

**MINUTES OF MEETING OF THE CITY COUNCIL  
OF THE CITY OF ROELAND PARK  
February 16, 2009**

The Roeland Park City Council met in regular session on February 16, 2009 in City Hall, 4600 West 51<sup>st</sup> Street.

Mayor Petrehn called the meeting to order at 7:00 p.m.

Councilmembers Present:      Schraeder      Foster      Meyers      Kohles  
   England      Gregory      Art

Councilmembers Absent:      Hull

Staff Present:                  John Carter, City Administrator  
   Debra Mootz, City Clerk  
   Cory Honas, Sergeant

Others Present:                Neil Shortlidge, City Attorney

Pledge of Allegiance

Approve the Agenda:

Added: Trust Fund Expenditure for \$1000 – Easter Egg Hunt  
   Cmbr England – Parks and Sustainability Committee

**Consent Agenda**

Approve Appropriation Ordinance No. 742 and City Council Meeting Minutes of February 2, 2009

MOTION:                    CMBR FOSTER MADE A MOTION, SECONDED BY CMBR MEYERS, TO APPROVE THE CONSENT AGENDA WITH CORRECTIONS. MOTION CARRIED 7-0.

**Business from the Floor**

Paul Boardman, 5400 W. 55<sup>th</sup> Street – Animal Variance

Mr. Boardman moved here from Olathe with three animals. Mr. Boardman is requesting a variance for the third dog.

MOTION:                    CMBR ENGLAND MADE A MOTION, SECONDED BY CMBR KOHLES, TO APPROVE THE VARIANCE FOR MR. BOARDMAN AT 5400 W. 55<sup>TH</sup> STREET. MOTION CARRIED 7-0.

Chuck Bryant – Cloverleaf LLC, 10610 W. 128<sup>th</sup> Street

Mr. Bryant requested that the City grant a 60 day extension so that they may prepare for a public presentation which will not include the piece of property at the northwest corner of Roe and Johnson Drive.

MOTION:                    CMBR GREGORY MADE A MOTION, SECONDED BY CMBR ENGLAND, TO ALLOW A 60 DAY EXTENSION WITH A REVISED PLAN OF DEVELOPMENT FOR ROE AND JOHNSON DRIVE. MOTION CARRIED 6-1 (Cmbr Art voted against).

**Unfinished Business**

Discussion of New Flood Plain – Bill Cunningham

Mr. Cunningham gave an overview of the new flood plain map timeline for adoption and implementation for the new maps.

Approve Bid for Sidewalk Project

Mr. Cunningham presented the 2009 Sidewalk Program bids with a recommendation of Miller Paving and Construction.

MOTION: CMBR KOHLES MADE A MOTION, SECONDED BY CMBR SCHRAEDER, TO AWARD THE SIDEWALK PROGRAM TO MILLER PAVING AND CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$374,228.61 AND AUTHORIZE THE MAYOR TO SIGN, CONTINGENT UPON THE APPROPRIATE INSURANCE BY THE CONTRACTOR.

POLLED THE COUNCIL

ENGLAND	Y	GREGORY	Y	MEYERS	Y	KOHLES	Y
FOSTER	N	SCHRAEDER	Y	ART	N		

MOTION CARRIED 5-2.

City Hall Discussion

Cmbr Gregory requested that the Finance Chair put on the agenda the discussion of using the TIF revenue stream for improvements for Safety and City needs in the amount of \$1,650,000. Cmbr England requested that the issue of the City Hall and safety needs be continued in Public Safety. Cmbr Art stated that he was willing to put this on the agenda. Mr. Carter stated that the TIF district would need to be revised in order to allow for the remodeling of the City Hall; at this time the current redevelopment plan only allows for acquisition of City Hall. After much discussion this item will be discussed at the next Finance Committee.

Roeland Park School Discussion

Cmbr Gregory stated that the Finance Committee will be discussing the property of the Roeland Park School with regard to it becoming 100% park. Cmbr England would like to determine what the residents want. At the time of the survey, the Autism School was not an option. The survey stated that approximately 70% of the citizens want a park on the site. Mr. Carter stated that could be another \$10,000 a year for a term that has not been discussed for maintenance of the park land and parking lot.

MOTION: CMBR MEYERS MADE A MOTION, SECONDED BY CMBR FOSTER, TO DECLINE THE \$550,000 OFFER FOR THE ROELAND PARK SCHOOL BUILDING AND WOULD ENTERTAIN AN OFFER IN THE AMOUNT OF \$650,000 OR NORTH OF THAT.

Polled the Council

ENGLAND	N	GREGORY	Y	MEYERS	Y	KOHLES	Y
FOSTER	Y	SCHRAEDER	Y	ART	Y		

MOTION CARRIED 6-1.

MOTION: CMBR ENGLAND MADE A MOTION, SECONDED BY CMBR KOHLES, TO INTRODUCE A COUNTER OFFER WITH A CONCEPT FEE FOR SERVICES TO GET THE AMOUNT UP TO \$650,000 OR HIGHER.

Polled the Council

ENGLAND	Y	GREGORY	N	MEYERS	Y	KOHLES	Y
FOSTER	Y	SCHRAEDER	Y	ART	Y		

MOTION CARRIED 6-1.

Park Committee Appointments

Cmbr Gregory read from a prepared statement:

The Council has requested information on appointees numerous times, but the Mayor has refused to provide any information on appointees, no addresses, no bio-sketch. He

grudgingly gave us a list of names, but refused any other information. We must ask if the Mayor wants to appoint Joel Marquardt; he was mentioned, but does not appear on the list we were finally furnished.

So the Council has no information upon which to base a decision as to qualifications, and the new appointees remain technically unqualified. By all rights we should vote accordingly.

It is regrettable that the Mayor has placed the appointees in such an awkward position. It is my suggestion that the Council deliberately let the appointees be approved by default upon the expiration of 45 days as mentioned in the statute. We want to make it abundantly clear that we hold no prejudice toward those appointees, who are innocent victims of obstinacy on the part of the mayor.

I am told that there are no appointees from Ward II although that is based on rumor, inasmuch as we have not been furnished addresses. If that is so, Mr. Meyers and I lament that Ward II has no representation. That's yet another casualty of this Mayor's refusal to consult with or respect the council. We further understand that the 3 new prospective members are from Ward IV - the Mayor's ward.

Finally, we are troubled by the purge of George Schlegel from the Parks committee. A volunteer of 18 years tenure is to be treasured, rather than treated in such shabby fashion by the committee chair and the Mayor.

#### **New Business**

##### KCP&L Electric Bill Discussion

Mr. Carter gave an overview of the electric usage due to a malfunction of the meter. Mr. Shortlidge is not able to address this issue as he has a conflict of interest since KCP&L is a client.

MOTION: CMBR ENGLAND MADE A MOTION, SECONDED BY CMBR FOSTER, TO REQUEST CITY STAFF TO HIRE OUTSIDE COUNCIL TO ADDRESS THIS ISSUE WITH THE KCP&L. MOTION WITHDRAWN.

##### 2009 Letter of Understanding – Johnson County Home Rehabilitation Program

MOTION: CMBR ART MADE A MOTION, SECONDED BY CMBR SCHRAEDER, TO APPROVE THE 2009 LETTER OF UNDERSTANDING FOR THE JOHNSON COUNTY HOME REHABILITATION PROGRAM IN AN AMOUNT NOT TO EXCEED \$5,000. MOTION CARRIED 7-0.

##### 2009 Easter Festival – Trust Fund Expenditure

MOTION: CMBR FOSTER MADE A MOTION, SECONDED BY CMBR KOHLES, TO AUTHORIZE \$1,000 FROM THE COMMUNITY CENTER TRUST FUND FOR THE EASTER FESTIVAL ON APRIL 4 AT THE ROELAND PARK SCHOOL. MOTION CARRIED 7-0.

#### **Ordinance and Resolutions**

##### Resolution 581 - Storm Water Improvements/RC12-014 Storm Water Project

Ms. Mootz stated that this Resolution allows for the creation of the Benefit District RC12-014. Under the resolution, \$850,000 of City money will be allotted to the stormwater program as well as SMAC (Stormwater Management Advisory Council) funding. The remaining costs for the stormwater project will be assessed to the benefit district. Mr. Carter requested a change in the wording in the resolution to read that "the City-at-Large shall pay at a minimum \$850,000", rather than "shall pay \$850,000", which will allow the city to provide more funding to the project if the council would so desire.

MOTION: CMBR KOHLES MADE A MOTION, SECONDED BY CMBR ENGLAND, TO APPROVE RESOLUTION 581 AND AMEND SECTION 1 (E) TO READ "AT A MINIMUM OF \$850,000" AND AUTHORIZING THE MAYOR TO SIGN. MOTION CARRIED 7-0.

Ordinance 831 – An Ordinance Relating to Municipal Court: Amending Section 9-103 of the Code of the City of Roeland Park, Kansas, to Allow Video Arraignments to be Conducted at Westwood City Hall

MOTION: CMBR MEYERS MADE A MOTION, SECONDED BY CMBR ENGLAND, TO ADOPT ORDINANCE 831. MOTION CARRIED 7-0.

**Committee Actions:**

Parks Committee and Sustainability Committee

Cmbr England requested that the council provide to Ms. Mootz any goals that they would like to see the Parks Committee add to the 2009 goals. The same request was made for the Sustainability Committee with suggestions to be submitted directly to Cmbr England.

Removal of Trees at Nall Park

Mr. Carter stated that there are seven trees which need to be removed on or near the walking trail at Nall Park. These trees are teetering on dangerous. The City has received five bids on removal of the trees, Northern Tree Service, \$4,260; Arbor Masters, \$4,950; KC Arborist, \$5,250; Van Booven Tree Care, \$5,800; Roy's Tree Service, \$5,950.

MOTION: CMBR KOHLES MADE A MOTION, SECONDED BY CMBR ART, TO AUTHORIZE NORTHERN TREE SERVICE TO REMOVE THE SEVEN TREES DESIGNATED AT NALL PARK AT A COST NOT TO EXCEED \$4,260. MOTION CARRIED 7-0.

**Reports of Standing Committees and City Officials**

Mayor's Report - Mayor Petrehn gave an update on upcoming events.

City Administrator's Report – Nothing further.

City Attorney – Nothing further.

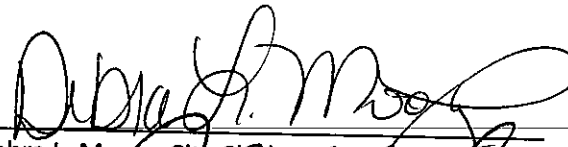
City Clerk - RC12-014 Easements

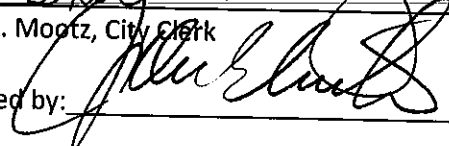
Ms. Mootz stated that of the 66 easements needed there were 21 left which have not signed. There are a few that have stated that they are not going to sign and a couple that have to be reissued. Request for the easements to be signed have been going on for approximately 4 months. Ms. Mootz requested the council direct Mr. Shortlidge to prepare the necessary paperwork to start the condemnation process for the RC12-014 project easements. The council concurred.

MOTION: CMBR ART MADE A MOTION, SECONDED BY CMBR FOSTER TO ADJOURN. MOTION CARRIED 7-0.

Meeting adjourned at 8:48 PM

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Debra L. Mootz, City Clerk

Reviewed by:   
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