

**CITY COUNCIL MEETING MINUTES
CITY OF ROELAND PARK, KANSAS
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, December 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. Councilmembers Fast, McNeill, Rhoades, Kellerman, Kelly and Poppa were present. Councilmember Janssen participated remotely by telephone. Councilmember Thompson was absent.

MODIFICATION OF AGENDA

VIII. New Business – Workshop Discussion Items 2 – Resolution to Hold Public Hearing to Amend the TIF 1 Development Plan, 4 – Resolution 656 – Amended Fee Schedule, 5 - Review Logo Design Revisions and 6 – Objective E 2 Provide Emergency Response Benefit for Staff were moved to New Business.

X. Workshop Items. Workshop Discussion Items 7 – Review 5 Year CIP Budget – Detail Added and 8 – Discuss Committee Appointment Process will be discussed in this section.

I. PUBLIC COMMENT

There were no public comments.

II. CONSENT AGENDA

- A. Appropriation Ordinance # 911**
- B. November 6, 2017 Special Called Council Minutes**
- C. Agreement with Johnson County Department of Technology and Innovation.**
- D. 2018 Joint Johnson County and Cities Legislative Platform**

MOTION: CMBR POPPA MOVED AND CMBR KELLY SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (MOTION CARRIED 7-0)

III. BUSINESS FROM THE FLOOR

A. Applications/Presentations

1. Government Financial Officers Association Award

Ms. Jones-Lacy announced that the City has received the Certificate of Achievement for Excellence in Financial Reporting, an award they have received every year since 1994. She said the goal for next year is to also get the budget award.

IV. MAYOR'S REPORT

Mayor Marquardt thanked all the Councilmembers for all of their work over the past years. He said he knew they have disagreed on a lot of stuff between them, but the last three years have been a whole lot better than the first year and nine months.

CMBR Fast said they will miss him as well as CMBR Rhoades, CMBR Kellerman and CMBR McNeil.

V. COMMITTEE AND WORKSHOP REPORTS

A. Workshop Summary – December 4

CMBR Fast read from the packet the list of items that were discussed at the Workshop meeting.

VI. REPORTS OF CITY LIAISONS

There were no reports given.

VII. UNFINISHED BUSINESS

There was no unfinished business to discuss.

VIII. NEW BUSINESS

A. Remote Meeting Participation Policy

The changes that were requested at the last meeting were incorporated into the policy by City Attorney Mauer. There was a request to clarify remote participation at Workshop and Council meeting. With the passing of the ordinance it incorporates into the City Code that you may vote if you are remotely attending a meeting.

CMBR Fast would like staff to investigate video remote meeting software as that is used frequently at meetings.

MOTION: CMBR POPPA MOVED AND CMBR KELLY SECONDED TO APPROVE THE REMOTE MEETING PARTICIPATION POLICY ORDINANCE NO. 962 AS STATED IN THE PACKET. (MOTION CARRIED 7-0)

B. Discuss Changing Committee Liaison Appointment Date from May to January

City Administrator Moody said that it make sense to move appointments to January based on the seating of newly elected officials.

CMBR Poppa said voting on council president should be also done at the same time.

Mayor Marquardt said that currently the council president is elected in February. If that person is an outgoing councilmember, then they might not have a president.

CMBR Poppa said in the absence of council president, the mayor would step in.

MOTION: CMBR POPPA MOVED AND CMBR KELLY SECONDED TO CHANGE COMMITTEE LIAISON APPOINTMENT DATE FROM MAY TO JANUARY. (MOTION CARRIED 7-0)

C. Resolution to Hold Public Hearing to Amend the TIF 1 Development Plan (Workshop #2)

MOTION: CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO SET THE PUBLIC HEARING TO CONSIDER AMENDMENT TO THE TIF 1 DEVELOPMENT PLAN. (MOTION CARRIED 7-0)

D. Resolution 656 – Amended Fee Schedule (Workshop #4)

Public Works Director Leon presented the amended fee schedule and related additions.

Since this item was not time sensitive and they had not provided the opportunity for public input, this item was moved to a future meeting.

MOTION: CMBR KELLY MOVED AND CMBR MCNEIL SECONDED TO TABLE THIS ITEM AS IT IS NOT TIME SENSITIVE. (MOTION CARRIED 7-0)

E. Review Logo Design Revisions (Workshop #5)

City Administrator Moody said attached in the packet are revisions from Lindsey French at Vireo, based upon direction from the Governing Body the last time this item was discussed. The drawings are shown in black and white with a separation of the trees, and a heavier line on Options 1A, 1B, 2A and 2B.

CMBR Poppa said his main concerns are the reduction and the black and white versions. He thinks Ms. French did the best she could listening to nine different people, however, he votes for none of the choices.

CMBR Kelly also believed that Ms. French has done the best with the direction given to her. She has taken everything from their comments and narrowed everything down, but she still doesn't like any of them. None of them are her favorite.

CMBR Kellerman said in minimizing the black and white it just looks like an ink blob. His first two choices are 1B and 1A.

CMBR Rhoades felt that 1A and 1B are sort of interchangeable and they are his first and second choices.

CMBR McNeil likes 3A the best and does not like any of the black and white trees as to her it looks like the house is on fire.

CMBR Fast said her first two choices would be 1B and 2A.

CMBR Janssen's two choices were 2A or 1A.

Mayor Marquardt said he liked 1A as a whole. If the house and trees are separated, then he likes 2A. If it was without the Roeland Park working as a logo he thinks it would look better.

CMBR Fast and CMBR Kellerman said they could support 1A as their first choice.

MOTION: CMBR RHOADES MOVED AND CMBR KELLERMAN SECONDED TO APPROVE LOGO DESIGN 1A WITH THE "ROELAND" TO BE THE THICKER OF THE TWO DESIGNS THAT WERE SUBMITTED. (MOTION CARRIED 5-2 WITH COUNCILMEMBERS POPPA AND KELLY VOTING NO)

POLL THE COUNCIL

FAST – Y MCNEIL – Y JANSSEN - Y RHOADES - Y KELLERMAN - Y KELLY - N POPPA - N

F. Objective E 2 Provide Emergency Response Benefit for Staff (Workshop #6)

Public Works Director Leon said this update is for employees responding to mandatory on-call work outside regular work hours. It provides a minimum two hours of compensation for each time they have to report back to work. He requested this be put into the personnel policy effective for 2018.

CMBR McNeil asked if they have an on-call schedule for weekends and if particular people are notified. Public Works Director Leon said employees know which weekend they're on-call.

MOTION: CMBR KELLY MOVED AND CMBR POPPA SECONDED TO ADOPT THE EMPLOYEE HANDBOOK CHANGES TO IMPLEMENT OBJECTIVE E-2 EFFECTIVE JANUARY 1, 2018. (MOTION CARRIED 6-0)

IX. ORDINANCES AND RESOLUTIONS

There were no ordinances or resolutions for approval.

X. WORKSHOP ITEMS

A. Review 5 Year CIP Budget – Detail Added (Workshop #7)

Ms. Jones-Lacy said staff recently implemented a new budget software that allows them to create more comprehensive reports. She showed the level of detail they are able to create for each capital project in the budget. It has an entire page dedicated to it including a photo, a map, a description, the year that it is replaced, the cost, the fund it was paid from, and all other details associated with it as well as how much is going to be paid for it in the future and how much has been spent on it in the past. The software allows them to run reports for as long a time as they would like. They can also do project reports based on departments.

CMBR McNeil noted some typographical errors in the report. Ms. Jones-Lacy said this was just for demonstrative purposes for the Governing Body and is not the final report. Unfortunately, the software does not have a spell-check.

B. Discuss Committee Appointment Process (Workshop #8)

City Administrator Moody stated the information provided summarizes the different appointment positions or committees. Also attached are some redline recommended changes to each of the sections that CMBR Rhoades put together.

CMBR McNeil asked about Section 1-301, that states any member of the Governing Body who wishes to be on a committee shall be on it. If the number of members that want to be on the committee constitutes a quorum, then it shall be a Council decision.

CMBR Rhoades said that anyone on the Council should have an opportunity to be on a committee if they desire. And if a quorum wants to, then they as a Council should make the decision.

CMBR Fast said she would like to see the Board of Zoning Appeals appointments to be the same as the Planning Commission and that one board member shall be at the consent of the Council and one member will be appointed by the mayor.

There was Governing Body discussion over appointments by the mayor and recommendations of candidates made to the mayor by councilmembers.

City Attorney Mauer said he could work the language of appointments regarding the BZA to be the same as the Planning Commission.

CMBR Kelly would like something added in the ordinance that provides accountability for those volunteering for ad hoc committees and then not attending the meetings. She said it is unfair to take up space on a committee and not

participate when there is someone else on the council who might want to volunteer for that position. She would also like to see it reflected in committee minutes who is present and who is absent.

CMBR Poppa said they could put in the ordinance of a member not missing more than 25 percent of the meetings annually if on an appointed ad hoc committee. If over that 25 percent, then it needs to be reported to the Governing Body

City Attorney Mauer said he can come back with a policy, and the Governing Body can make it a resolution if desired. His recommendation if one of the committees is having an attendance problem, and if the council designates 25 percent or perhaps three consecutive meetings where someone is not attending, then that committee chairperson would report back to the Council and the Council could then decide. They could first ask the member if they want to step aside. If they do not, then the Council could tell them they will be removed from the committee if they do not participate. In this way the accountability comes back to the Council who would then know if one of their members are attending or participating as expected. Mr. Mauer said the Council sets the committee appointments, puts the members on and they can also take them off as they can change the membership of their own committees. He recapped by stating that the accountability might simply be a report back to the Council as a whole if there is an attendance problem of one of the subcommittees.

CMBR Fast said she liked the changes CMBR Rhoades made and felt they could go ahead and vote.

CMBR Poppa said he would like to see everything put together before they give a final vote and would like to see the attendance policy worked into the ordinance as well.

XI. REPORTS OF CITY OFFICIALS

City Administrator Moody said that all City offices will be closed in observance of Christmas Day on December 25 and also on January 1, 2018, in observance of the New Year.

Staff will be working with JCPRD to determine the cause of the water leaking out of the pool.

They will also be bringing back the discussion of the leaf pickup program at a future Workshop. Staff has been looking at different options, cost estimates and times associated with the pickup. They will also be looking at the leaf vac, a piece of equipment that CMBR McNeil brought forward as a possibility for the program. City Administrator Moody said he appreciated her digging into that issue for them.

The budget preparation schedule will start a couple weeks earlier in February due Mr. Moody being out for a time. Ms. Jones-Lacy will be able to continue with the budget schedule.

Wednesday, February 7 is the staff retreat. This is an opportunity for staff and Council to give consideration to their objectives for 2018 and compile those into an objective format.

CMBR Fast asked about the February 5 and February 19 dates for deciding on a council president. City Attorney Mauer says the code simply states there should be a meeting in February where you shall pick a Council President.

CMBR Rhoades said he was under the impression they were going to talk about the pool at the Council meeting.

CMBR Kelly stated the Council Workshop was closed before she was given the opportunity to change her mind. She had said in the meeting that if CMBR Rhoades could bring a firm number to offer JCPRD, then she would be willing to discuss it at Council. She said she believed that there was more fact-finding that needed to be done and that discussing it further would not make any new progress. She said they need to get the numbers for the other type of structure and she also had questions for staff that they are not in a position to answer yet.

CMBR Rhoades said there is a meeting with JCPRD on December 20 and they want to hear from the City. By not discussing the item tonight, the City is virtually telling them they don't need to hear from the City and they'll let them know in February.

CMBR Kelly said she was the spokesperson at the meeting. JCPRD said their next meeting was December 20 and if the City wanted to come to them with something, then they were welcome to do so and agreed to put the item as a placeholder on their agenda. JCPRD does not have any expectation of the City showing up or not. If Roeland Park has something to bring them, then they should attend the next meeting.

Mayor Marquardt said if they go to the JCPRD meeting with nothing, then they are leaving the City and JCPRD with one or two meetings to make a financial decision on a lot of money. He believe it would also make it that much easier for them to say no based on the little time left before February. If the City brought something to them in two days, it would give them two or three meetings to discuss and consider what to do. He also agrees that they do not have all the information. His concern though is if they give them nothing, then they are leaving the county with an easy "no."

CMBR Rhoades said they also need to discuss whether the City is going to buy back the pool. If they do not want to buy it, it puts the onus on JCPRD to operate the pool and let them reach out to the City to help keep it open.

Mayor Marquardt said his concern with that is that is the City has broken the contract and could leave them asking the City to pay \$50,000 for the pool.

CMBR Kelly asked for a point of order on whether they should be discussing the pool.

City Clerk Bohon said the Council vote was to move it to January meeting for discussion.

Mayor Marquardt said to take a vote on whether to discuss it as there are people who feel very passionate about the issue. He added that this is their last meeting to discuss anything.

CMBR Poppa said if CMBR Rhoades wants to make a statement on the issue, then let him make a statement, otherwise they should hold off the discussion until January. He also asked if they were trying to decide tonight on a figure to give JCPRD.

After a thumbs up, Mayor Marquardt said the vote was 3-3 to discuss the pool and he would break the tie in favor of discussing.

There was Council discussion as to the results of the vote and City Clerk Bohon recommended polling the Council.

POLL THE COUNCIL TO DISCUSS THE POOL

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

There was majority consensus to continue the pool discussion.

CMBR Kelly said that going forward she would suggest those in favor of discussing the pool and those who have statements to make, then they should be the ones that go to the meetings. She stated at the last JCPRD meeting Mayor Marquardt and CMBR Rhoades were not at the meeting. They also were not at the meeting when the staff met with them the first time. She did not want to be put in the position of being the deal maker. She said she would like Mayor Marquardt and CMBR Rhoades to do the negotiating themselves.

Mayor Marquardt asked CMBR Kelly to be respectful as she knew why he was not at the meeting.

CMBR Rhoades asked the Council if they were willing to give them an offer on December 20th.

CMBR McNeil asked if CMBR Rhoades had a plan or a number that he would be willing to go and speak at the December 20th meeting.

City Administrator Moody said the meeting started at 7:30.

Mayor Marquardt said if someone goes and speaks at the meeting, it will not be with the endorsement of the Governing Body at this point if they can't make a dollar amount decision.

CMBR Poppa said they already went to JCPRD with an offer and it was flatly refused. He suggested going again with that offer and ask for their return offer. The original offer respectfully requested that JCPRD consider an annual subsidy of 75 percent of the operating loss plus \$4,160 of the ongoing maintenance for a total of \$169,160. The City would continue to cover the remaining annual loss of \$170,850 along with the balance of any annual maintenance necessary to continue operations of a year-round facility.

CMBR Rhoades said he was good with that offer.

CMBR Fast did not agree with that. She said they know JCPRD's answer already and that they are not thinking creatively. She said they could ask them to provide the \$35,000 if they would look at a semi-permanent structure and they could also look at other options.

CMBR Rhoades said an entire indoor structure is not what the residents envisioned.

CMBR McNeil said if they are looking at a permanent structure, then they should get solid numbers before speaking to them.

City Administrator Moody had forwarded information to the Governing Body from Sprung that have pictures of the different structures over the tops of pools. They can also look at what other communities have done. They have incorporated garage doors to allow them to be open in the warmer months for that summer feel, yet still provide protection from the sun. This method makes the facility more summer-friendly.

Mr. Moody reviewed the three options currently available from JCPRD, to replace the dome, take an actual cash value payment, or make no claim at all.

CMBR Kelly said they do not have the numbers yet for a solar blanket.

CMBR Rhoades recommended scheduling a large block of time for the next discussion on this.

XII. ADJOURNMENT

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

(Roeland Park City Council Meeting adjourned at 8:54 p.m.)