

COMMITTEE OF THE WHOLE MEETING AGENDA

Roeland Park City Hall

4600 W 51st Street, Roeland Park, KS 66205

Monday, January 12, 2015 6:00 P.M.

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| ○ Joel Marquardt, Mayor | ○ Jennifer Gunby, Council Member | ○ Aaron Otto, City Administrator |
| ○ Megan England, Council Member | ○ Ryan Kellerman, Council Member | ○ Jennifer Jones-Lacy, Asst. Admin. |
| ○ Becky Fast, Council Member | ○ Teresa Kelly, Council Member | ○ Kelley Bohon, City Clerk |
| ○ Marek Gliniecki, Council Member | ○ Sheri McNeil, Council Member | ○ John Morris, Police Chief |
| | ○ Michael Rhoades, Council Member | ○ Jose Leon, Public Works Director |

Admin

Chair, Kellerman
Co-Chair, Gunby

Finance

Chair, Gliniecki
Co-Chair, Rhoades

Safety

Chair, Kelly
Co-Chair, McNeil

Public Works

Chair, England
Co-Chair, Fast

I. APPROVAL OF MINUTES:

A. December 1, 2014

The Committee recommended to approve the Committee of the Whole Minutes of December 1, 2014.

II. REPORTS OF COMMITTEES:

A. Admin - Kellerman/Gunby

1. Executive Session: I move that the Council recess into Executive Session pursuant to the personnel matters of non-elected personnel exception to the Open Meetings Act in order to discussion the personnel performance review of a non elected official, with the open meeting to resume in the Conference Room at 6:17 p.m.

MOTION: CMBR KELLERMAN MOVED, SECONDED BY CMBR KELLY, TO RECESS INTO EXECUTIVE SESSION.

2. Community for All Ages Discussion

CMBR Kelly introduced Cathy Boyer-Shesol from MARC. As part of her work with 1st Tier Suburbs, Ms. Kelly has been working Ms. Boyer-Shesol to create a Community For all Ages Program.

Ms. Boyer-Shesol provided background information on the Kansas City Community for All Ages Initiative designed to help communities work with the dramatic increase in the older adult population throughout the area. She informed the Committee that national averages indicate within the next ten years people 65 and older will represent 20 percent of the population. By 2030, it is expected that the number of individuals 65 to 74 will double to 38 million and by 2056 the age group will be larger than the 18-plus population. Johnson County alone is projecting a 144 percent increase in the 65 and over citizen population. Ms. Boyer-Shesol noted that the research director at MARC is in the process of an economic impact study of the region's 65-plus community and initial results show a net population growth, the largest percentage over the next 30 years, as 70 percent.

Pfizer Foundation Grantmakers in Aging has asked MARC to participate in a national initiative Community Agenda to strategize and create communities to address the older adult population and their desire to age in place. A checklist has been created to reflect what communities could do with the hope that a recognition or certification as a Community for All Ages could be issued to a participating city. Ms. Boyer-Shesol has invited Roeland Park to participate in the pilot program. MARC, through its grant from Pfizer, will offer technical assistance and support to the City for promoting the program.

The Committee discussed the time and monetary commitment on behalf of the City. There was also discussion of the grant funds and that MARC needed to know the City's intent whether they would participate. It is the hope of

the Community for All Ages program to put the message out that getting older is not a deficit, a weakness or a drain on the community, but that this population segment is an asset.

Public Comments:

Brandon Gillette, 4911 Wells, Co-Chair of the Sustainability Committee, expressed his support of the program.

Tom Madigan, 5316 W. 49th, Chair of the Strategic Planning group, has reviewed the literature and supports the program and will help in any way he can.

CMBR Kelly stated she would champion the project and CMBR Gliniecki is willing to be backup. It was then recommended to move this topic to the January City Council meeting for a vote.

B. Finance - Gliniecki/Rhoades

1. November Financials

City Administrator Otto informed the Committee that the reports from Miller Management are received roughly 20 days after the end of the month. He also added that in the future there would be better clarification between the words "tax" and "fees" as they are not interchangeable.

Mr. Otto noted that property taxes collected were down about 1.6 percent, but the monies are made up for by court fee collections and sales taxes generated. He noted that the General Fund sales taxes were up about 5 percent compared to budget projections. Franchise fees are a little behind projections. Mr. Otto stated that the TIF continues to perform well in terms of debt servicing. Also TDD-1, the Price Chopper and the outlying parcels are in default and the TDD-2 will probably be in default in 2015. The CID; however, has generated \$722,000 in 23 months. There will be a future discussion on the possibility of investing the revenues from the CID collection.

2. LED Street Light Purchase

Ms. Jennifer Mathes, representative from Black & McDonald presented information in response to the Committee's request for information on the City's LED streetlight program and the environmental footprint the project will have. The Committee reviewed the carbon footprint analysis that compared high pressure sodium lights (HPS) versus the new LED lighting, reviewing bulb replacement and labor costs as well as overall maintenance of the new system. Ms. Matheson noted that the total replace of the City's 321 bulbs would be a total cost of \$126,724.38.

The Committee reviewed the supplier choices for the bulbs, inquiring as to the increased brightness of LED versus the ambient lighting of HPS. Ms. Matheson noted that some bulbs were dimmable by a certain percentage, but that the system itself allowed for directional adjustments. There was also discussion of the City maintaining a surplus of bulbs as there is an estimated damage of about five percent per year. It was also noted the City could recoup some of the replacement costs by the party that damaged the bulbs such as a car accident into a street light pole.

Committee discussed the benefits of switching to LED, its lower maintenance costs and the less maintenance involved. The Committee also made a comparison of products options on products Made in the USA v. foreign made LEDs. Comments on the brightness of the light adding that American Electric has an adjustable output on the lighting.

The Committee recommended to maintain a five percent surplus of bulbs and recommended purchasing the GE bulbs. The final decision on the bulb purchase will be made at the January 26, 2015 Council Meeting.

C. Public Works- England/Fast

1. Public Works Director's Report

Public Works Director Leon noted that in the three snow events this year the Public Works Department has used one half of his 200 ton supply of salt and has ordered another 100 tons. He also noted that Google Fiber construction is almost complete. The work continues, but the weather is becoming a factor in its progress. He noted through negotiations with Google an agreement has been reached for landscaping at Cooper Creek, Sweany Park, 50th and Rosewood and the Community Center. Mr. Leon added that Johnson County IT and Parks and Recreation District is 65 to 70 percent complete on their fiber installation from the Johnson County Wastewater facility to the Roeland Park Community Center and it expected to be complete this week. Plans are final with Kansas City Tree Care for the R Park Ash tree removal, slated to begin January 20th. The project should take a week and all debris will be moved off site. Mr. Leon has asked for directional signs for R Park and Nall Park. The Mayor complimented Mr. Leon on his efforts and encouraged him to proceed. Mr. Leon has found a good price for the signs by working with the City of Mission Public Works to produce them.

There was a recommendation by the Committee to move forward with the standard white on blue signs used throughout the City to maintain a cohesive appearance.

D. Admin - Kellerman/Gunby

1. Rental Inspection

CMBR Fast provided background information on the Rental Inspection discussions noting there was a Committee recommendation for increased outreach and education and also the importance that landlords be aware of the license requirements for rentals. Most recently a schedule was decided on interior inspections at the Boulevard Apartments.

CMBR Fast noted the entire proposal is recommended to move forward with the changes on mandatory inspections to attempt to be conducted during transitions and that education should be available to all homeowners. Ms. Fast also added that CMBR Rhoades' suggestion that in the application process, the landlord would let the City know when there is a transition in the rental to allow for an inspection.

2. Location of Solid Waste Containers (tabled for a future meeting)

3. Ethics Ordinance Updates

David Waters, Lathrop & Gage, the City Ethics Attorney stated he was appointed in March of 2014. At this time he saw no substantive changes to the ordinance, but recommended two changes as to how the code is enforced. As written, under the conflict of interest section there is only one avenue to bring an action forward, which would be through municipal court. Mr. Waters felt the section needed to allow for a broader way to handle issues before bringing a court action and that initial problems should be addressed with the City Administrator or with the Mayor before being addressed to the Ethics Attorney. The second area would be advisory opinions. The code as written allows the Ethics Attorney to give private confidential legal advice on ethics matters to any public officer covered by the code that might ask for it. Mr. Waters stated this did not allow for attorney-client privilege for just the City, but would apply to any individuals such as members of the Governing Body. He felt the process should be adjusted to be more answerable to the governing body as a whole.

Mayor Marquardt inquired as to the Code of Ethics Section 1-318(b)(4), Public Officer, whether the language was sufficient. CMBR Gunby would like to further discuss the need for an ethics attorney for the City.

4. Naming of the Art Gallery, Art Auction, and Art Mart

CMBR Gliniecki stated that the Art Committee has recommended the art space at City Hall be name the Roeland Park George R. Schlegel Art Gallery. He added that the naming ceremony would include a reception venue to honor Mr. Schlegel as Art Commissioner and for his contributions over the past 17 years. The Art Committee is also requesting two banners to advertise the event.

There was Committee discussion of naming the art gallery and directed the staff to develop a policy on naming City property. It was recommended to move ahead with the naming of the art gallery.

There will be a Lovey Dovey Art Mart, February 5, 2015, from 5:30 p.m. to 9:00 p.m. (Snow date for 2/12/15). There will be traditional crafts people with art, jewelry and textiles to sell to the public for Valentine's Day. The event is geared towards the male sector looking for gifts, but open to everyone. Again, it requested to place two temporary banners to advertise the event.

The Second Annual Art Fundraising Auction will be held May 2nd. In 2014, the event raised \$1,300 and the hopes are to increase that this year. Vendors will be responsible for their own displays, tables and seating. There will be a reception with food and drink to be paid for through the Arts Committee budget. Two temporary banners are also requested for this event. CMBR Gliniecki will be the contact person for the auction.

The Committee recommended approving the Lovey Dovey Art Mart and the Second Annual Art Fundraising Auction to be held at City Hall. These items will be added to the Consent Agenda at the next Council meeting.

5. City Administrator's Report (tabled for a future meeting)
 - a. Super Pool Pass Agreement and Swim Meet Letter of Understanding
 - b. Goals Review
6. Procedures Discussion (tabled for a future meeting)
7. Review Wording of Chapter 2 Changes as Discussed at the January 5 Committee of the Whole

City Administrator Otto drew the Committee's attention to a few clarifications in the Chapter 2 ordinance language.

Section 2-101(r) - The following language will be added, "Including properties that if the right-of-way or city street was removed, would have a common boundary."

Section 2-119(b) - "Abutting property owners" to be changed to "neighbors."

Section 2-127(b) - Omit "trespassing on real property," but "a member of the household" will remain.

Section 2-126(a)(1) - Remove the word "neighborhood."

Section 2-126(2)(ii) - Remove the words "neighbor means," "residential" and change "200" yards to "600 feet."

Suggestions were accepted allowing for those working in a structure as opposed to just residing could be affected by noise from animals.

City Administrator Otto noted there were no changes made to the LKM list of animals and the exotic list stayed the same.

Section 2-110 - City Attorney Shortlidge added an exemption for mouse/rap traps.

There was also clarification that foster animals were to be included in the total number of animals permitted in a residence.

Mayor Marquardt stated he believed the Committee was taking the right step regarding the breed specific ban and also recognized the people's fear associated with the breeds in question. He introduced a compromise that would allow for one Pit Bull at a residence with the time to expire January of 2019, with the Council being able to extend if so desired or the topic could be discussed again. He felt that it was important to address the people's fear, justified or not, and keep the City moving in the right direction.

CMBR Kelly stated it was the Committee's job to listen and acknowledge the people's fears and to look at what's being discussed around the City, in the area and in the nation and determine what the best practices are. She added that she ran for office and promised to be transparent. She felt that adding an agenda item on a topic that's

so controversial and dividing the community does not allow for open discussion which goes against the guidelines for open meetings.

CMBR McNeil supported the Mayor's compromise and CMBR Fast applauded the Mayor in his efforts to find a compromise.

CMBR Gunby encouraged the Committee to move the process forward as is and that it was not appropriate to introduce new topic items when not published on the agenda and goes against the City's attempt at transparency.

CMBR Rhoades wanted to clarify for the record that a vote was taken on the breed specific ban.

CMBR Fast stated she has heard from residents who stated they will petition if the pit bull ban is removed and that it will be rescinded with the next Council. She added she did not believe that was the type of progress to be promoted by the City.

City Administrator Otto presented a list of topics that were topics to be addressed.

Mayor Marquardt stated he would like to further the discussion at this meeting, voting to make a binding action. He feels that it is important to have this issue resolved during the month of January temporary limiting one Pit Bull at a residence to expire in four years.

CMBR Rhoades felt the topic would be considered as part of the agenda being discussed. CMBR Fast stated there was no hurry to finalize the ordinance.

CMBR England felt the committee needed to concentrate on remaining transparent.

Mayor Marquardt agreed to have the discussion at a later meeting, but would like the final vote to be included in the January docket.

CMBR Kellerman asked for and received a recommendation to continue the discussion at the Committee of the Whole's January 26th meeting.

CMBR Gliniecki suggested putting the Mayor's item on the Committee of the Whole agenda for January 26th, but to also keep the vote slotted in for the ordinance for the City Council session.

City Attorney Shortlidge stated by ordinance the Mayor sets the agenda for Council. Mayor Marquardt felt that people are watching this issue more broadly and are maybe not as concerned with all the word changes.

III. NON-ACTION ITEMS:

A. Committee Minutes

1. Sustainability

B. Pending Items

1. Possible modifications to Chapter 16
2. Granada Park Improvements
3. Property Maintenance Appeals Board
4. Right of Way ordinance updates
5. Purchase Policy Updates
6. Agenda Management System
7. Public Safety Update

8. Commerce Bank Traffic Study

IV. ADJOURN

MOTION: CMBR KELLY MOVED, SECONDED BY CMBR ENGLAND, MOVED TO ADJOURN.
(Committee of the Whole Meeting Adjourned at 10:37 p.m.)