

**CITY OF ROELAND PARK, KANSAS  
CITY COUNCIL MEETING MINUTES  
Roeland Park City Hall  
4600 W 51st Street, Roeland Park, KS 66205  
Tuesday, June 21, 2022, 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>○ Tom Madigan, Council Member</li><li>○ Michael Poppa, Council Member</li><li>○ Kate Raglow, 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 Administrator</li><li>○ Kelley Nielsen, City Clerk</li><li>○ John Morris, Police Chief</li><li>○ Donnie Scharff, Public Works Director</li></ul> |
|--|---|--|

**Admin**  
Raglow  
Dickens

**Finance**  
Rebne  
Hill

**Safety**  
Poppa  
Madigan

**Public Works**  
Brauer  
Faidley

(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 Rebne was absent, and all other Governing Body members were present. Staff members present were City Administrator Moody, City Attorney Mauer, Assistant City Administrator Winn, Public Works Director Scharff, Police Chief Morris, Parks & Recreation Superintendent Marshall, and City Clerk Nielsen.

**Modification of Agenda**

*There were no modifications to the agenda.*

**I. Citizen Comments**

*There were no Citizen Comments.*

**II. Consent Agenda**

- A. Appropriations Ordinance #1000**
- B. Council Minutes June 6, 2022**

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

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

**A. Recognition of Travis Fields for Community Service**

Mayor Kelly commended Mr. Fields for his community service to Roeland Park by donating his time and resources to mow three lawns twice a month for residents in need. Mr. Fields is the owner of Zen Lawn Services.

CMBR Dickens presented the proclamation to Mr. Fields.

(Applause)

(Photographs were taken)

**MOTION:** CMBR POPPA MOVED AND CMBR FAIDLEY SECONDED TO ADOPT THE PROCLAMATION CELEBRATING TRAVIS FIELDS FOR COMMUNITY SERVICE TO ROELAND PARK. (MOTION CARRIED 7-0)

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

##### **A. Elder Abuse Awareness Day Proclamation**

Mayor Kelly said it is important to shine a focus on the issue of elder abuse and the importance to make known the resources and services available to help their elderly population.

**MOTION:** CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE ELDER ABUSE AWARENESS DAY PROCLAMATION IN THE CITY OF ROELAND PARK FOR JUNE 15, 2022. (THE MOTION CARRIED 7-0.)

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

##### **A. Aquatic Center Advisory Committee**

Parks and Recreation Superintendent Anthony Marshall said it has been difficult getting a full staff and they are continuing to advertise for more people. Swimming lessons have begun, and that program has been retooled to run more smoothly. For the remainder of the season, Mr. Marshall will be focusing on the concession stand which he said is running at about 30 percent capacity.

CMBR Faidley asked for clarification on the 30 percent. Mr. Marshalls said the 30 percent reflects staffing and product.

##### **B. Parks Committee**

Mr. Marshall said he has been able to attend two Parks Committee meetings noting that R Park had a great event recently. To date, since joining Roeland Park his focus has been on the operations of the pool.

City Administrator Moody reported that the Parks Committee asked for direction on the placement of the play sculpture. The engineers recommended the sculpture be added to the roundabout at the southeast corner as it would serve well the perimeter of the play sculpture. The artists of the sculpture have been in direct contact with the engineers.

CMBR Madigan said there are crosswalks planned for the traffic garden and it is important for children to learn the rules of the road. He expressed concerns that the placement of the sculpture would interfere with the design of the traffic garden.

CMBR Raglow said the roundabout will not change and the placement of the sculpture will be in addition to what is already planned.

### **C. Racial Equity Committee**

Haile Sims reviewed three areas that the Racial Equity Committee is focusing on. The first is to continue to work with UCS to build a framework for what they do in relation to the City. They are coming up with a set of questions to ask before beginning a project that would come from a racial equity standpoint.

Their second focus has been their successful education series. This month they held a Juneteenth rally in Roeland Park, which was a great event. Next month will be a series related to racial equity and kids.

Thirdly, the committee is in the beginning phases of a community event to connect the with the first responders. They feel strongly they have a great police department in Roeland Park and want to be able to celebrate that along with the diversity of their community. Mr. Sims said he will have more of an update on the event after their next meeting.

Mayor Kelly said the Juneteenth event was well put together with great music, speakers, and a great crowd. He was proud to be a part of it and is looking forward to the upcoming event when it comes to fruition.

CMBR Faidley asked for an update on diversity and inclusive training. City Clerk Nielsen said training will be available starting in July. MARC will be providing those dates and she will send them out to staff and the committees.

CMBR Madigan asked if there were any plans for Indigenous People's Day. Mr. Sims said that is a great call-out and they hope to be able to incorporate into the event they're planning for October. CMBR Madigan stressed that it is important for them to celebrate both Juneteenth and Indigenous People's Day to show that Roeland Park is open and welcoming in action.

CMBR Raglow said regarding Indigenous People's Day, there is a specific committee member looking how to celebrate it. Mr. Sims said they will discuss it at their next meeting on Tuesday.

### **VI. Unfinished Business**

*There was no Unfinished Business presented.*

### **VII. New Business**

#### **A. Approve Task Order for 2023 CARS 48<sup>th</sup> Street Project**

Mayor Kelly said the scope of the project is 48<sup>th</sup> Street from Roe Boulevard to Roe Lane with a cost not to exceed \$35,100.

**MOTION:** CMBR MADIGAN MOVED AND HILL SECONDED TO APPROVE THE TASK ORDER WITH LAMP RYNEARSON FOR THE 2023 CARS 48<sup>th</sup> STREET PROJECT AT A COST NOT TO EXCEED \$35,100. (THE MOTION CARRIED 7-0.)

#### **B. Community Policing Trailer**

Mayor Kelly said the purchase of the Neighborhood Resource Trailer will allow them to continue to increase the bonds of trust the Police Department is building with the community. The cost reflects the purchase of the trailer and configuration of lights, graphics, and other items.

CMBR Faidley asked about the door on the side and the ramp on the back and would the ATV and motorcycle be stored in there. Police Chief Morris said those vehicles would not be stored there. The trailer is not planned for hauling vehicles, but more for information where people can walk through and grab a brochure and things that promote community relations.

**MOTION:** CMBR HILL MOVED AND CMBR DICKENS TO APPROVE THE PURCHASE OF THE POLICE DEPARTMENT NEIGHBORHOOD RESOURCE TRAILER AT A COST NOT TO EXCEED \$10,000. (THE MOTION CARRIED 7-0.)

**C. Approve MOU with EPC for The Rocks Site**

Mayor Kelly noted that they were unable to come to final terms with Sunflower Development Group. They have been in contact with EPC, a premier design firm and Capstone Award winner in the region who has extensive experience in Northeast Johnson County. The terms of the MOU are similar to what was presented and agreed upon by the Governing Body previously.

City Administrator Moody said the deliverables are reflected in the responsibilities of the developer so that there is an understanding of what they are to be working on during the 90-day period. The next step would be to complete the land purchase agreement and there are no specific deviations from what was presented previously.

CMBR Faidley asked for clarification on the percentage of affordable housing. City Administrator Moody said the discussion took place during executive session and the majority expressed support of a 5 percent affordable housing units at 60 percent AMI. This was to be a guideline with the expectation of for more.

Mayor Kelly said when they looked at the UCS study, they also looked at the percentage of need in diverse levels of housing and how many units they would need to reach that goal. It was determined that the 5 percent of units would exceed the number of units within that demographic.

CMBR Madigan said the 5 percent seems low and all he sees being built is luxury apartments. He wants the employees who work in Roeland Park at places like Lowe's and Price Chopper to be able to live close to where they work. He did say that he remembered the developer stating if they lowered the affordable housing properties to 5 percent, then they would not be required by the City to give them the land for free.

CMBR Poppa said after the meeting, he was of the understanding they were amenable to a lower percentage for affordable housing. He did not know if a percent was specified even though 5 percent was discussed, but they also had other leads for development. Staff was directed to have more affordable housing.

City Administrator Moody added that each project will have its own set of variables to consider for affordable housing and there currently is no standard and the entire concept of incorporating

affordable housing is fairly new. He did note that they said 5 percent is the minimum. And they have set an expectation it will not be lower.

CMBR Brauer said that affordable housing very rarely comes in the form of new housing, and they should be looking at other methods in the City for affordable housing. Developers are not likely to take on a project where they will lose money.

**MOTION:** CMBR HILL MOVED AND CMBR RAGLOW SECONDED TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH EPC FOR THE ROCKS SITE. (THE MOTION CARRIED 7-0.)

## **VIII. Ordinance and Resolutions**

### **A. Ordinance 1032 - Amending Protecting Public Safety and Community Resources Act**

Mayor Kelly stated that the recently-passed House Bill 2717 that Governor Kelly signed into law now puts Roeland Park in contravention with their Protecting Public Safety and Community Resources Act. The proposed content revisions will put them in compliance with the state of Kansas when the bill goes into effect July 1, 2022.

Mayor Kelly also stated that if they do not adopt the revisions or rescind the ordinance, their violation of state law would subject them to legal consequences. City Attorney Mauer confirmed the changes will allow Roeland Park to comply with state law, which has an enforcement provision to allow the Attorney General, county or district attorney to compel them into compliance. This could be an expensive litigation process. Mr. Mauer also added that state law always supersedes a city ordinance.

Mayor Kelly said their amending of the ordinance is not an affirmation or agreement with the Governor but does avoid unnecessary legal expenses to their residents. Mr. Mauer said they are trying to avoid litigation which would be a cost on the citizens of Roeland Park, and this is not a change in belief by the Governing Body.

CMBR Faidley asked if they are certain they have looked everywhere for any implications other than just the Police Department. Mr. Mauer said they have checked every avenue to their satisfaction.

CMBR Faidley read a statement into the record in which she said she is profoundly saddened by the actions of the Governor and state legislature who stated that immigration law cannot be fixed at the local level. She said it was not Roeland Park's intent to fix the law but to make Roeland Park a fairer and more equitable place to live work and play. She added that it is most disturbing by the lack of effort to learn about communities such as Wyandotte that will be impacted by this. CMBR Faidley added that the Safe and Welcoming Roeland Park group invested a lot into their advocating for immigrant families. She said that people should not be afraid to contact law enforcement or anyone if they need help. She said there is hope in the future to have another opportunity to do what is best for their residents and to be able to exercise home rule where they were denied.

CMBR Poppa said he is disheartened and disappointed to be having this conversation. He offered testimony on behalf of the Safe and Welcoming Wyandotte Coalition. He said the passing of this bill is indicative of what is happening in the country. He said that legislatures and politicians are using people's lives and it is happening at all levels of government. He wants everyone to know they still value Roeland Park residents and they are still safe, but they are only doing this because they are being forced even though they still believe in the original intent of their ordinance.

CMBR Dickens said he did not want to have this discussion and that he likes what is currently in place and did not see a need to change. He does want to do what is best for Roeland Park residents as they are their neighbors. He also does recognize the reality of the situation and does not want to water down their ordinance, but they are being forced and would like to keep what they can with the amended ordinance. He added that he is disgusted with what they are being forced to do.

CMBR Hill quoted Bonnie Myotai Reace, "Rage, whether in reaction to social injustice, or to our leaders' insanity, or to those who threaten or harm us, is a powerful energy that, with diligent practice, can be transformed into fierce compassion." She encouraged Roeland Parkers to take their fierce compassion to the voting polls so that it can be seen across the state as they will not be silent in the face of wrongdoing. She said when they know something is wrong, they stand up and speak out against it as all people have value and that Roeland Park is a community for all. She encouraged everyone to let their neighbors know you care for them.

CMBR Madigan agreed with the comments that were made. He said the point out there is there's a bigger problem and that Topeka is chipping away at home rule. He said they need to change the people in Topeka and encouraged everyone to get out and vote.

CMBR Brauer echoed the comments that were made. She also told those who had the ability to change the immigration laws to do it, and that it is the intent of Roeland Park to keep its citizens safe. She said they need to be able to go to law enforcement, the fire department and wherever else they need help and be safe. She also said the path to citizenship is too long and expensive. She also said the state legislator did not attempt to understand their ordinance.

CMBR Raglow also agreed with the sentiments of her fellow Councilmembers.

**MOTION:** CMBR MADIGAN MOVED AND CMBR DICKENS SECONDED TO AMEND ORDINANCE 1032 - PROTECTING PUBLIC SAFETY AND COMMUNITY RESOURCES ACT TO BE IN COMPLIANCE WITH THE HB 2717 (MOTION CARRIED 7-0)

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

### **A. Public Works Update on Street Project Schedules**

Timelines for Elledge as well as the Buena Vista & 53<sup>rd</sup> Street projects were included in the agenda packet for review.

CMBR Faidley said she read the letter from Mission regarding the Johnson Drive project noting it was to be finished in September and asked if that was reasonable. Public Works Director Scharff said that is, in fact, what is anticipated. CMBR Faidley also asked about the sidewalk and Public Works Director Scharff said the City's portion will tie into Mission's section.

### **B. COVID Report**

The report is enclosed with the agenda packet

### **C. City Administrator's Report**

City Administrator Moody said they have secured the second EV vehicle for Neighborhood Services. They are designing exterior decals to make them noticeable and hopefully humorous but in good taste.

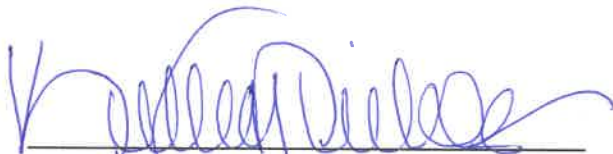
Mr. Moody also thanked Parks & Rec Superintendent Marshall for the work that he is doing, noting that he has been charged with an awful lot during such a busy time and is doing a wonderful job. He said the pool is also doing well and encouraged everyone to come visit the shining star of the City. He said that based on attendance counts, word is getting around.

City Administrator Moody also said they have received a patrol unit to replace the damaged one. Also a truck that was ordered last year for Public Works is now in Kansas City getting ready for service.

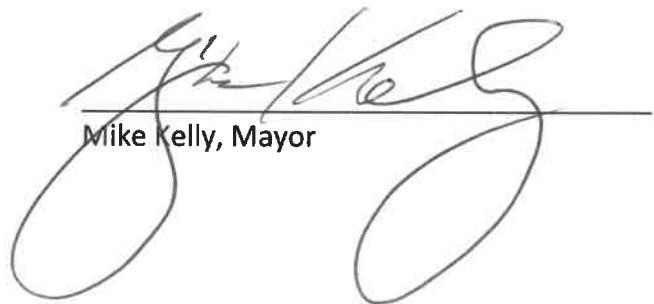
**Adjourn:**

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

(Roeland Park City Council Meeting Adjourned at 6:54 p.m.)



Kelley Nielsen, City Clerk



Mike Kelly, Mayor