

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, February 6, 2023, 6:00 P.M.

- Michael Poppa, Mayor
- Trisha Brauer, Council Member
- Benjamin Dickens, Council Member
- Jan Faidley, Council Member
- Jennifer Hill, Council Member

- Tom Madigan, Council Member
- Kate Raglow, 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
Raglow
Dickens

Finance
Rebne
Hill

Safety
Open
Madigan

Public Works
Brauer
Faidley

(Roeland Park Council Meeting Called to Order at 6:00 p.m.)

Pledge of Allegiance

Mayor Poppa called the City Council meeting to order and led everyone in the Pledge of Allegiance.

Roll Call

City Clerk Nielsen called the roll. All Governing Body members were present with CMBRS Brauer and Rebne appearing virtually. Staff members present were City Administrator Moody, City Attorneys Mauer and Walker, Asst. City Administrator Winn, Public Works Director Scharff, Police Chief Morris, and City Clerk Nielsen.

Modification of Agenda

There were no modifications to the agenda.

I. Citizen Comments

There were no public comments.

II. Mayor's Report

A. Bishop Miege State Champions Proclamation

Mayor Poppa said it is an honor to be able to celebrate the athletes for the many championships they have earned for Bishop Miege High School. Mayor Poppa also stated that he graduated from the school in 1994 and has good memories. He then read the proclamation into the record.

(Applause)

Bishop Miege President, Randy Salisbury, said the school is unique and that its staff, coaches, and students are all a part of the Roeland Park community. He also expressed his appreciation for the support they receive from the City.

Jon Holmes, the football coach for Miege, said that it is a privilege to represent Roeland Park. He also said the SRO arranged an escort for the team back into town and he truly appreciated that honor.

Lindsay Zych Franco is a graduate of Miege and is now their volleyball coach and expressed her appreciation of being able to help her team win the volleyball championship.

Student athletes that attended the meeting introduced themselves to the Governing Body and let them know what sport they participated in.

(Applause and pictures were taken with the Governing Body)

MOTION: CMBR RAGLOW MOVED AND CMBR HILL SECONDED TO APPROVE THE BISHOP MIEGE STATE CHAMPIONS WEEK FOR FEBRUARY 5 - 11, 2023, IN THE CITY OF ROELAND PARK. (MOTION CARRIED 7-0.)

B. Black History Month Proclamation

Mayor Poppa read the proclamation into the record.

CMBR Faidley noted there are many outstanding organizations to check out but highly recommended the American Jazz Museum in Kansas City, Missouri.

MOTION: CMBR FAIDLEY MOVED AND CMBR DICKENS SECONDED TO APPROVE FEBRUARY 2023 AS BLACK HISTORY MONTH IN THE CITY OF ROELAND PARK. (MOTION CARRIED 7-0.)

III. Ordinances and Resolutions

A. Charter Ordinance 39 Giving the City Authority to Adopt a Storm Water Utility Policy

Mayor Poppa said passing this charter ordinance only gives authority to the Council to establish a policy.

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO APPROVE ADOPTION OF CHARTER ORDINANCE 39 GIVING THE CITY AUTHORITY TO ADOPT A STORM WATER UTILITY POLICY. (MOTION CARRIED 7-1 WITH CMBR MADIGAN VOTING NO AND MAYOR POPPA VOTING YES.)

B. Ordinance 1040 Establishing a Storm Water Utility Policy

CMBR Madigan stated that this is frustrating and they are only adopting this policy for one reason, which is to have Roeland Park's mill levy comparable to those of other cities. He said this is of no benefit to the residents and they will see no change in their bills. It merely moves off a City service to a separate line item on the personal property tax.

CMBR Faidley said she respectfully disagreed that this is being done for only one reason. She said there are many other reasons, one of which is to make their tax dollars more transparent and it holds them to a different standard. These storm water utility dollars will only be used for stormwater management and not a tax collected to the General Fund that can be used in any way.

CMBR Faidley asked when the implementation date would be and when they would see a change on the tax bill. City Administrator Moody said it will first show up on the November 2023 bill with the first half payment due in December 2023. The City would not receive those dollars until January 2024.

CMBR Madigan also noted there were too many comparison cities, 26 in Missouri and 22 in Kansas, which make it difficult to read the graph. His understanding was they were going to limit it to cities within 25 miles of Roeland Park. City Administrator Moody responded that the graph being referred to is from the single-family cost of living comparison, which looks at cities on both sides of the state line.

CMBR Hill asked for clarification on how the stormwater utility would be billed and whether it would be separate so that residents may plan how to pay. City Administrator Moody said it will come through on the property tax bill the same as the solid waste assessment and will not be a separate bill but a line item on the property tax bill. Staff will send out notices to residents notifying them of the upcoming change as well as putting out information via emails, newsletters, et cetera.

MOTION: CMBR HILL MOVED AND CMBR REBNE SECONDED TO APPROVE THE ADOPTION OF A STORM WATER UTILITY POLICY TO TAKE EFFECT 7/1/23, IN ORDER TO HAVE THE POLICY IN PLACE AT THE TIME WHEN COUNCIL IS ESTABLISHING SPECIAL ASSESSMENTS FOR THE 2024 BUDGET YEAR. (MOTION CARRIED 6-1 WITH CMBR MADIGAN VOTING NO.)

C. Ordinance 1041 Franchise Agreement with Google

Mayor Poppa said this agreement is unique in that they do not collect franchise fees from other telecom providers. He noted that Google is ending their TV service and only having internet. They have agreed to pay a 2 percent franchise fee to the City.

CMBR Madigan said that Google first came to the City they were going to establish a connection at the Community Center and asked what happened with that. City Administrator Moody said they have had connections with Google at City Hall and the Community Center. Now, City Hall and the Community Center are connected through the county's system, which is better for them financially. CMBR Madigan said the intent was for free Wi-Fi at the Community Center and City Administrator Moody said there is still free Wi-Fi at the Community Center but it is through Johnson County.

CMBR Faidley said she did not read the initial agreement with Google but noted that it was extremely lengthy compared to this new agreement. City Administrator Moody said that Google originally initiated at length terms with cities like Overland Park and Leawood and did not modify it for Roeland Park. Since that time, they have had a chance to modify with the change in scope of service and is a much simpler document stating in return for allowing them to use right-of-way and hang their wires on City poles, they will pay them the 2 percent fee.

MOTION: CMBR RAGLOW MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE GOOGLE FRANCHISE AGREEMENT REFLECTING REMOVAL OF VIDEO SERVICES. (MOTION CARRIED 7-0.)

D. Ordinance 1042 Changing Art Gallery Director's Title and Monthly Compensation

Mayor Poppa pointed out the material changes in the ordinance language that are highlighted in the agenda packet including compensation, title, and scope of services.

CMBR Faidley asked when this would take place. City Administrator Moody said it would begin next month, but first it needs to be published to the public.

CMBR Rebne said there was discussion when they were going through the duties to prioritize looking for diverse artists, artists of color, and less recognized identities.

CMBR Faidley said as the new Council liaison, she has only attended one meeting. She did say that 12 artists have made submissions for the gateway project and it is from a very diverse group. She also added that Arts Committee Co-Chair Gliniecki said it is their internal policy to attract a diverse group of artists. Currently for the 12 there is a scoring process going on.

Mayor Poppe said as a previous liaison to the committee, he agreed it is an internal policy to prioritize diverse admissions.

CMBR Hill added when she was Council liaison to the committee, it was always a priority to seek out diverse communities for artists and artwork.

CMBR Dickens agreed with those sentiments.

MOTION: CMBR FAIDLEY MOVED AND CMBR DICKENS SECONDED TO APPROVE CHANGING THE ART GALLERY DIRECTOR'S TITLE AND MONTHLY COMPENSATION. (MOTION CARRIED 7-0.)

IV. Consent Agenda

- A. Appropriation Ordinance #1013
- B. Council Minutes January 17, 2023
- C. Ordinance 1043 No Parking Corrections

CMBR Faidley asked if the no parking corrections were because they discovered omissions when creating no parking on Elledge. City Administrator Moody said a Councilmember asked if there was parking allowed on El Monte as signage exists on the east side. During their research of the amendments, they discovered two other street sections not listed that needed to be added.

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

V. Business from the Floor - Proclamations/ Applications/Presentations

There was no Business from the Floor.

VI. Reports of City Liaisons and Committees

A. Racial Equity Committee

Haile Sims, Chair of the Racial Equity Committee, thanked the Mayor and Council for the proclamation recognizing Black History Month. He said it is important to show that the City is honoring that.

He said that last year they put out an education series with great content and encouraged everyone to watch who may not yet have had the chance.

This year the committee would like to encourage Roeland Park residents to take part in the many diverse activities in the metro area. They will be putting out a calendar with suggestions of where to attend.

The committee is also working on a list of questions that would pose a framework for everything the City does such as new projects, development, and new businesses. They want to make certain the questions are asked early on in the process for them to think about how something they do affects all residents and whether it will have a disparate impact on certain residents. They will submit that list of guidelines when complete.

CMBR Faidley said they will be discussing at their Workshop looking through the racial equity lens and asked if the committee has had their input. Ms. Winn said they have.

Mayor Poppa thanked Mr. Sims for the work that he and the Committee have done to help diversify the City.

B. Sustainability Committee

Megan Reavis, Co-Chair for the committee, noted that Judy Hyde has stepped down.

She said that there was a concern regarding the mulching of trees in the middle of Roe in a way that could endanger the health of the trees. The committee spoke with Wade Holtkamp who addressed this with Public Works and they have added that to their to-do list.

The committee is also planning on a litter cleanup in the next few months and will be reaching out to members of the community on how they can get involved.

They are also advocating for painted bike lanes on Roe Boulevard to make people better aware it is a dual purpose walkway.

Mayor Poppa thanked Ms. Reavis and the committee of the all-volunteer group noting that they have done great work in Roeland Park.

CMBR Hill thanked Ms. Reavis for stepping up in the committee and she really appreciates it.

C. MARC - First Tier Suburbs (Jan Faidley)

CMBR Faidley's report is in the agenda packet.

D. MARC - Bike & Pedestrian (Jan Faidley)

CMBR Faidley said she has been in touch with Nicole Brown with Johnson County regarding available funding for the Safe Routes to School. She stated the county is looking for Title 1 schools to work with. They have been put on the list for the fall of 2023. The report that was completed is attached in the agenda packet.

VII. Unfinished Business

There was no Unfinished Business

VIII. New Business

A. Reappoint Lisa Brunner to the Planning Commission

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE REAPPOINTMENT OF LISA BRUNNER TO THE PLANNING COMMISSION. (MOTION CARRIED 7-0.)

B. Approve Construction Manager at Risk for Public Works Facility Renovations

City Administrator Moody said they are still trying to verify references for Universal. SFS is recommending them and has worked with them previously. He would ask that the Council approve them with the condition that the references are verified.

MOTION: CMBR RAGLOW MOVED AND CMBR DICKENS SECONDED TO APPROVE THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH UNIVERSAL CONSTRUCTION PENDING VERIFICATION OF REFERENCES. (MOTION CARRIED 7-0.)

C. Approve Lease with EPC for Existing Public Works Facility

Mayor Poppa said this agreement is to make certain Roeland Park Public Works does not leave any hazardous materials at the site that EPC would need to remove.

MOTION: CMBR HILL MOVED AND CMBR REBNE SECONDED TO APPROVE THE LEASE AGREEMENT WITH EPC FOR THE CURRENT PUBLIC WORKS FACILITY. (MOTION CARRIED 7-0.)

D. Approve 2023 Citizen Survey Service Agreement

Mayor Poppa said this is an agreement they renew every two years with ETC. This will allow them to conduct the 2023 survey. They will pay half this year and half next year to help spread out the expense. The total is within the allotted budget amount.

CMBR Madigan expressed concerns of oversaturating the people every two years with a survey. He asked what they were hoping to get out of that. He also felt it should be a household survey and not just one individual in a household.

CMBR Faidley said that is a good point and asked what other communities do. City Administrator Moody said that every two years is common noting that some do it every year or even quarterly. They can look at past results and the frequency of the survey allows them to ask pertinent questions in a timely manner, which then allows the City to be more strategic in how they focus their dollars based on results they are seeing from the residents. It allows them to keep a finger on the pulse and make changes on what residents feel is the priority.

CMBR Faidley asked if the cost of \$7,500 is over the budgeted amount and why. City Administrator Moody splitting it up brings them in a little under budget.

Mayor Poppa said they should be utilizing the survey to make decisions on stakeholder feedback and would like to continue with the survey every two years. He asked what percentage of residents normally reply. City Administrator Moody said with their last survey the response was among the highest ETC has seen with 800 responses. The survey was sent out to 3,100 addresses and included the apartments. Every residential address gets the survey.

Mayor Poppa said they might want to call it a stakeholder survey instead of citizen survey based on the context of the word. He also asked if the survey goes to businesses. City Administrator Moody said they previously did a business survey, but since the City does not have many businesses, the results weren't as insightful as they had hoped.

CMBR Rebne recommended the survey also be directed to shoppers in Roeland Park and the businessowners. He asked if ETC has the capacity to approach people other than directly through an address which would allow them to vary the median and mix up who gets it.

City Administrator Moody noted that there is a place for residents to volunteer to be in a small pool to participate in smaller surveys.

Mayor Poppa said they are always looking for ways for residents to engage and hopes everyone fills out the survey. Their responses are a way for the people to be heard.

CMBR Hill said when they were working on protecting public safety and community resources, they were intentional not using "citizens" as it is off-putting particularly to those not documented. She recommended changing the language to reflect "residents."

CMBR Madigan said he was glad it was brought up about the small surveys. He said the more that participate the better the results.

CMBR Rebne said is not advocating for sending less surveys, but would like to see more of a variety of methods to capture different demographics to give them a more wholistic look.

City Administrator Moody said they check to see if the demographics are consistent with the demographics of the City. So, they take efforts to make certain the results are not skewed by one group being more representative than another.

CMBR Faidley supported CMBR Hill's comment changing "citizen" to "resident." She said that was something that would fall under the racial equity lens.

MOTION: CMBR FAIDLEY MOVED AND CMBR DICKENS SECONDED TO APPROVE THE CITIZEN SURVEY SERVICE AGREEMENT WITH ETC FOR THE 2023 SURVEY WITH A 24 MONTH PAYMENT PLAN. (MOTION CARRIED 7-0.)

IX. Reports of City Officials

A. City Administrator's Report

City Administrator Moody said there has been good cooperation with representatives in Topeka, especially regarding Senate Bill 77 and House Bill 2174, the two pieces of legislation making it simple to

remove discriminatory language from covenants or plats. No hearing has been scheduled as of yet, but he will let them know when that is set as their intent is to go and testify.

CMBR Faidley said the League of Kansas Municipalities is aware of this and is another advocate for them. City Administrator Moody said that other communities are supportive of this and John Goodyear, attorney for LKM, has been kept up to date on this.

B. City Attorney Report

City Attorney Mauer introduced Jamie Walker, their newest lawyer that has joined the team who will also sit in at times for City meetings.

Mayor Poppa welcomed Ms. Walker.

C. Assistant City Manager Report

Ms. Winn said this will be her last meeting and thanked everyone for keeping her on her toes.

Mayor Poppa thanked her for her service to the City and wished her good luck.

Adjourn:

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

(Roeland Park City Council Meeting Adjourned at 7:08 p.m.)



Kelley Nielsen, City Clerk



Michael Poppa, Mayor