

MINUTES
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall - 4600 W 51st Street
September 18, 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
Poppa
Fast

Finance
Kelly
Janssen

Safety
Thompson
Rhoades

Public Works
Kellerman
McNeil

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 McNeil joined the meeting after roll call. CMBR Kelly was absent and CMBR Kellerman arrived after the start of the meeting.

Modification of the Agenda

Mayor Marquardt said that Workshop Items 5, 6 and 7 will be moved to section "X. Workshop Items" of the Council agenda.

CMBR McNeil joined the meeting.

I. CITIZEN COMMENTS

Tom Madigan (5316 W. 49th Terr.) Mr. Madigan said he would like to see the City enforce their ordinances and not wait until someone makes a complaint. He stated the ordinances apply to everyone and that the City would begin by trimming the trees in front of City Hall as the branches hang too low to walk under.

II. CONSENT AGENDA

- A. Appropriation Ordinance #908**
- B. Special Called City Council Minutes July 24, 2017**
- C. Council Minutes August 7, 2017**
- D. Bishop Miede Homecoming Parade Permit**

MOTION: CMBR MCNEIL MOVED AND CMBR POPPA SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (MOTION CARRIED 6-0)

III. BUSINESS FROM THE FLOOR

- A. Applications/Presentations**
 - 1. Committee Report Parks**

Jennifer Provyn provided an update on current projects. She said that everyone was disappointed in the bids they received for the tennis courts and that they will unfortunately not be able to complete that project this year. She said it is definitely still on the table.

Nall Park Update - The single track bike trail will be installed in November. They are also purchasing a dual trash/recycle bin for the park to be installed by the restrooms.

R Park Update - The Ad Hoc R Park Shade and Shelter Task Force will be presenting their findings to the Parks Committee in November. Ms. Provyn invited the Council to come to the meeting. After their committee discussion, they will present the rendering and designs to the Governing Body for approval in either December or January of 2018.

One of the goals for 2017 was to relocate the doggie waste bin in R Park. Ms. Provyn thanked Public Works for doing that. They still need to install a bike rack and pad at the park. They are also working on extending the recycling program to all parks such as the one in Granada and R Park. Four benches will be purchased for Granada, and to save on shipping, they will be purchased at the same time as the trash/recycle bin for Nall Park. Carpenter Park is high on the priority list, but they do not yet have Council-approved benches and are hoping to bring back new choices in 2018 to the Council. They also need to remove the damaged art at Granada Park. The Arts Committee will be removing that and will make a determination whether to repair or replace it.

For 2018, part of the approved R Park Master Plan is to reevaluate the asphalt of the basketball courts and a huge asphalt area. They are designing a way to make that part of a bike-riding area with striping as well as adding some greenery. They will bring final ideas to the Council next year.

The Parks Committee met with Sustainability and people in the community about a Race to the Parks event and will be meeting again next month. The idea is to have a race event of 10 miles, running to all the different parks. This event would act as a fundraiser and a community bridge and would be a health and fitness venue that would draw people to Roeland Park.

Mayor Marquardt said the Parks Committee is doing a lot of great work and thanked Ms. Provyn. He said it's definitely different than it was eight years ago when the outlook was very discouraging. Since the establishment of the committee, he said it's amazing how progressive they are and how much work they have done. He really appreciates their efforts and knows many others do also.

IV. MAYOR'S REPORT

A. Proclamation – Kansas Family and Education Week Proclamation.

CMBR Rhoades read the Kansas Family and Education Week Proclamation into the record.

Mayor Marquardt noted that after speaking with mayors of other cities most do not read the proclamations and is glad that they do as it is important to state what they are doing.

CMBR Fast would like to have a discussion on whether they should continue with all proclamations every year.

Mayor Marquardt said he would like to continue to have two councilmembers endorse the proclamation so there is less chance for an argument over what is approved and that it should not just be a blanket acceptance for any cause.

MOTION: CMBR RHOADES MOVED AND CMBR MCNEIL SECONDED TO APPROVE THE KANSAS FAMILY AND EDUCATION WEEK PROCLAMATION. (MOTION CARRIED 6-0)

V. WORKSHOP AND COMMITTEE REPORTS

A. Workshop Summary

No report was given.

VI. REPORTS OF CITY LIAISONS

There were no reports given.

VII. UNFINISHED BUSINESS

There was no unfinished business to discuss.

VIII. NEW BUSINESS

A. Sidewalk Master Plan Update – Resolution 654

T Public Works Director Leon presented Resolution 654 to the Council that provides the Sidewalk Master Plan Update and the bicycle infrastructure plan for the City. Also added were the recommendations that BikeWalkKC made.

MOTION: CMBR THOMPSON MOVED AND CMBR POPPA SECONDED TO APPROVE RESOLUTION 654 FOR THE 2017 PEDESTRIAN AND BICYCLE INFRASTRUCTURE PLAN. THE MOTION CARRIED 6-0.

MOTION: CMBR RHOADES MOVED AND CMBR JANSSEN SECONDED TO AMEND THE MOTION FOR AN AMENDMENT TO THE SIDEWALK PROGRAM DOCUMENT STATING THAT FROM HOWELL DRIVE ON 50TH TO 52ND PLACE SHOULD BE BLUE.

As makers of the original motion CMBR Thompson and CMBR Poppa agreed to the modification.

CMBR Janssen asked what a block of sidewalk cost. Public Works Director Leon said he would get that information for the Council.

B. Barktoberfest Ordinance

CMBR McNeil received an e-mail from Johnson County Parks and Rec about an event they are having where they will not be selling alcohol. She also noted that other cities host events where there is no alcohol served. She would like to see the Parks Committee work on having some events that are not alcohol-related.

CMBR Thompson said the Events Committee would like the Council to keep in mind that the money does not go towards the alcohol, but is money raised for the event. Without that funding there is a real concern that there will be unable to have the event.

The event will be held from 12-4 and CMBR Rhoades did not believe there would be a lot of alcohol consumption at that time.

CMBR Kellerman arrived at the meeting.

CMBR Poppa believed from 11-3 last year Barktoberfest brought in \$500 in additional funds from the VIP Beer Garden. He did not believe they should serve alcohol at all events such as the tree lighting or the Easter Egg Hunt, but that Barktoberfest is held at the same time of year as Oktoberfest and there is a certain expectation with that. He did say that it is integral for the event, which in turn raises money to help put on other events in the city.

CMBR Fast said they want the Events Committee to raise funds and if they take away their ability to fundraise through the sale of alcohol, then the Council should increase their annual funding in the budget.

CMBR Rhoades asked if there had ever been any alcohol-related incidents at any events. Police Chief Morris said he donates his services to the City for these events and he has never had an incident.

MOTION: CMBR THOMPSON MOVED AND CMBR FAST SECONDED TO APPROVE ORDINANCE 956, AN ORDINANCE ALLOWING CONSUMPTION OF ALCOHOL ON CERTAIN PUBLIC PROPERTY FOR A LIMITED TIME AND PURPOSE PURSUANT K.S.A. 2013 SUPP. 41-719(d). THE MOTION CARRIED 4-3 WITH CMBS MCNEIL, JANSSEN AND KELLERMAN VOTING NO.

POLL THE COUNCIL

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

C. Barktoberfest Amnesty for Late or Failure to Register Pets

CMBR McNeil said there was a previous discussion about approving the amnesty through the month.

City Clerk Bohon stated if animals are registered at Barktoberfest they would not be able to print licenses at the event and would have to mail them out once they were entered into the system. They could, however, hand out the tags. To receive payments it would be easier to take cash or check and provide a paper receipt as only certain computers have the Jayhawk download to process payments. She added that they could tell people at the event to come into City hall and register their pets.

CMBR Thompson withdrew her motion as the processing of payments needs to be worked out.

City Administrator Moody said it would be easier to implement the amnesty if they directed people to contact City Hall to take advantage of the amnesty period, where staff has immediate access to the database and can process transactions.

MOTION: CMBR THOMPSON MOVED AND CMBR POPPA SECONDED TO APPROVE WAIVING ADDITIONAL FEES FOR LATE OR FAILURE TO REGISTER PETS DURING BARKTOBERFEST.

CMBR Rhoades would like to table the motion and have it discussed at a future Workshop to discuss a city-wide amnesty period that would coincide with another event like an adoption week event.

MOTION: CMBR RHOADES MOVED AND CMBR MCNEIL SECONDED TO TABLE THE MOTION. THE MOTION CARRIED 7-0.

IX. ORDINANCES AND RESOLUTIONS

There were no ordinances or resolutions up for approval.

X. WORKSHOP ITEMS

A. Discussion of Insurance Coverage Amounts for Dangerous Animals (Workshop Item # 5)

Ms. Jones-Lacy researched if there were insurance providers that would provide insurance to a person who own an animal that has bitten someone. She was able to find a couple specialty insurers, but the cost tends to be somewhat prohibitive. She did say it is possible, but it is difficult to get that type of insurance.

It was also noted that Prairie Village reduced their insurance requirements to \$300,000 from \$500,000 after researching other communities who required lesser amounts. The City of Shawnee indicated they have a

\$300,000 minimum, which was determined at a recommendation from an officer that got back from specific training and said this was based on best practices.

Ms. Jones-Lacy said if they do decide to require such a policy she recommends adding the City of Roeland Park as an additional insured, so that if the policy is canceled they would be notified. If they are not added and the resident cancels the policy, then the City would not be informed of that.

CMBR McNeil questioned whether the City would be open to liability by allowing dangerous animals in the City. She also wanted to know how they can enforce insurance if people can't get it.

Ms. Jones-Lacy said most insurance companies include an umbrella policy of a pet, but that it would probably be excluded after it has bitten someone. The City would only know about an incident if it was reported, and if it were, it would then go through municipal court. The judge would review the City's ordinances to determine if they have insurance or not, or are they required to obtain it. If the owner is not willing or able, then the judge may make the decision to get rid of animal.

CMBR Janssen said there was an incident of a dog biting someone in his area and it required seven stitches to the person's face, but the settlement was for \$10,000. He said that pay outs are not as big as what one might think as to dog bites.

Mayor Marquardt noted that there was consensus to continue the discussion at the next Workshop and Ms. Jones-Lacy would provide ordinance language and include liability insurance in the range of \$100,000-\$300,000.

City Administrator Moody added that the language is already in the ordinance that the dog may be destroyed or removed from the community if needed.

CMBR Poppa said the required insurance premiums would be for a subsequent incident that might occur, not for a past event.

CMBR McNeil would like it addressed in the ordinance language what they would do in the event of a second incident. She recommended that the dog would have to go at that point.

Mayor Marquardt added that the severity of the injury also needs to be addressed.

B. July Financial Report (Workshop Item #6)

Ms. Jones-Lacy reported that overall things are looking good. The City's largest revenue generators continue to be property tax, sales and use tax, franchise and court fees.

She said sales taxes are looking good when compared to July of last year. July 2017, they are 5.1 percent above this time in 2016 and 5.8 above target for the year. Franchise fees overall show collections at 2.9 percent higher than 2016. Gas is also up at 22 percent and video is up 10 percent from last year. However, cable is down 5 percent and electric is down 19 percent. Court fines are down 13.6 percent, which is expected because of the reduced find amount.

General Fund revenue is up overall \$21,829 and much of that is due to property taxes. General Fund expenditures for 2017 are seven percent lower compared with this time last year.

In the CERI report it notes that retail sales show a 4.8 percent year-to-date increase compared to the same time as 2016. When compared to Johnson County as a whole, they've seen a 4.7 decrease in the month and a 1.6 percent increase year-to-date when compared to figures in 2016.

Roeland Park has issued 241 building permits in 2017 which equates to a value of \$11.3 million. This represents the highest value they have seen in six years.

C. Discuss Process for 2018 Market Pay Adjustment (Workshop Item #7)

City Administrator Moody said this topic would generally falls into the realm of the finance committee, so he would recommend that staff work with the Finance Committee to develop an approach on how to implement the market adjustment for 2018 and bring their recommendation and approach to the Council who would then take final action. CMBR Thompson and CMBR Janssen are the Finance Committee.

There was consensus to move forward with that strategy.

XI. REPORTS OF CITY OFFICIALS

There were no reports given.

EXECUTIVE SESSION

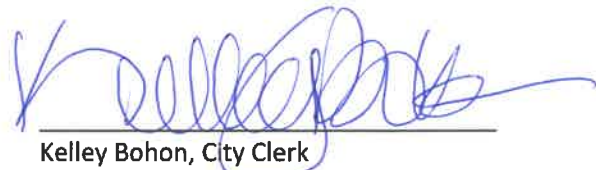
MOTION: CMBR THOMPSON MOVED AND CMBR MCNEIL SECONDED THAT THE GOVERNING BODY RECESS INTO EXECUTIVE SESSION UNDER THE ATTORNEY-CLIENT PRIVILEGE EXCEPTION TO THE OPEN MEETINGS ACT IN ORDER TO RECEIVE LEGAL ADVICE WITH THE OPEN MEETING TO RESUME IN THE COUNCIL CHAMBER AT 9:45 P.M. THE MOTION CARRIED 7-0.

XII. ADJOURN

(Roeland Park City Council Meeting adjourned.)



Joel Marquardt, Mayor



Kelley Bohon, City Clerk