

**CITY OF ROELAND PARK, KANSAS**  
**CITY COUNCIL MEETING MINUTES**  
Roeland Park City Hall  
4600 W 51st Street, Roeland Park, KS 66205  
Monday, December 5, 2022, 6:00 P.M.

- |                                    |                                 |   |
|------------------------------------|---------------------------------|---|
| ○ Mike Kelly, Mayor                | ○ Tom Madigan, Council Member   | ○ Keith Moody, City Administrator       |
| ○ Trisha Brauer, Council Member    | ○ Michael Poppa, Council Member | ○ Erin Winn, Asst. City Administrator   |
| ○ Benjamin Dickens, Council Member | ○ Kate Raglow, 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**  
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 Brauer was absent and CMBR Dickens appeared virtually. All other Governing Body members were present. Staff members present were City Administrator Moody, City Attorney Mauer, Public Works Director Scharff, Police Chief Morris, and City Clerk Nielsen.

**Modification of Agenda**

*There were no modifications to the agenda.*

**Public Hearing on TIF 4 Project Plan**

Mayor Kelly opened the public hearing for the TIF 4 Project Plan following the Planning Commission’s recommendation.

**Linda Mau** - Ms. Mau asked a number of questions wanting to know the amount of the proposed sales tax, what the City was giving away and what the developer was bringing to the table. She also wanted to know the amount of the TIF as well as deadlines and timelines. She also requested the information regarding the TIF and the project be sent to her. She suggested the City was giving away a lot and was concerned about what they were getting in return.

Mayor Kelly said that appreciated the questions being asked and they will be going through the matter during the meeting. He added that the Governing Body does not engage in back and forth during public comment portions of the meeting. Mayor Kelly said he and City Clerk Nielsen will follow up with Ms. Mau to make sure she has the information requested.

City Administrator Moody said the public hearings are not action items but need to be done before the Governing Body can take any action. They are providing an opportunity at this meeting for public

comment, and the Governing Body will use the feedback in their decision process. At the December 19<sup>th</sup> Council meeting, they will act on the TIF 4 and creation of the CID.

Mayor Kelly closed the public hearing.

### **Public Hearing - Creation of The Rocks CID**

Mayor Kelly opened the public hearing. There was no public comment, and the hearing was closed.

#### **I. Citizen Comments**

*There were no citizen comments.*

#### **II. Consent Agenda**

- A. Appropriations Ordinance #1009**
- B. Council Minutes November 21, 2022**
- C. 2023 Cereal Malt Beverage Renewals**

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

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

*There was no Business from the Floor.*

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

*No report was given.*

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

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

Mike Calovich, Chair of the Aquatics Committee, provided a report to the Council. He noted that CMBRS Madigan and Brauer were also on the committee. Over the past few months, the committee has worked with Parks and Rec Superintendent Marshall to brainstorm on ideas for the Aquatics Center. There is a new emphasis on the improved asset of the pool, and they want to leverage it the best they can, and looking for ways to increase awareness and outreach.

Mr. Calovich noted that the pool has been fully repainted. The lifeguard process is also further along than it was at this time last year. They are having more recruiting drives and are on a better track to be fully staffed this year. They will also have their own certified lifeguards to provide swim lessons rather than having to contract those positions out.

The committee, along with Mr. Marshall, have been discussing special events and increasing programs for next year to generate more attendance and revenue as well as making the pool a destination spot.

The committee will be meeting next week where they will focus on setting policies and rates for next year as well as finalizing some programs for the citizens.

CMBR Madigan thanked Mr. Calovich for volunteering and all he does for the committee. He added that Mr. Marshall believes they will be able to upgrade the concession area and have a wider selection to offer to patrons.

**B. MARC - Bike & Pedestrian (Jan Faidley)**

CMBR Faidley's report is in the packet. She said the representative from the League of American Bicyclists was very interesting. She provided that information but is not sure that it would be worth investigating for Roeland Park to become a certified bicycle community. She said there is a challenge for cities on the maintenance of amenities and did not know if it is feasible for a city the size of Roeland Park.

**C. Community Engagement**

CMBR Dickens stated that planning for events must start early. The Community Engagement Committee is looking for volunteers. He said they have plenty of ideas, but the residents need to get involved to make them happen. He said the Roeland Park community is very engaged and would like to see them get involved in their committee.

Mayor Kelly said they can have PIO Katie Garcia put that information out to their social media outlets.

**VI. Unfinished Business**

*There was no Unfinished Business discussed.*

**VII. New Business**

**A. Accept Easement Dedications for Redhair Acres Final Plat**

Mayor Kelly said the current owner would like to have their property platted so it is possible for them to obtain a building permit.

**MOTION:** CMBR FAIDLEY MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE ACCEPTANCE OF EASEMENT DEDICATIONS FOR REDHAIR ACRES FINAL PLAT. (THE MOTION CARRIED 7-0.)

**B. Approve Rezoning Ordinance & Preliminary Development Plan for The Rocks Site**

City Administrator Moody said the report in the packet is quite comprehensive regarding the EPC Mixed Use Development. The Planning Commission heard the request for rezoning and has recommended its approval by the Governing Body. There will be a final development plan forthcoming that will also be presented to the Planning Commission. Pending their recommendation, it will be forwarded to the Governing Body for approval in February. The final plat will be considered at the December 19th Council meeting.

**MOTION:** CMBR POPPA MOVED AND CMBR RAGLOW SECONDED TO APPROVE THE REZONING FROM CP-2 TO MXD, AND PRELIMINARY DEVELOPMENT PLAN FOR THE EPC MIXED USE DEVELOPMENT AT THE ROCKS. (THE MOTION CARRIED 7-0.)

### **C. Approve Policy for Filling Council Seat Vacancy**

Mayor Kelly said the recommended process for filling a Council vacancy seat is before the Governing Body. The protest period for amending the charter ordinance change has ended. The procedure to fill a vacant Council seat was discussed at previous Workshop meetings.

CMBR Madigan stated during those discussions he brought up the issue of transparency. He said that during any election candidates must supply pertinent information for review and he would like to see that requirement in the proposed process. He asked when the Governing Body will find out who has applied.

City Administrator Moody responded that when the applications are forwarded to the committee, they will also be forwarded to the entire Governing Body. He anticipates the review and interview process followed by a committee recommendation to the Council to take 30-45 days. Confirmation will be done at a public meeting with a majority of the Councilmembers approving the selection.

CMBR Madigan asked if the public would know who has applied. Mayor Kelly responded it is not anticipated they will publicly supply all résumés, but they would be available in an Open Records request. CMBR Madigan said when they ran for office, their information was out there, and believes in transparency.

CMBR Faidley reiterated it was understood they would all receive the applications, cover letters, and résumés whether they were part of the committee or not. She said if someone is running for public office information the information should be available, but did not believe they need to advertise it.

CMBR Poppa thought they were going to put the applications in the packet with the committee's recommendation. He asked if it would only be the person being recommended.

City Administrator Moody said there was discussion at the Workshop of making the applications public, but the Governing Body did not reach a consensus as to that. The attached changes incorporated into the process are the ones directed by the majority of the Council during those Workshop discussions. He cautioned about listing people who want to serve but ultimately were not chosen, and that they do not want to make them feel like they are not appreciated, or their service is not desired.

Mayor Kelly also did not support putting all the information out there as he did not want to re-hash all of the individual applicants with the Governing Body after the recommendation by the committee, as this could possibly dissuade people from future involvement on the Council or even other committees where they do need volunteers. He does not want to deter people from continuing to seek involvement.

CMBR Madigan asked how this is different than them filing with the election board their information for candidacy and then losing that election. He said the wards have a right to know who is going to be their representative. He also added hopefully the people applying understand that only one can be selected in the process. He reiterated the information should be made public.

Mayor Kelly stated he is not in favor of making that information openly public.

CMBR Raglow also stated she was not in favor of having too much personal information out there. She is okay with releasing the names. For the sake of the process, she said this process is only to avoid a Council vacancy and to allow someone to fill that void until the next election.

CMBR Dickens stated he understands not putting out the information, but agrees with CMBR Madigan for releasing the names. He asked if it would be allowable to put the names in the agenda packet before a selection is approved.

CMBR Poppa said he sees some merit in what CMBR Madigan is saying, but is opposed to the idea of publicly speaking about residents and their qualifications. He does support the selection committee making a recommendation and for the public to be able to see the names of those who applied.

CMBR Rebne stated he agreed with the statements made by CMBR Poppa.

**MOTION:** CMBR MADIGAN MOVED AND CMBR POPPA SECONDED TO RECOMMEND MAKING THE NAMES AND APPLICATIONS PUBLIC FOR THOSE SEEKING A VACANT COUNCIL SEAT. (MOTION WITHDRAWN)

**MOTION:** CMBR MADIGAN MOVED AND CMBR RAGLOW SECONDED TO AMEND THE MOTION TO ONLY PUBLISH THE NAMES OF THOSE SEEKING A VACANT COUNCIL SEAT. (MOTION CARRIED 7-0.)

**MOTION:** CMBR DICKENS MOVED AND CMBR POPPA SECONDED TO APPROVE THE FORMAL PROCEDURE TO FILL A VACANT COUNCIL SEAT AS AMENDED. (THE MOTION CARRIED 7-0.)

#### **D. Leave of Absence Request**

Police Chief Morris stated that Officer Foley will be deployed by the National Guard for a year beginning in January. He would like a leave of absence before deployment to take care of personal business, but does not have enough vacation or other time available. The requested leave would begin December 20<sup>th</sup>.

Mayor Kelly said they are proud of Officer Foley's service and wished him safety, good health, and a quick return to Roeland Park. He said he recognizes his incredible sacrifice and thanked him for that.

**MOTION:** CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE LEAVE OF ABSENCE REQUEST FOR OFFICER FOLEY BEFORE HIS MILITARY DEPLOYMENT IN JANUARY 2023. (THE MOTION CARRIED 7-0.)

### **VIII. Ordinances and Resolutions**

*There were no ordinances or resolutions presented.*

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

#### **A. City Clerk's Report**

City Clerk Nielsen reminded everyone of the Holiday Family Adoption. They are accepting non-perishable food items. Anyone interested in the wish list of items needed is encouraged to email her and she will send that out.

**B. City Administrator’s Report**

City Administrator Moody said they have been gathering information for timelines and costs on pour-in-place protection for the R Park playground. They did get a price for artificial turf with an install for April which does not help them. They will be presenting the information and options to the Parks and Trees Committee for their consideration and recommendations. They were hoping to have a final play surface this year, but it does not look promising.

**C. Police Chief’s Report**

Police Chief Morris comments made away from microphone.

Mayor Kelly said they had two great events, the Christmas tree lighting and the staff holiday party. He thanked City Clerk Nielsen for putting that together and stated she always does a beautiful job.

(Applause)

Mayor Kelly also thanked the staff at the Community Center as well as their new Santa Claus. He said it is always a pleasure spending time with everyone.

**Adjourn:**

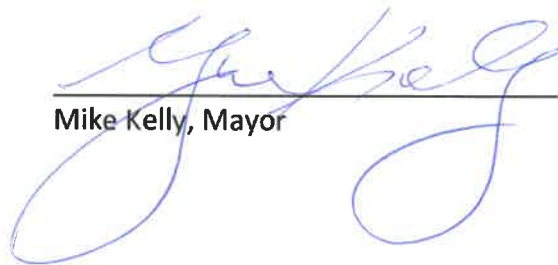
**MOTION:** CMBR MADIGAN MOVED AND CMBR HILL SECONDED TO ADJOURN. (THE MOTION CARRIED 7-0.)

(Roeland Park City Council Meeting Adjourned at 6:41 p.m.)



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Kelley Nielsen, City Clerk



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Mike Kelly, Mayor