

**MINUTES OF MEETING OF THE CITY COUNCIL
OF THE CITY OF ROELAND PARK
February 5, 2007**

The Roeland Park City Council met in regular session on February 5, 2007, in City Hall, 4600 West 51st Street.

Mayor Petrehn called the meeting to order at 7:00 p.m. with the Pledge of Alliance

Councilmembers Present: Art Hull Gregory Schraeder
 Mau Foster Kohles

Councilmembers Absent: Vacant Seat - Ward 2

Staff Present: John Carter, City Administrator
 Debra Mootz, Assistant to the City Clerk
 Rex Taylor, Police Chief

Others Present: Neil Shortlidge, City Attorney

PLEDGE OF ALLEGIANCE

APPROVE THE AGENDA

Under Mayor's Report:

1. Construction Agreement – RC12-013
2. Conflict Waiver - Shortlidge

CONSENT AGENDA

Approve the Minutes of the January 16, 2007 City Council Meeting

CMBR ART MOVED AND IT WAS SECONDED BY CMBR KOHLES TO APPROVE THE
MINUTES OF CITY COUNCIL MEETING OF JANUARY 16, 2007. MOTION CARRIED, 7-0.

BUSINESS FROM THE FLOOR

Steve Bland – RC12-013 Revision, 4317 W. 53rd Ter. Mr. Bland came before the Council to request the Council to approve a change to a different type of curb inlet rather than the 4' by 8' surface area. He was requesting a new inlet with a size of 2' x 8'. Mr. Bland felt the larger inlet would decrease his property value and wanted to present a more aesthetic look. Mr. Cunningham stated that this would not be just a new top, this would be a new structure. The cost to purchase the new structure and installation would cost \$2500 and this cost will also be shared by the other residents. This is not the recommended use and is more expensive. The location of the inlet is in the city right-of-way. This would not change the grade on this property. This is the standard size of inlets and is most commonly used in this type of project.

CMBR FOSTER MOVED AND IT WAS SECONDED BY CMBR ART TO APPROVE A
CHANGE ORDER IN AN AMOUNT NOT TO EXCEED \$2500 FOR INSTALLATION OF A
SMALLER INLET BOX FOR THE RC12-013 CONTRACT AT THE PROPERTY OF STEVE
AND MICHELLE BLAND, 4317 W. 53RD TER.

Polled the Council:

Mau	N	Schraeder	N	Art	N	Gregory	N
Hull	N	Kohles	N	Foster	N		

Council voted against 0-7. Motion failed.

Larry's Nursery – Approve Special Event Permit - Larry Tsevis, 607 NW 43rd Terrace.

CMBR GREGORY MOVED AND IT WAS SECONDED BY CMBR MAU TO APPROVE THE SPECIAL EVENT PERMIT FOR LARRY'S NURSERY TO BE SET UP IN THE WALGREEN PARKING LOT. MOTION CARRIED 7-0.

Wal-Mart – Approve Special Event Permit

CMBR ART MOVED AND IT WAS SECONDED BY CMBR FOSTER TO APPROVE THE SPECIAL EVENT PERMIT FOR WALMART FOR THEIR NURSERY DISPLAY. MOTION CARRIED 7-0.

UNFINISHED BUSINESS

City Zoning Map – Ref. to Planning Commission recommendation for Chapter 16

Mr. Carter stated that there were a few additional changes that staff made today and are being sent to Mr. Cunningham to address these issues.

CMBR MAU MOVED AND IT WAS SECONDED BY CMBR ART TO REFER THE CORRECTED PROPOSED CITY ZONING MAP (16-205) TO THE PLANNING COMMISSION FOR CHAPTER 16-253 FOR CONSIDERATION OF ZONING TEXT AMENDMENTS. MOTION CARRIED 7-0.

NEW BUSINESS

Interlocal Agreement – Easy Ride

CMBR HULL MOVED AND IT WAS SECONDED BY CMBR SCHRAEDER TO ENTER INTO THE INTERLOCAL AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY FOR THE 2007 EASY RIDE PROGRAM AND AUTHORIZE THE MAYOR TO SIGN. MOTION CARRIED 7-0.

ORDINANCES AND RESOLUTIONS

Codification

CMBR KOHLES MOVED AND WAS SECONDED BY CMBR HULL TO INSTRUCT THE CITY ATTORNEY TO PREPARE THE NECESSARY ORDINANCE FOR THE ADOPTION OF THE 2007 CITY CODE BOOK FOR PRESENTATION AT THE NEXT COUNCIL MEETING. MOTION CARRIED, 7-0.

Ordinance 797 – Ordinance amending Parks Advisory Committee / Tree Board:

Cmbr Foster stated that she would like to see a Public Works Committee member on the Parks committee. Cmbr Mau would also like to see a Public Works Committee member on the Parks Committee. After much discussion the Council decided to introduce this ordinance and put forth any recommendations before the next Council meeting.

Ordinance 798 – City Treasurer Duties: An Ordinance amending and repealing existing section 1-311 of the Code of the City of Roeland Park, Kansas, relating to the duties of the City Treasurer.

CMBR FOSTER MOVED AND IT WAS SECONDED BY CMBR ART TO APPROVE ORDINANCE 798 WITH REGARD TO THE CITY TREASURERS DUTIES.

CMBR FOSTER AMENDED THE MOTION TO CHANGE SECTION B) TO BE PROVIDED TO THE GOVERNING BODY ON THE SECOND MEETING DATE OF THOSE MONTHS (FEBRUARY, MAY, AUGUST, NOVEMBER) CMBR FOSTER AMENDED THE MOTION TO

CHANGE SETTLEMENT TO QUARTERLY STATEMENT AND TO STRIKE EVERYTHING AFTER THE WORD "YEAR". IT WAS SECONDED BY CMBR ART.

To review, the motion is "TO APPROVE ORDINANCE 798 WITH REGARD TO THE CITY TREASURERS DUTIES TO INCLUDE:

- a) Publish or cause to be published quarterly statements of the financial records of the city in the manner and style provided by law;
- b) Make a quarterly statement to the governing body on the second meeting date in February, May, August and November of each year;
- c) Perform such other and further duties as may be provided by the governing body such as assisting in internal control analysis and recommending changes in procedures to minimize risk of fraud and collusion in handling cash;
- d) Reviews entries made to the general ledger for correctness;
- e) Advise on application of accounting principles;
- f) Assist in the ongoing review of the City's investment policy.

Polled the Council:

Mau	Y	Schraeder	Y	Art	Y	Gregory	Y
Hull	Y	Kohles	Y	Foster	Y		

Motion carried 7-0.

CMBR FOSTER MOVED AND IT WAS SECONDED BY CMBR ART TO REMOVE FROM THE TABLE THE FOLLOWING MOTION: CMBR FOSTER MOVED AND IT WAS SECONDED BY CMBR ART THAT THE CITY COUNCIL AUTHORIZE MATT ENGLAND, CITY TREASURER, TO MEET WITH THE CITY ADMINISTRATOR AND/OR DESIGNATED CITY PERSONNEL TO DISCUSS AND DOCUMENT EXISTING INTERNAL CONTROLS OVER MUNICIPAL COURT OPERATIONS AND ACCOUNTING. HE WILL RANDOMLY SELECT 25 TICKET NUMBERS AND DOCUMENT THE DISPOSITION OF EACH TICKET THROUGH THE CITY'S INTERNAL SYSTEM AND MAKE A DETERMINATION ON WHETHER THE DISPOSITION OF EACH TICKET WAS IN COMPLIANCE WITH THE CITY'S APPROVED POLICIES AND PROCEDURES. ADDITIONALLY, HE WILL RANDOMLY SELECT 10 RECEIVABLE ACCOUNTS AND DOCUMENT THE STATUS OF EACH RECEIVABLE. THIS WILL TAKE APPROXIMATELY 20-28 HOURS AT A FEE NOT TO EXCEED \$110 PER HOUR.

Discussion: CmbR Mau made a recommendation to have the current City auditor (McGladrey Pullen) do the audit of the court records. Matt England stated "McGladrey cannot do what you want to do on this and the reason is, as the auditor you get a yellow book audit and as the auditor they are unable now with new independence rules to make any recommendations on internal control, which is the real purpose of this is, although there are other firms that could do this... but McGladrey cannot do this audit."

THE ORIGINAL MOTION WAS RESTATED BY CMBR FOSTER. MOTION CARRIED 7-0.

COMMITTEE ACTIONS:

Public Works Committee:

Street Tree Trimming Bid Award.

CMBR MAU MOVED AND IT WAS SECONDED BY CMBR HULL TO ACCEPT THE BID FROM VAN BOOVEN LAWN AND TREE FOR THE 2007 STREET TREE TRIMMING AT A

RATE OF \$53.95 PER TREE WITH THE TOTAL CONTRACT NOT EXCEEDING \$15,000.
MOTION CARRIED 7-0.

Public Safety:

Police Vehicle Replacement

CMBR ART MOVED AND IT WAS SECONDED BY CMBR SCHRAEDER TO APPROVE THE REQUEST FOR PURCHASE OF TWO POLICE VEHICLES AT A COST NOT TO EXCEED \$41,809 UTILIZING MID-AMERICA COUNCIL OF PUBLIC PURCHASING (MACPP) TO MEET OUR COMPETITIVE BID REQUIREMENTS. MOTION CARRIED 7-0.

47th and Mission Road Update

Zimmer company has fulfilled the terms of their contract. They had a \$60,000 budget and have completed their assignment with \$30,000 to spare. Kansas City, Kansas presented their plans for some of the remodeling work they have planned.

REPORTS OF STANDING COMMITTEES AND CITY OFFICIALS:

MAYORS REPORT

Appointments to the Art Commission.

CMBR FOSTER MOVED AND IT WAS SECONDED BY CMBR MAU TO APPOINT GEORGE SCHLEGEL AS THE CHAIR OF THE ARTS COMMITTEE AND BILL ART AS A MEMBER. MOTION CARRIED 7-0.

Appointments to the Community Festival Committee

CMBR ART MOVED AND IT WAS SECONDED BY CMBR HULL TO APPOINT DEBBI SCHRAEDER, ADRIENNE FOSTER, KERRY WRENICK, AND MAREK GLINIECKI TO THE COMMUNITY FESTIVAL COMMITTEE. MOTION CARRIED 7-0.

Correction of the name of Dan Churchman to Tim Churchman for the Planning Commission member as approved at a previous meeting.

Appointment to Board of Zoning Appeal

CMBR GREGORY MOVED AND IT WAS SECONDED BY CMBR HULL TO APPOINT STEVE KYLE TO THE BOARD OF ZONING APPEALS WITH HIS TERM TO EXPIRE 12/07. MOTION CARRIED 7-0.

It was recommended that the Council support the reinstatement of the LAVTR payment to local government. A letter will be drafted and sent to the Kansas League of Municipalities to be presented to the Senate Ways and Means Committee.

We have received notification of our share of the deficit of the Roeland Park Aquatic Center for the last year in the amount of \$150,952 which is \$25,000 less than last year.

CMBR MAU MOVED AND IT WAS SECONDED BY CMBR HULL TO PURCHASE A TABLE AT THE ST. AGNES FUND RAISING AUCTION FOR A PRICE OF \$500 ON FEB 7. MOTION CARRIED 4-1. CMBR GREGORY VOTED AGAINST. (KOHLES, FOSTER – ABSTAINED FROM THE VOTE)

Wednesday February 28 is MARC's regional meeting for implementation of the metro greenway system and the Mayor plans to attend and it will be at Old Shawnee Town Hall.

Construction Agreement for Stormwater Management Project for RC12-013

CMBR MAU MOVED AND IT WAS SECONDED BY CMBR HULL TO APPROVE THE AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF ROELAND PARK FOR CONSTRUCTION OF THE ROCK CREEK PROJECT FOR THE RC12-013 PROJECT. MOTION CARRIED 7-0.

Project Safe Walk - the Mayor has been researching this project which provides a buy-in from the City and the PTA to provide new walking patterns and habits around the new Roesland School. There will be more information forthcoming and suggested that the Safety Committee be prepared to address the grants involved in this project. MARC is also involved in this project.

NE JO CO CHAMBER:

February 13th at 9 am – Ribbon cutting, Thompson Galley (Kansas City, Kansas)

February 15th – is the State of the Cities luncheon at 11:30 and lunch at noon.

February 27th, at 9 am – Ribbon Cutting, KC Auto Repair (Mission)

CITY ATTORNEY:

US Bank Conflict of Interest Waiver – Ordinance relating to the Certificates of Participation for Reissue of the Roeland Park Elementary School.

CMBR GREGORY MOVED AND IT WAS SECONDED BY CMBR HULL TO SIGN THE CONFLICT WAIVER FOR THE CITY ATTORNEY WITH RELATION TO CONFLICT WITH THE US BANK AND AUTHORIZE THE MAYOR TO SIGN. MOTION CARRIED 7-0.

Cmbr Gregory made mention of the change in our meeting structure in that there are numerous items that are not appearing on the agenda and being added at the beginning of the meeting. Cmbr Gregory felt that we needed to be pay closer attention to this issue at the time the agenda is being prepared.

CMBR FOSTER MOVED AND IT WAS SECONDED BY CMBR SCHRAEDER TO ADJOURN. MOTION CARRIED 7-0. MEETING ADJOURNED AT 9:07 PM.

Mayor

Anthony J. Pluta, City Clerk

Prepared by: Jeannie Gochenour

Reviewed by: _____
City Administrator