close proximity to one another.

CMBR Dickens asked if they are looking at a pandemic of the unvaccinated? Mr. Verbrugge said that the cases are largely of those unvaccinated even though there are some breakthrough cases.

CMBR Faidley mentioned the KERA (Kansas Emergency Rental Assistance) applications and how long they have to fill them out. It was noted that unless extended the deadline, is January 6th and there are organizations to help people fill out those applications.

B. Discuss Masking Requirements

Mayor Kelly said that the draft mask ordinance is presented for informational and discussion purposes only. City Administrator Moody said it is updated to reflect current dates and numbers. Mayor Kelly said as drafted previously it was to be used as a reference and a tool for the Governing Body.

CMBR Madigan reiterated what he has stated previously in that people who are going to wear a mask will and those who don't, won't. This will not change anyone's mind and enacting an ordinance is not what they need to do. Nothing they do will change the opinion of either side.

CMBR Rebne said he disagreed and that when there was a resolution in place, he saw more people wearing masks than he does now. He said he was more likely to remember to bring his own mask. He added that schools are sending the message that this is an important safety issue. He also noted that not everyone can be vaccinated and so they need to step into this to take better care of their residents. He said a mask ordinance is the right thing for Roeland Park.

CMBR Dickens said he is glad they are having the discussion. He wears a mask because he doesn't want the cold, the flu, or COVID. He said it is their personal responsibility to keep kids safe. He said that so many have done their part and were promised a return to some normalcy. He said this is a problem for the unvaccinated and asked them to please wear their mask as they are at risk. He does like the ordinance for an uncontrolled pandemic but does not believe this is uncontrolled.

CMBR Faidley said they are all tired of COVID, but the virus is not tired or done with them. She said they are not moving in the right direction with the numbers and when they agreed to let the resolution lapse, the trends have increased, and it is again an issue. She feels this does need to be discussed. She said they need to lead and the impact statement the resolution made as they saw more masking.

CMBR Madigan he always carries two masks. He asked why they need an ordinance when the resolution wasn't enforceable. He said he talked to public safety officers and they said it was not enforceable and that they had things to do other than to run to a store because someone wasn't wearing a mask. He said he sees people wearing masks all the time. He also said it is the responsibility of a parent to see that their child gets vaccinated. He noted that even before the pandemic there were those that were against vaccinations for children.

CMBR Rebne said they are talking about masking and not vaccinations. He said because it is difficult it is not a reason not to do it. He said if they follow Kansas City, Kansas and Wyandotte County, other cities will take note and follow.

CMBR Poppa asked about the increase of numbers. Mr. Verbrugge said they are now counting confirmed and possible/probable cases together.

MOTION: CMBR REBNE MOVED AND CMBR FAIDLEY SECONDED TO ADOPT THE DRAFT MASKING ORDINANCE AS WRITTEN. (NO VOTE WAS TAKEN)

Mayor Kelly said he had a process objection to the motion. He said he appreciates the work of Mr. Verbrugge and hearing from medical officials, but he is not hearing a call for this ordinance. He said it is not good governance to spring this on the people. He said they need to build more consensus around the county and metro. He also agreed with the concern of CMBR Poppa of probable cases being considered as confirmed cases and questioned whether this was good data.

CMBR Hill said she would be willing to wait for the new Councilmembers to get caught up. She said she doesn't want skewed data, but it does not make it any less relevant. She said that retailers would like to see this and does not want them to stray from the message. She said that when people don't know what to do, Roeland Park is a leader to show them what to do and they have never been afraid to do that and stand up for what's right. CMBR Hill added that KCK has done what is right for their residents and Roeland Park should follow suit.

CMBR Rebne said he did hear from residents they should continue the masking ordinance adding that many were not aware it even went away. He said there is support out there for this. He said their decisions are based on science and not public opinion.

CMBR Poppa said he appreciates the sentiments but would like more time to look this over. He agreed that Roeland Park Councils have been leaders, both past and present, but they do not bring ordinances to be voted on the same night without giving the public an opportunity to comment.

MOTION: CMBR FAIDLEY MOVED AND CMBR DICKENS SECONDED TO TABLE THIS ITEM TO THE DECEMBER 20, 2021, CITY COUNCIL MEETING. (MOTION CARRIED 7-0).

C. City Administrator

City Administrator Moody said that Mr. Verbrugge has completed his master's work and will be moving to Washington, D.C. and working for Deloitte as a government consultant.

(Applause)

D. City Clerk

City Clerk Nielsen reminded everyone of the tree lighting ceremony on Wednesday, December 8th.

E. Public Works

Public Works Director Scharff said they are running a day behind with the leaf pickup program as there have been a few issues with the truck. They are, however, working six days a week.


F. Police Department

Sgt. DeMoss said they are evaluating a joint system for both in-car and body cameras for the officers.

Adjourn:

MOTION: CMBR RAGLOW MOVED AND CMBR POPPA SECONDED TO ADJOURN. (MOTION CARRIED 7-0)

(Roeland Park City Council Meeting Adjourned at 7:40 p.m.)



Kelley Nielsen, City Clerk



Mike Kelly, Mayor