

GOVERNING BODY WORKSHOP AGENDA
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, January 8, 2018 6:45 P.M.

- | | | |
|--|---|---|
| <ul style="list-style-type: none">○ Mike Kelly, Mayor○ Becky Fast, Council Member○ Jennifer Hill, Council Member○ Tim Janssen, Council Member | <ul style="list-style-type: none">○ Jim Kelly, Council Member○ Tom Madigan, Council Member○ Claudia McCormack, Council Member○ Michael Poppa, Council Member○ Erin Thompson, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Jennifer Jones-Lacy, Asst. Admin.○ Kelley Bohon, City Clerk○ John Morris, Police Chief○ Jose Leon, Public Works Director |
|--|---|---|

Admin

Fast
Kelly

Finance

Janssen
Thompson

Safety

Hill
McCormack

Public Works

Madigan
Poppa

CMBR Fast called the meeting. CMBR Thompson was absent.

MODIFICATION OF THE AGENDA

CMBR Janssen requested Items 3 and 4 be discussed first.

I. MINUTES

November 6, 2017

The minutes were approved as submitted.

II. DISCUSSION ITEMS:

1. Signage for Nall Park Trail Jennifer Provyn

Jennifer Provyn, on behalf of the Parks Committee, welcomed the new Governing Body members and thanked them for serving the city.

Ms. Provyn informed the Governing Body that the multi-use track at Nall Park is completed and open. There will be a hard opening in the spring with a ribbon cutting and the Parks Committee will set that date at their next meeting.

The trail has developed a huge following. John Dunn, a Roeland Park resident, has created a Facebook page to vote on a logo for a sign at the Trail. As part of the agreement with the Urban Trail Company, they are responsible for signage to the trail. While the signage they have put up is adequate, the Parks committee feels it does not represent the quality of signage wanted in the City. The Facebook votes want a multi-use sign more of a kiosk style that states the rules of the trail, that it is a single track in one direction and bikers are to yield to walkers. Mr. Dunn has offered his time and talent to come up with a comprehensive design for the trail logo and the Parks committee wants to make sure the Council supports this before they go ahead and spend any money.

CMBR Poppa said it was fantastic that everyone stepped up to put their time and thought into this. He does want to make sure the kiosk sign matches the City's logo and possibly the wayfinding signs they have been discussing. Ms. Provyn said Mr. Dunn will provide designs to the committee and hopefully next month she will have different options to provide to the Council.

CMBR Janssen said to make certain to mention Roeland Park, Kansas in the sign and use the new logo, but he does like the direction they're heading in.

CMBR Madigan stated he has observed ATVs and dirt bikes at both Nall Park and R Park. He added that the City needs to pass an ordinance against those. He said in calling the trail all-purpose it leads people to believe they can take their motor bikes on the trail. He added it needs to be incorporated into the rules that motorized vehicles are not permitted on the trails.

Ms. Probyn stated the intent of an all-purpose trail is meaning that you can both walk and bike it.

Mayor Kelly wanted to make sure there were two signs placed, one at Nall Park and one at the Community Center, both of which should have the rules stated on them. He also thanked the Parks Committee for all the work they have done on this.

2. 2018 Park 2 Park Run Event

Laura Steele from the Sustainability Committee introduced an idea that 12 other citizens of Roeland Park have been working on. The first week of October 2018, Roeland Park will have its first park to park fundraising run. One of the main goals of the run is a fundraiser for the parks. Another goal is the promotion of active lifestyles, community engagement and park awareness. She said the City has up to seven parks and this is an opportunity to highlight them not only to Roeland Park residents, but also those outside of the community. The run will start and stop at R Park. Registration fees will be used as the fundraiser to spend on items for the parks as the committee sees fit. Ms. Steele said they appreciate the \$1,000 that is given to them annually from the Governing Body, but that does not provide for many amenities spread out over all the parks.

CMBR Madigan asked if the committee was looking for support from the Council. Ms. Steele said she was looking for a little time from staff. CMBR Madigan also stated the \$1,000 given to the the four standing committees was intended to be seed money to aid with fundraising, not to buy amenities. He complimented Ms. Steele for coming forward with this idea to raise money.

Mayor Kelly thanked the Parks committee for bringing this to their attention, supports the idea. He said it is wonderful that citizens have gotten together to promote all of the City's parks. He also said the committee should also look to the Community Foundation for funds.

3. Roe Blvd. Design Task Order

Public Works Director Leon said the task order includes the design of Roe Boulevard and incorporates the work done George Butler and Associates along with Vireo. It covers the preliminary design with the final design to be completed in the fall of 2019. The amount of the task order is \$480,823.

CMBR Fast said last year they spent \$350,000 and now they are looking at spending another \$480,000. Public Works Director Leon said the \$330,000 was for the visioning phase where the Governing Body wanted to gain public input and for the City to provide an outreach to discuss the Roe Boulevard project. The \$480,823 is to take them from the visioning phase through the design phase.

CMBR Madigan said the projected cost is estimated at \$8.1 million and that \$800,000 has already been spent. The City's portion, however, is only \$500,000 and asked about the additional monies spent.

City Administrator Moody said the City funding is coming from a variety of resources that are contributing to the project. There is \$4.6 million secured from STP monies. The City also anticipates receiving funds from the county in addition to the TIF resources that will also be contributing to the project. The City's \$500,00 contribution is from either sales or property taxes put towards the project. Mr. Moody said this is an exceptional example of leveraging of local funds.

CMBR Madigan asked if the City would be repaid for the monies spent and City Administrator Moody said monies from the monies will become available over a period of years by 2020.

CMBR Poppa asked if the numbers were budgeted and in the CIP. Public Works Director Leon said the figures were included with the total project cost when the CIP was put together.

City Administrator Moody said the task order design work will cover more than what goes on in 2018 and will roll over into a portion of 2019 as well. They will not be ready to bid the project until the end of 2019. The beginning of 2020 is when they anticipate the notice to proceed will be awarded. Mr. Moody acknowledged that it is a lengthy process from start to finish.

CMBR Poppa said he noticed under Part H there were references to non-discrimination through the Kansas Acts Against Discrimination (KADD), but did not include the city ordinance. He would like to see their city ordinance incorporated. City Administrator Moody said they could do that.

CMBR Fast said as a side note that as a City they have put so much money into the design and planning for the streets, but do not do the same for their parks. She would like to see in the future more design and planning for their parks.

There was agreement to move this to New Business on the January 22nd Council agenda.

4. Birch St Overlay and Sidewalk Addition CDBG Task Funded Project

Public Works Director Leon stated that last year in 2017 the City applied for Community Development Block Grant (CDBG) funding and received \$100,000 a mill and overlay project for Ward 3 on Birch Street from Roeland Drive to 58th Street. With that project they are addressing the Council objective of building a high priority sidewalk and extending the sidewalk network.

Mayor Kelly wanted to make sure that any new sidewalk in the City would be ADA compliant and universal design compliant.

There was agreement to move this item to New Business at the next January 22 Council meeting.

5. Continued Discussion of Year Round Operation of the Aquatic Center

PUBLIC COMMENTS

Michelle Maurer - Ms. Maurer, a Master's swimmer, encouraged the Governing Body to keep the pool open year round. She added that she would like to see business sponsors to help with some of the expenses.

Alanna Mozel (11112 W. 132nd Pl., O.P.) Ms. Mozel, a Master's swimmer, expressed her support of the pool. She said she enjoys the friendship and fitness benefits that the group offers and the facility is a good place for fitness swimming.

City Administrator Moody said the Ad Hoc Aquatics Committee gathered information to see if there were ways to increase revenues and decrease expenditures, determine who the main user groups are and who other potential other user groups might be. That information has been attached in a report in the packet. What did come to light during their discussions was the ability to add additional members or the limits of the utilization of the pool. The pool is busy in the mornings and after school. During the day there is a potential to add additional users for that space.

The user groups generate about \$27,000 a year. Even if that amount were doubled, it would not eliminate the gap created by the loss of JCPRD's participation.

City Administrator Moody said he did contact Sprung about a permanent structure which would be about a \$2 million investment to construct a permanent structure with an aluminum frame that has a flexible exterior

fabric similar to the dome. It does come with a 20-year warranty they are used in challenging climates and are durable facilities. The cost savings of a permanent structure versus a blown up dome is about \$9,000, which is basically the energy cost of blowing up the dome. The air and water both still need to be heated with the permanent structure.

Mr. Moody also got information on solar blankets and learned through discussions that you cannot leave blankets on when people are in the pool for safety purposes. But with the bulkhead, which serves as a permanent divider, they could uncover half of the pool at a time. Solar blankets do not have a long life span and must be manually reeled and unreeled by employees who are not always excited about that job.

By closing the pool for the winter there is a \$68,000 reduction in the annual operating loss.

Marshall McKenny, Aquatics Director for JCPRD, and Rhonda Pollard, Superintendent at JCPRD both have expressed concerns about being able to keep staff during the colder periods at the pool.

CMBR Kelly asked for a status update of the leak at the pool. City Administrator Moody said he met with representatives from Commercial Aquatics. After looking at the plans with them, they believe there is a valve on the main drain to the pool that is partially open. This drain is needed to be able to drain the pool. They have not used it as it goes directly towards the Boulevard Apartments. Fixing the valve will be thousands of dollars as it has to be dug up and it is 17 feet in the ground and underneath the concrete deck by the diving boards.

CMBR Hill wanted to know if the insurance funds or JCPRD funds can be used for another structure before the deadline. City Administrator Moody stated he did not know.

Rhonda Pollard, Superintendent of Recreation for Johnson County Park and Recreation, said she did not know either and this is in their process right now and their payout from insurance would be a depreciation of 80 percent of the cost less their \$25,000 deductible.

CMBR Madigan asked if they could push back the date to make a decision. Ms. Pollard said with the time needed to manufacture and erect the dome, pushing the time frame back would not give them enough leeway to have the dome up in the fall of 2018.

Mayor Kelly thanked Ms. Pollard for coming to the meeting and asked what the time frame is to make a claim. Ms. Pollard said it would be April 26, 2018.

Mayor Kelly also noted that JCPRD sent a letter stating that JCPRD can at their sole discretion determine that the pool is going to operate as an outdoor-only pool. That is the decision that has been made by JCPRD to exercise that right. Unless something comes from this Council that will be the decision from JCPRD.

Ms. Pollard stated if the Council chooses to replace the dome and operate this as a year-round operation past May 2019 and take on the financial burden with no help from JCPRD, they would continue to operate it for the 2018-2019 season year-round.

CMBR McCormack asked if there was a contractual date to have the dome put up and Ms. Pollard stated it is based on the weather.

CMBR Poppa said they have made a promise to the users and residents that they will be operating that pool year-round through May of 2019. He supports asking JCPRD to replace the dome and letting the Ad-hoc Aquatics Committee continue to work to find new sources of revenue, expense savings, grant funding and other ways to offset costs. As a City, they need to make a good faith effort to want to continue year-round operation after May 2019.

Mayor Kelly said he would like to know what the City Administrator's thoughts are. City Administrator Moody said his approach of what is the cost that the City as a whole incurs for the benefit of the users of the pool. The utilization by the City's residents is around 107 people out of 6,800, which is a very small percentage. Operation of the pool during the winter is a large expense and how much is it costing the entire City to provide this benefit to this group. To him that expense number for the residents is greater than the value of the benefit for that group.

CMBR McCormack asked how have they demonstrated their commitment to the residents that the pool is available. CMBR Poppa said having the agreement in place to have the pool open year round through 2019 is a commitment to not only the residents but also the users of the pool. If they choose a summer-only option, he believes they will lose more revenue than anticipated because a lot of user groups that are unable to use the pool in the winter will affect the summer season as well. He said it is a losing proposition either way, to operate the pool summer-only or operate the pool year-round, but they have made the commitment to keep it open through May of 2019.

CMBR Kelly stated one of the expenses they have is so many activities. They lose more money during the summer more than during the winter months. He said that labor is 60 percent of the budget.

City Administrator Moody said the expense for the pool is \$600,000. That does reflect the principal and interest payment in 2016 for the loan on the pool, and that payment will roll off in 2019.

CMBR Janssen said in looking at the user numbers for the indoor season, over 1,000 Johnson County residents use the pool and Roeland Park residents make up ten percent of that number. The county has made their position known that they are no longer willing to support the winter indoor season and Mr. Janssen asked why should the City should bear the burden of 100 percent of the costs. When looking at other programs that are offered, they would be hard-pressed to support other city programs if they had the kinds of use numbers that the pool has. He said he does not believe maintaining an indoor pool is a good value to the residents.

CMBR Hill said they are only looking at serving the 107 Roeland Park residents and they need to look at the bigger picture in that they are serving the community as a whole. She is disheartened that JCPRD is not willing to put in the effort to continue in northeast Johnson County. CMBR Hill said there are a lot of members up here that really need that pool. She has heard from constituents who are disabled that they need the pool with its zero entrance and chair lift. She knows they cannot support it on their own, but the pool is not just for the 107 Roeland Park residents that use it.

CMBR Kelly said people stopping in the City to use the pool could also be spending their money at other retailers. He also said that they do not really know how to operate a pool and they need to learn that as a city.

Mayor Kelly said he would like to take the time to explore what the other options are. He did not believe that they will have all the information by February 1 to make that determination. He also stated he is not willing to spend the entire \$400,000 to operate the pool year round.

CMBR Fast stated one the concerns the ad hoc committee has is that during the winter all the user groups want to use the pool at the same time. She said that Marjorie and Bill worked hard at marketing to bring in additional groups. She said the pool is colder in the winter and it is harder to get school groups to come. The pool is good for lap swimmers, but to accommodate them you can't accommodate aerobics, daycare, et cetera. She said she is disappointed in JCPRD as the pool is a county facility. By putting all of their money into the winter pool, it does not leave them any money to do visioning for the summer pool.

City Administrator Moody said a choice they have as a Council is to take funds away from another capital expense and allocate them to support the operation of the pool. As a Governing Body they chose to do

projects on a pay-as-you-go basis versus bonding and could find the money to support operations from another project.

CMBR Hill asked if JCPRD would still be interested in negotiating with Roeland Park for services such as putting up and taking down the dome. Ms. Pollard said that is possible, but the board is looking for a specific number from the City.

CMBR Poppa wanted to discuss a specific number to present to JCPRD to determine if they are willing to go forward.

CMBR Fast said JCPRD was very clear in December they wanted a number and the letter makes it seem like they don't want to do that anymore.

Ms. Pollard said they would be willing to hear a number.

City Administrator Moody suggested that the putting up and taking down of the dome might not be a monetary exchange, but an in-kind transaction. Ms. Pollard said she does not speak for the board, but that might be a possibility.

CMBR Kelly said JCPRD is not in the business of aquatics ownership, but in the business of operations.

Mayor Kelly said he knew they would not make a final decision tonight, but he would ask that JCPRD make a claim for the dome. In good conscience he said the Governing Body could not give JCPRD the assurance that after May 1, 2019, the operation of the dome would continue in perpetuity. He added that while they do have the exclusive right under Section 606 of the interlocal agreement, the spirit of the agreement of Section 7 is that when there is an event JCPRD will use the insurance proceeds available to repair the pool.

Mayor Kelly also wanted to make sure that the Governing Body discussions did not sour their relationship with JCPRD as they have a good strong relationship and wants to see that continue as they will continue to operate the Community Center and the sports dome together. He also would like to have that partnership going forward and hopes that JCPRD will show their commitment to Roeland Park going forward.

Ms. Pollard assured the City that they value their partnership with Roeland Park just as they value every partnership of the other cities they serve the community. They love the citizens of Roeland Park and love the staff here. She agreed they have a really good working relationship and also wants that to continue as well.

CMBR Fast said she really liked Mayor Kelly's proposal and could support that.

City Administrator Moody asked the Governing Body if they wanted to present another offer aside from the issue of directing the replacement of the dome, and do they want to present another offer concerning the ongoing operations of the pool.

Mayor Kelly thinks with the insurance costs and the timetable they're under for the dome that they should make that request now and then separately ask for the additional partnership going forward.

Ms. Pollard ask for clarification that in asking for a replacement of the dome would there be an assurance that the pool would be kept open after May of 2019. Mayor Kelly said that is correct.

CMBR Fast said she appreciates all that JCPRD has done for Roeland Park in the Community Center, Sports Dome, Aquatics Center and that they have been fortunate to have this relationship.

CMBR McCormack agreed with CMBR Janssen in wanting to maintain the relationship with JCPRD, but did not believe year-round operations of the pool is a good use of the City's money.

CMBR Janssen said he would like to take the funds if they decide not to have an indoor to improve the summer amenities.

CMBR Fast said she would also like to see a visioning process, but said they're just asking the county to give them one more year to allow them to have more discussions.

Mayor Kelly stated the Council will work towards the issue of how to operate the pool after 2019 while waiting for the dome replacement.

CMBR Fast said that when you go on top of the slide you can see the whole city. She thought it would be interesting to have a bar up there where you can see the skyline as it's an awesome view.

CMBR Fast also thanked everyone for a great discussion and recognized this is a difficult decision. The pool has been a part of their City for 20 years. She stated she appreciated all the feedback from the councilmembers, their analysis and thoughts.

6. Discussion Renewal of Ad-Hoc Development Committee

City Administrator Moody stated the Ad-Hoc Development Committee was appointed to work with staff and consultants on efforts to develop The Rocks site, as well as the northeast corner of Roe Boulevard and Johnson. The Northeast R.J. site has developed direction to keeping a consistent vision of unique, regional, social gathering places which diversifies the business mix, expands employment options and enhances the City's tax base. The ad hoc committee has been meeting every other week. It is a one year appointment and the term expired at the end of 2017.

CMBR Poppa said he would like to see the Ad Hoc Development Committee continue and appoint and reappoint its members at the next Council meeting.

CMBR Madigan said that Mayor Emeritus Marquardt would like to see an ad hoc created to be a new set of eyes to the old pool site. In the two years since the inception of the ad hoc committee the scope has widened and he does not ever recall it coming before the Council to have a larger scope. The ad hoc was not created within the scope of Ordinance 930 and CMBR Madigan feels it's time to create a new committee, but believes the Governing Body should be polled to see if there are members who want to be on the committee.

CMBR Poppa said it is ridiculous that if more than four members want to be on a committee, then the entire matter comes before the entire Governing Body. He stated that everything takes forever and it is rehashed multiple times over and over and over. When it goes to an ad hoc committee, they can come and make recommendations to the Governing Body. He does not believe that everything needs to come before the Council for every discussion every time. He would also like to see if they can limit who wants to be on the committee.

CMBR Madigan worried that if he was not on the committee it would preclude him from attending meetings so as not to create a quorum. City Attorney Mauer stated that if a Governing Body member wanted to attend the meeting to observe and not participate, he did not believe that would create a quorum or any issues under KOMA (Kansas Open Meetings Act).

Mayor Kelly suggested moving to Council the approval of the Ad Hoc Redevelopment Committee through the completion of those projects is currently encompasses.

CMBR Fast said she did not support that all. She did not believe there was a enough transparency in the way it has been functioning especially when the Councilmembers are talking to one another. With four members on the committee it only takes them speaking to one other Councilmember and there is a majority of five. She would like to see a two-member Council and have it under Admin or Finance. In the alternative, she suggested increasing transparency by recording the meetings. Every Councilmember is accountable for development and this is the number one critical issue in the City. She would also want a monthly committee reporting.

CMBR Poppa thinks the committee is crucial. They meet and discuss every other Wednesday and what transpires in those meetings is brought to the Governing Body either through minutes or a report given to the full Council. Also any decision that is made is made by the full Governing Body and never by the Development Committee. CMBR Poppa also stated that he will not be seeking reappointment for 2018 to the committee and his seat will be open. He added that the Governing Body does not need to spend up to two hours to discuss what's happening in economic development.

CMBR Kelly stated he would like to be on the committee. His background for the last ten years in lease negotiations with realtors for office space and has some experience to bring. He added that he has been attending the meetings as a visitor to see how the process goes and the meetings take about two hours to discuss. CMBR Kelly stated one important reason for having the ad hoc committee is so they can meet with realtors who make an offer and they can get back to them within a reasonable amount of time without having to come before Council on every issue.

Mayor Kelly stated it is also important to keep the committee so they will have others who can share an expertise that the Council does not have. He also stated that the committee is required to have minutes. He also added that the Council can request more detailed minutes. Given that the meetings are open and the City Attorney has confirmed that there will not be an issue with even a majority of the Council attending to ensure themselves that everyone is fully informed.

CMBR Madigan, CMBR Kelly and CMBR Janssen all expressed a desire to be on the Ad Hoc Development Committee.

CMBR Fast said the new Admin members would be CMBR Kelly and CMBR Madigan. City Clerk Bohon said she would confirm that.

CMBR Kelly also said the Finance Committee is supposed to be CMBR Fast and CMBR Thompson.

CMBR Poppa said the Ad Hoc Development Committee could be made up of one-third of the Governing Body, and up to two-thirds of staff and non-Governing Body residents or other professionals. The residents would need to go through the appointment process. CMBR Poppa noted that Mike Hickey has been to a lot of the meetings and would like to nominate him if he is willing.

After discussion, it was agreed to forward the approval of CMBR Kelly, CMBR Madigan and CMBR Janssen for appointment to the Ad Hoc Redevelopment Committee to New Business at the next Council meeting. They will also discuss the restructure of the committee under the new ordinance and citizen appointments will be brought forward at that time.

CMBR Fast asked Mayor Kelly to speak with Mike Hickey. Mayor Kelly said he has spoken with Mayor Emeritus Marquardt, who as an architect, has been on the committee. Also former CMBR Rhoades was a member of the committee. He also believed there would be other applications before the next meeting.

Per ordinance, committee applications will need to be submitted to staff.

7. Committee Appointment and Reappointment Process

PUBLIC COMMENT

Linda Mau - Ms. Mau stated that Roeland Park is a strong Council form of Government and not a strong mayoral form. Based on what she had read she understands they are making the City Administrator a head employee rather than going through the appointment process. She believes this should be a mayoral appointment after discussion from the Governing Body. She questioned having the Mayor only make the appointment and the City Administrator only report to the Mayor that this is not provided for under the City's charter.

City Attorney Mauer said he did not believe what is proposed would make any difference in the change that Ms. Mau is concerned about.

CMBR Poppa said he didn't see where it changes the City Administrator to an employee or where it was even discussed about superintending powers as that was stricken from the ordinance.

Mayor Kelly said he believed that Section 1-315 is clear that the position of City Administrator will be appointed by the Mayor and such appointment shall be approved by a majority of the City Council.

CMBR Poppa said he is fine with the language as all approvals require a majority of the Council.

8. Reappointment to Arts and Parks Committee

City Clerk Bohon said this item is to reappoint Marek Gliniecki to the Arts Committee and Kathleen Whitworth to the Parks Committee.

City Clerk Bohon said they also need volunteers for the Community Events Committee.

CMBR Madigan asked if the openings are advertised and City Clerk Bohon said they are on the City's website and in the newsletter.

City Administrator Moody asked Councilmembers to encourage their neighbors and friends that live in Roeland Park to volunteer for committees.

There was consensus to add this item to the Consent Agenda on the next Council agenda.

CMBR Fast said Mr. Gliniecki and Ms. Whitworth have both contributed a lot to the City for a long period of time.

9. Review Workshop and Business Meeting Efficiency by Steve Mauer

City Attorney Mauer said he has been asked by some of the Governing Body, staff and citizens how to speed things up so that the meetings do not last for hours. Mr. Mauer put together a memo which is included in the packet. One of his first recommendations is to thoroughly vet an item and have it thoroughly discussed before it is brought to a City Council meeting. He also said that many times things are pushed to New Business instead of going straight to the Consent Agenda. Tonight there was an item that was approved. CMBR Poppa had one question that he would like to see a provision on a contract that cites to both the anti-discrimination laws from the state statute and also the City Code. This could be done and put on the Consent Agenda before the next Council meeting. He also stated that it's just as easy to pull something off of the Consent Agenda as you can put it on. This would eliminate reoccurring discussions about issues already vetted.

Mr. Mauer also addressed the length of Council discussions. He stated that the Mayor calls for discussion again at the Council meeting at which point everyone feels obligated to state their position again and they have the same conversation over and over. When it got to the City Council meeting there should be no need for any more discussion.

He also stated that having audience participation and allowing members to speak during the City Council meeting can add to the length of the meeting.

Mr. Mauer recognized that the Governing Body is very smart, well-intended and problem-solvers. That want to identify a problem and on the fly try and fix it. There is a suggestion of rewriting an ordinance or rewriting or redrafting a contract which then creates more issues than less. If the Governing Body runs into a problem, send it back to staff, let them figure it out and bring it back before the Council.

CMBR Poppa stated in light of Mr. Mauer's comments he does not mind if the Roe Boulevard contract goes on the Consent Agenda.

10. Direction From Council Regarding Underground Stormwater Detention at The Rocks

City Administrator Moody provided a history of the project in the packet. The direction from Council was to put this out to bid. They have received pricing from Pyramid who is the grading contractor at The Rocks. They asked for a bid for some grading to the site. The grading is related to a driveway that leads from the lower level to the upper level. Pyramid provided a price of \$15,000, which is about half of the engineer's estimate. They asked for a price to do the stormwater detention facility. Pyramid stated they will not do the grading work if the City goes out for bid for the stormwater detention.

The potential problem with having a contractor come in and do the grading is there is a potential of additional survey work.

City Administrator Moody asked if the Governing Body would consider approving the stormwater detention facility as a change order to the Pyramid contract. Staff already has approval for a change order to do the sanitary sewer work and Pyramid who came in with a lower number after they got to see a set of final plans. Mr. Moody feels this is a good deal. Pyramid has not asked for any change orders and the only ones are there have been are those that Council has requested. Pyramid has consistently provided numbers that have actually been at or below the estimate. SKW, the engineer for the site, feels confident in using Pyramid for this project.

There was Governing Body consensus to move this to the Consent Agenda. City Administrator Moody recommended adding this to New Business. They were to get bids for three different types of detention facilities and he would like the opportunity to explain to the Governing Body that if they have an option that is more expensive than the least expensive, but still within budget, he would like the opportunity to explain that.

11. Executive Session

MOTION: CMBR FAST MOVED AND CMBR JANSSEN SECONDED THAT THE GOVERNING BODY RECESS INTO EXECUTIVE SESSION UNDER THE ATTORNEY-CLIENT PRIVILEGE EXCEPTION TO THE OPEN MEETINGS ACT IN ORDER TO RECEIVE LEGAL ADVICE, WITH THE OPEN MEETING TO RESUME IN THE COUNCIL CHAMBER AT 9:20 P.M. (MOTION CARRIED 7-0)

MOTION: CMBR FAST MOVED AND CMBR POPPA SECONDED THAT THE GOVERNING BODY RECESS INTO EXECUTIVE SESSION UNDER THE ATTORNEY-CLIENT PRIVILEGE EXCEPTION TO THE OPEN MEETINGS ACT IN ORDER TO RECEIVE LEGAL ADVICE, WITH THE OPEN MEETING TO RESUME IN THE COUNCIL CHAMBER AT 9:30 P.M. (MOTION CARRIED 7-0)

II. COMMITTEE MINUTES:

There were no minutes given.

III. ADJOURN

(Roeland Park Governing Body Workshop Adjourned at 9:30 p.m.)