

**CITY COUNCIL MEETING MINUTES
CITY OF ROELAND PARK, KANSAS
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, May 15, 2017 7:00 P.M.**

- Joel Marquardt, Mayor
- Becky Fast, Council Member
- Tim Janssen, Council Member
- Ryan Kellerman, Council Member

- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Poppa, Council Member
- Michael Rhoades, Council Member
- Erin Thompson, Council Member

- 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

Rhoades
Kellerman

Public Works

McNeil
Poppa

PLEDGE OF ALLEGIANCE

Mayor Marquardt called the meeting to order and led everyone in the Pledge of Allegiance

ROLL CALL

City Clerk Bohon called the roll. CMBR Poppa was absent

MODIFICATION OF AGENDA

Under New Business the Workshop discussion will continue regarding the changes to the audit transmittal letter.

I. CITIZENS COMMENT

1. Linda Mau. Ms. Mau spoke to the City's sales tax and mill levy in relation to Walmart stating those monies can be used for anything. She also spoke to the increase in property values and the resulting increased tax amounts. Ms. Mau inquired of the Governing Body as to why there is no mention of a mill levy reduction in the upcoming budget.

2. Tom Madigan (5316 W. 49th Terr.) Mr. Madigan stated he appreciated the signage informing citizens of the upcoming budget community forum. He also spoke to the pay raises for all employees in the City. He also questioned the issuance of bonds for a new Public Works building when they do not have a solid commitment at the old pool site.

II. CONSENT AGENDA

A. Appropriation Ordinance #904

B. February 13, 2017 Special Call City Council Minutes

C. May Appointments – Committee Liaisons

MOTION: CMBR KELLY MOVED AND CMBR KELLERMAN SECONDED TO APPROVE THE CONSENT AGENDA.
(MOTION PASSED 7-0).

III. BUSINESS FROM THE FLOOR

A. Applications / Presentations

1. SMA Run – Kristal Wilson

Kim Secora asked for approval to hold the 17th Annual Cure SMA Race and Roll in Roeland Park on Saturday, August 26. In the past 17 years, the group has been able to raise over \$750,000. The event will be held at Bishop Miege High School and have received their approval. The race will be the same route as the previous year.

Spinal Muscular Atrophy (SMA) is a motor-neuron disease that affects the voluntary muscles of children used for activities like crawling, swallowing, and breathing. It is the leading genetic killer of children under the age of two.

There are two surviving children who live in Roeland Park and are now in college. Money raised by SMA is used for treatments as well as supporting families who deal with this on a daily basis, with the hope for ultimately finding a cure.

MOTION: CMBR THOMPSON MOVED AND CMBR JANSSEN SECONDED TO APPROVE THE SMA RUN PERMIT FOR AUGUST 26, 2017. (MOTION CARRIED 7-0).

2. Community Events – Shea Geist

Ms. Geist reported that their first event for 2017 was the Easter Egg Hunt. There were approximately 67 children and their families in attendance. The ladies from the crafting group at the Community Center stuffed 1,400 eggs for the hunt. The group is a member of the Events Committee although they are not a voting member, but Ms. Geist acknowledged it is of a great benefit to have their support. A local Boy Scout and Girl Scout troop assisted with hiding the eggs. They recovered about 1,300 eggs. The total expenditures for the event were \$354.52. Ms. Geist thanked the Councilmembers who came to the event and had their picture taken with the bunny. She added that Representative Melissa Rooker also was at the event.

Party in Arrr Park is the next upcoming event. They have scheduled Roeland Park residents Leslie and Jay's Laughing Matters to provide the entertainment. The first part of the day will be the children's pirate-themed party. At 1:00 p.m. the party will switch to Party in Arrr Park. The Sustainability Committee is sponsoring a bike safety presentation by Laura Steele from WalkBikeKC. They will also be giving away a bike and free helmets. Other activities will include a water balloon fight, a watermelon eating contest, and a hula-hoop contest. The committee continues to seek donations to help with those events. Ms. Geist also thanked the Council for issuing the alcohol permit.

CMBR McNeil asked if there was a time limit on the consumption of alcohol in the park. Ms. Geist said they were leaving it up to common sense and were not encouraging alcohol during the children's events.

Police Chief Morris said he would be there and monitor the events.

CMBR Fast asked if this event could be a sponsored ad for a Facebook ad.

Ms. Geist said a flyer will be distributed for the event. She also said expenditures to date on this event are \$400, which has gone towards the portable toilet and the Laughing Matters group. She reiterated they are continuing to seek additional sponsors for the event.

CMBR Janssen said he likes the idea of the bike raffle and would like to see that incorporated into the flyer.

Mayor Marquardt said Ms. Geist should feel free to come before the Council to ask for additional funds if they are needed. He added that he and the Governing Body appreciate all the work they do.

Barktoberfest will be the next upcoming event in October and more information will follow at a later time.

IV. MAYOR'S REPORT

Mayor Marquardt asked CMBR Kelly to report on the Bike-Walk-Roll that took place earlier in the month.

CMBR Kelly reported that the county, City staff, including Public Works and Public Safety, and the school district worked together and received a grant for \$25,000 that allowed them a two-day workshop with Peter Lagerwey. Mr. Lagerwey is a traffic expert under contract with the University of North Carolina Highway Safety Research Center who meets with groups to help evaluate bike and pedestrian safety in their community. The group walked and rode a bus around Roeland Park and is now working on a preliminary report that will be brought to staff and be a useful tool for Public Works and the safety department to look at the way streets are, crosswalks, and sidewalks. On May

4th over 100 children rode their bikes, walked or rode scooters to school. In attendance was Kenny Southwick, Interim Superintendent from the Shawnee Mission School District and the BikeWalkKC safety program where children had the ability to earn a bike. They also now have a bike club. The group will be meeting with parents and following up with participant input on the routes which will be worked into the final report. This is a pilot program they hope to be able to replicate to pass around to other schools in the district as well as private schools.

Mayor Marquardt said he attended the event and they recognized those who helped in developing the program. They did not, however, recognize CMBR Kelly who started this project and has kept it moving forward and who has also volunteered to work with the school. He thanked her for starting this project for the school.

V. WORKSHOP AND COMMITTEE REPORTS

A. Workshop Summary

CMBR Fast reviewed the Workshop discussion items that included the City's reserves and outstanding debt. Also reviewed were trends in primary revenues. The Governing Body discussed the City's re-branding and creative process. There was an update on the May committee appointments. Rezoning and Preliminary Development for the Old Pool Site will be discussed further under New Business on the agenda. There will also be further discussion on the bond issue.

VI. REPORTS OF CITY LIAISONS

There were no reports given.

VII. UNFINISHED BUSINESS

There was no Unfinished Business discussed.

VIII. NEW BUSINESS

A. Rezoning of Old Pool Site (The Rocks) Ordinance

City Administrator Moody said the rezoning is related to the development at the northeast corner of 48th Street and Roe Boulevard. The rezoning is consistent with City's Comprehensive Plan and the anticipated uses are permitted uses within this category.

CMBR Kellerman asked where the name "The Rocks" came from. City Administrator Moody said the ad hoc committee came up with the term as it is required to have a title to a plat. Ms. Jones-Lacy added it is only the name for the plat, not the name for the development.

CMBR Kellerman added that it should be made official if they are going to add it on the plat.

MOTION: CMBR THOMPSON MOVED AND CMBR KELLY SECONDED TO APPROVE REZONING AT 4800 ROE PARKWAY TO CB-2 ALLOWING FOR A HOTEL AND AN ADVENTURE ROPES COURSE AND A SIT-DOWN BAR AND RESTAURANT. (MOTION CARRIED 7-0)

B. Preliminary Development Plan (The Rocks)

City Administrator Moody said that subdivision/zoning regulations require that it is accompanied by a development plan.

MOTION: CMBR THOMPSON MOVED AND CMBR RHOADES SECONDED TO APPROVE THE PRELIMINARY DEVELOPMENT FOR THE ROCKS AT 4800 ROE PARKWAY AS SUBMITTED. (MOTION CARRIED 7-0).

C. Future Initiatives in the Letter of Transmittal in the Comprehensive Financial Report

CMBR Kellerman said it was the majority of the Council who wished to eliminate the City Administrator's recommendation of issuing \$2 million in general obligation bonds every three years. In its stead they could have a

resolution that they would have a no interest, no debt payment plan. He added that while this comment in the letter was a mistake, he questioned whether there were other errors in the report.

City Administrator Moody said the report itself is based on data from the previous year and Ms. Jones-Lacy added that she would remove the remarks about general obligation bonds from the report.

Ms. Jones-Lacy said the transmittal letter is the only section of the audit that has management discussion analysis. The remainder of the report is data-driven. She will also need all copies of the audit returned in order for the change to be made.

IX. ORDINANCES AND RESOLUTIONS:

A. Special Event Permit Regulation Changes – Remanded from Council

CMBR Fast wanted to see an ordinance that had a limit on the number of signs.

City Attorney Mauer said he could create an ordinance that would make that possible, but there is currently a limitation that once the sign becomes tattered or torn, then the City can ask it to have it removed.

MOTION: CMBR JANSSEN MOVED AND CMBR RHOADES SECONDED TO APPROVE ORDINANCE 949. (MOTION CARRIED 4-3 WITH CMBRS FAST, THOMPSON AND KELLY VOTING NO.)

POLL THE COUNCIL

FAST - N MCNEIL - Y JANSSEN - Y RHOADES - Y KELLERMAN - Y THOMPSON - N KELLY - N

X. WORKSHOP ITEMS:

A. First Quarter Financials

Ms. Jones-Lacy provided the highlights of the budget noting that revenues are looking good. Property taxes in the first quarter of 2017 generated \$1.1 million, which is a 5.2 percent increase over last year at this time. Sales taxes continue to improve and are 4.3 percent above last year and over what was budgeted for this time. Franchise fees continue to fluctuate and are something they continue to closely watch. Collections are 4.7 percent higher than in 2016, however, they are 5 percent lower than projections. Natural gas is up 23 percent and is the only utility which has seen an increase as prices continue to rise. Court fines are down 15.9 percent in 2017 compared to last year. This was anticipated due to a reduced fee schedule.

Revenues have increased in the General Fund \$32,691. Expenditures in the General Fund through March 2017 are at 19.2 percent of projected expenditures.

Ms. Jones-Lacy noted that the City started out investing \$2.4 million which has increased to \$6.2 million invested. This year they have collected almost \$14,000 in interest payments.

Ms. Jones-Lacy reviewed the transfers in and out of funds as some of the projections do change. They will see that debt service begins to drop in 2019 as items are paid off.

In the first quarter of 2017, the City has issued 109 building permits for a value of \$2.1 million, which is the highest they have seen in the first quarter in the past six years. This number is anticipated to continue to increase and is a good economic indicator for Roeland Park.

B. Solid Waste Service Contract Discussion

City Administrator Moody stated that staff recommends working with Westwood and Fairway through MARC on a three-year service agreement with WCA with two one-year renewals at a rate of \$15.17 per home per month. WCA presented the lowest cost proposal and has majority support from the representatives on the interview panel from the three cities. Staff does recognize that recent services from WCA have not met expectations and that remaining with WCA is not ideal. The next most affordable proposal is ten percent higher than WCA, which is an additional \$19

per home per year, and is from a firm that has also had service delivery problems. WCA has presented methods that they are now using to manage service quality.

CMBR McNeil asked why Jim's Disposal Service was not brought forward. City Administrator Moody they did not score high enough to garner an interview.

CMBR Fast asked what recourse they have if service does not improve with WCA. City Administrator Moody said they have the ability to find them in violation of their performance terms.

(Roeland Park City Council in Recess)

(Break in Recording)

Discussions resumed about penalties in the current suggested contract. City Administrator Moody said there are two types of penalties, one for a missed service for an individual and another penalty if they've missed an area or missed the entire City.

The Council discussed monetary penalties to WCA for not performing and also the steps they are taking to reduce the number of incidents.

Mayor Marquardt thanked City Attorney Mauer for attending the Council meeting, but he did not need to remain for the remaining Workshop items discussion. Mr. Mauer then left the meeting.

CMBR Fast said it is wrong to continue with a company that has provided them with bad service and then to give them a 22 percent rate increase.

Mayor Marquardt asked why the second lowest bidder, Jim's, was not given an interview opportunity. City Administrator Moody said they did not have the experience and were not a large enough agency.

CMBR McNeil said she was absolutely against WCA being given any kind of a contract with the City again. WCA literature states they should tie, bag or bundle yard waste in a biodegradable bag. When she spoke with them they told her you could use a yard container. Ms. McNeil recommended if they move forward with WCA that language be designated in the contract.

CMBR Rhoades asked if the fines imposed on WCA would be refunded to the inconvenienced residents or go directly to the City. City Administrator Moody said that would be a decision of the City Council.

CMBR Thompson said she would support working with Westwood and Fairway in contracting a waste disposal service.

Mayor Marquardt said the penalties are fairly low to cause any change in action.

CMBR Fast said she would hate to walk away from working with the other cities, but would like to see stronger penalties and more options to leave.

CMBR McNeil said it was a shame they didn't give Jim's a chance as they are a small locally-owned business. Her choice would be Waste Management, a Kansas company that benefits Kansas and their yard waste is free to Johnson County residents.

CMBR Janssen said he scored WCA first and Waste Management a close second. WCA's price was lowest and they were putting in place external and internal performance measures and working to improve their service. He added that all the companies are experiencing labor issues. He said Republic is more of a commercial company trying to break into the residential market and do not have a proven residential track record.

CMBR Rhoades said it all comes down to price and as long as they hold them accountable and levy fines for non-service.

CMBR Kellerman added that they have given WCA many opportunities and felt the problems should have been remedied, but they were not and continue. He said he would like to know the amount of complaints that have come into the City. He then added as a City they should not continue with a company that has given them so many issues.

CMBR Kelly said she supports continuing with the other two cities in utilizing WCA with additional things built into the contract for accountability. Ms. Kelly added that she has seen an improvement in service in her area.

Mayor Marquardt said he too has had problems in the past with WCA, but has not had any this year.

C. Select Website Design and Hosting Firm

City Clerk Bohon said staff is recommending selecting CivicPlus for website design and hosting. She would like to begin working on getting the process started, but recommends the City finish the logo before starting the website process.

CMBR Fast recommended everyone should visit the City of Manhattan's website as they use CivicPlus as their web host. It provides a lot of opportunities for civic engagement. People can take surveys, watch videos, and it also allows for mass notification and permits, and is a very integrative website. They provide training and also will redo the website every four years for no charge.

Ms. Bohon said CivicPlus is projected to cost \$14,900, which is under the \$20,000 budgeted amount.

City Administrator Moody said they are looking for agreement from the Council so they can begin the paperwork to present to Council for approval.

CMBR Rhoades said he would like to review all the proposals that were submitted.

There was majority consensus to move forward.

D. 2018 Budget Review – Continued

City Administrator Moody gave the presentation that will be presented at the community forum. He said the citizen satisfaction survey was used to create priorities for 2018. They also incorporated items that were considered below benchmarks to help develop City goals. He also reviewed the cost of living increases from \$13,676 in 2011 to \$14,905 in 2016, which is at the high end for Johnson County communities.

Mr. Moody noted there were some changes to goals and objectives for the City including the Novus agenda and the high priority sidewalk extension.

CMBR McNeil asked about a shade structure planned near the snack bar as there is already a lot of shade in that area. City Administrator Moody said one structure is in disrepair and the other is approaching 20 years and in need of repair. This item is just in anticipation of replacing the existing one. The shade structure objective was reduced by \$10,000.

The dead tree removal objective has been added as a line item in the budget.

Staff also needs direction on the *Roeland Parker* newsletter as far as page length, size and color. Ms. Bohon has provided several options for the Council to choose from.

CMBR Kelly would like to see Council actions added to the newsletter.

City Administrator Moody said the CIP does not have any year changes or cost changes in the project, but does reflect a change in funding source. Bonds have been removed and replaced with reserves or TIF funds.

Mayor Marquardt asked if this method is sustainable and would it use up all reserves. City Administrator Moody said based on projections through 2023 the plan appears sustainable with a projection of lowering the mill levy by two and not issuing bonds. City Administrator Moody said it is because there is less of a need in the debt service fund to maintain the higher fund level.

CMBR Fast said what they were asking for was a two mill decrease in the General Fund to have some expenses reduced. The report shows a pulling from the reserves, which they did not want touched, and then moved to the CIP and this does not reflect what many of the Council had discussed. They wanted to protect the reserves and wanted expenses reduced in the General Fund.

City Administrator Moody said the reserves are maintained at the benchmarks established as a Council.

Mayor Marquardt said he was not feeling well and left the meeting turning it over to CMBR Fast.

City Administrator Moody said the budget reflects a one percent annual increase.

CMBR Thompson said she would like to see the budget alternatives discussed at the community forum.

CMBR Rhoades asked if it was possible to have a budget without borrowing. City Administrator Moody said he believed the City can avoid borrowing.

CMBR Kellerman said they always get confused during discussion of Workshop items during the Council meeting and would like to see it moved to after Council.

CMBR Fast said this was a discussion for another time.

City Administrator Moody presented a graph that depicted past merit increases noting that the City had not been able to provide increases annually. CMBR Fast said she did not support having that item in the budget. She would support discussing it in greater detail in November and to add it to next year's budget.

City Administrator Moody will present the survey information from MARC to the Council when they receive it. The information will be beneficial for an adjustment to the pay scale that would take effect as of January 1, 2018. This does not mean that anyone's pay will increase, it is just an adjustment in the range. They need to ask themselves how their current wages compare to the area and are they relevant to the current market. He would like to see an adjustment made for some employees who have been with the City for a number of years, have gained experienced being paid below market and, therefore, have a higher potential to be attracted away.

City Administrator Moody said they will present the two mill reduction and no bonds at the community forum. City Administrator Moody believes as long as they can use the TIF funds on the CIP projects which will require an amendment to the CIP project description, which Council will need to do with adoption of the budget.

XI. REPORTS OF CITY OFFICIALS:

City Clerk Bohon recommended rescheduling the July 3rd Workshop to July 10th to which everyone agreed. The Recycling event has been rescheduled for Saturday, September 16th.

XI. ADJOURNMENT

MOTION: CMBR KELLY MOVED AND CMBR KELLERMAN SECONDED TO ADJOURN. (MOTION PASSED 7-0).

(City of Roeland Park Council Meeting Adjourned)

Joel Marquardt, Mayor

Kelley Bohon, City Clerk