

**CITY OF ROELAND PARK, KANSAS  
CITY COUNCIL MEETING MINUTES  
ROELAND PARK CITY HALL  
4600 WEST 51<sup>st</sup> STREET, ROELAND PARK, KS 66205  
December 4, 2023, 6:00 P.M.**

- Michael Poppa, Mayor
- Emily Hage, Council Member
- Benjamin Dickens, Council Member
- Jan Faidley, Council Member
- Jennifer Hill, Council Member

- *Vacant*, Council Member
- Tom Madigan, Council Member
- Kate Raglow, Council Member
- Matthew Lero, Council Member

- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. City Admin.
- Kelley Nielsen, City Clerk
- John Morris, Police Chief
- Donnie Scharff, Public Works Director

**Admin**  
Dickens  
Lero

**Finance**  
Hill  
*Vacant*

**Safety**  
Madigan  
Hage

**Public Works**  
Faidley  
Raglow

(Roeland Park Council Meeting Called to Order at 6:00 p.m.)

### **Pledge of Allegiance**

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

### **Swear in Councilmembers and Mayor**

Mayor Poppa said they will be saying good-bye to several Councilmembers and hope they stayed engaged with the City as they have a lot to offer. CMBR Brauer was present at the meeting and Mayor Poppa presented her with a plaque commemorating her service on the Council.

(Applause)

CMBR Brauer shared some remarks about her time serving on the Council. She stated she was ready, willing, and able to serve the community and could focus on the responsibilities of being a member of the City Council. She noted that during the pandemic doing business changed and she had to rebuild her business which serves non-profits, and it is necessary now for her to focus on that even more. She noted that she loves Roeland Park and has no plans to leave the City. Ms. Brauer thanked her constituents that shared with her and all the departments in the City who work to make the community of Roeland Park a better place for all. She said she is also leaving with a stronger sense of community. CMBR Brauer also thanked Emily Hage for stepping up to take over her Council seat and is proud to hand it over to her.

(Applause)

Mayor Poppa thanked Ms. Brauer for her service and her friendship.

City Clerk Nielsen administered the oath of office to Mayor Poppa and Councilmembers Jan Faidley and Ben Dickens for another term. New Councilmembers Emily Hage and Matthew Lero were also sworn in by City Clerk Nielsen.

CMBR Faidley thanked her constituents, family, and friends for their support during her campaign. She said it was educational to get back out and be able to talk to the people. She also encouraged her Ward 1 residents to contact her if they have any questions or concerns as she is available to them.

CMBR Dickens thanked those who voted for him. He also acknowledged that his parents were present from St. Louis. He too enjoyed getting back out and knocking on doors. He said it was definitely a different vibe after the pandemic. He noted that not everyone voted for him, but said that he is there to represent everyone in his ward. He thanked those who supported him and said he is happy to listen and happy to help.

Newly sworn-in CMBR Hage said she is excited for the opportunity. She enjoyed going door-to-door and meeting the people in her ward. She noted it was a special experience for her family being able to do this together and getting to know their community better. She said she is excited to be a part of what makes Roeland Park such a special community.

Also, new CMBR Lero thanked the people that helped him get to serve as Councilmember. He said it was important to him to get more involved with City to make it a better place. He said he loves Roeland Park, and everyone should step up and be a part of their city.

Mayor Poppa said he is excited to work with CMBRS Hage and Lero, and is also glad to be working with CMBRS Dickens and Faidley again. He noted his parents were in attendance too having traveled all the way from Prairie Village. He said he loves Roeland Park, and it is home to him and his husband. He too wants to give back to community and is honored to be able to do that. He is looking forward to the next years of service to the community and what they can accomplish. He also thanked his parents for being there.

(Applause)

## **Roll Call**

City Clerk Nielsen called the roll. All Governing Body members were present. Staff present were City Administrator Moody, City Attorney Maurer, Assistant City Administrator/Finance Director Jones-Lacy, Public Works Director Scharff, Police Chief Morris, and City Clerk Nielsen.

## **Modification of Agenda**

*There were no modifications to the agenda.*

## **I. Public Comments**

*There were no public comments made.*

## **II. Consent Agenda**

- A. Appropriations Ordinance #1033**
- B. City Council Meeting Minutes November 20, 2023**
- C. Governing Body Workshop Meeting Minutes November 20, 2023**
- D. Walgreen 2024 Cereal Malt Beverage Renewal**

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

**III. Business from the Floor - Proclamations/Applications/Presentations**

**A. Legislative Update from Little Government Relations**

Mayor Poppa said they are contracting with LGR (Little Government Relations) for legislative consulting services in 2024.

Stuart Little leads a lobbying advocacy firm in Topeka. He said they serve a variety of clients and many local Johnson County municipalities, and is familiar with the issues they are facing. His company will be sending reports of what is going on in the Kansas legislature.

Mallory Lutz, also with LGR, spoke about some of the important topics of 2023. She noted the state ended the year with a high balance of \$3.5 billion. She did note that the legislature did not pass a tax bill and will probably be their number one priority for the next session. Also up for discussion will be tax relief, childcare reform, and changes to KPERS.

Mayor Poppa said there have been rumors to defund the Local Ad Valorem Tax Reduction Fund (LAVTRF). Ms. Lutz said that is a tough issue that will be fought again and directed them to the Kansas Association of Counties website that has links addressing that issue.

CMBR Faidley asked about support for Medicaid expansion and leadership not allowing that to come forward. Ms. Mallory responded that the governor has made that her priority and has made some inroads around the state.

CMBR Hill asked if there was discussion about the removal of county designations on license plates. Ms. Mallory said she does not believe that will have much traction and did not see that moving forward.

CMBR Dickens noted that they lose money to border states when it comes to medical marijuana and asked if that would come up for any discussion. Ms. Mallory said the loss of revenue argument does not work with the legislature, but medical marijuana is a viable issue for 2024.

Mayor Poppa stated he is looking forward to working with LGR next year.

**B. Review Housing Rental Regulations**

Wade Holtkamp from Neighborhood Services, who is also now the City's Building Inspector reviewed the goals of licensing for long-term and short-term rentals to protect the standards they have in Roeland Park. He also reviewed the fees and inspection process.

Mr. Holtkamp also brought up what neighbors have issues with but there is no way for them to address it in the code on items such as leaves left on the grass, small areas of peeling paint, trimming shrubs, dandelions in the yard, and creeping Charlie on rental properties.

CMBR Hill asked if there is anything that limits the number of rental properties a person can own in the City. Mr. Holtkamp said there is no limit in the City or even to a certain area. CMBR Hill then asked if there is anyone who seems to have an abundance of rental properties. Mr. Holtkamp said there are a couple of people that have between five and ten rental properties.

Mayor Poppa asked if other municipalities have a limit on the density of rentals. Mr. Holtkamp responded that he is not aware of any code standards such as that.

CMBR Raglow asked for those that own more than one, do they track violations in a group as to one owner or to each specific property address. Mr. Holtkamp noted that property owners who have larger number of rentals are easy to work with addressing any issues.

CMBR Madigan said that in an HOA some of those items that neighbors expressed concerns about would be regulated such as shrub height, ivy cover, and so on. Mr. Holtkamp said he is not aware of any other cities that regulate those things and that an HOA has a board and has authority to help maintain their standards. He also said that there are no HOAs in Roeland Park. CMBR Madigan spoke specifically to a truck that has been parked on the grass and is not sitting on pavement. He wanted to know if there was anything they could do to remediate the issue. Mr. Holtkamp said they could issue a ticket and eventually cite the owner of the vehicle to appear in municipal court which would result in a \$150 fine.

Mayor Poppa noted that the vehicle is supposed to be operable and tagged, and not on blocks and tagged if it is in the driveway. Mr. Holtkamp added it can't be on blocks, must have taillights, and things like that.

CMBR Faidley said she is hearing from constituents in Ward 1 of a particular owner that owns seven residences on one street in Ward 1. She said residents are asking for closer monitoring of the properties because most people do not like to call in with a complaint. She said they can file a complaint anonymously and the City is very discreet.

CMBR Hill asked what they can do in regard to invasive species such as honeysuckle since they are working hard to eradicate that from the City.

CMBR Lero asked about the exterior inspection and whether that was done when they get a license, and is it a drive-by or do they walk in. Mr. Holtkamp responded that when they receive an application, they get approval for a full 360 inspection.

CMBR Dickens said that codes was a big issue while he was campaigning. He said there is a perception of a problem in the City of not enforcing codes and asked what the process is. Mr. Holtkamp said he first tries to make face-to-face contact, followed by a written notice, a certified mail notice, and they can also leave warnings at the site. If not resolved within a few months, it would probably reach the level of a citation.

Mayor Poppa asked for an expanded explanation on the citation and abatement notice. Mr. Holtkamp said they first open a code case and try to make direct communication with the resident. They also identify the property owner to determine if it is a rental and speak one on one with someone. They then mail notice a notice giving ten days to rectify the issue. If the violation is not taken care of, then a certified letter is sent giving another ten days, which would then be followed by an abatement for the

property giving the City authority to fix the issue and billing the homeowner on their taxes. The issue is then reset the next calendar year and if the issue occurs again or continues, then the process begins again.

Ms. Jones-Lacy wanted everyone to remember they have been down a staff person since April and Mr. Holtkamp has not been able to do proactive codes enforcement. They understand fully that the City has a policy to do proactive and reactive enforcement, but right now it is reactive. She said they will be hiring a new code enforcement officer and once they are trained, they hope to return to their policy, but asked that everyone understand that currently there are limitations on what they are able to do.

Mayor Poppa asked if someone seeking a rental license needed to be a Roeland Park resident. Mr. Holtkamp responded that a rental property agent is required to reside in Johnson County as per the code for a long-term rental. For a short-term rental, it's 50 concentric miles.

CMBR Lero asked if there was a set number of violations that would trigger a license to not be renewed. Mr. Holtkamp said they do not have a rental property, where after identifying an issue, they have not been able to work things out. He said the real issue with code enforcement is they do not know what is going on in the back yard. He said there is also an educational disconnect among the residents where they believe codes would walk the properties every six months. Everyone wants the rental properties in the City to be maintained and in compliance with City code.

#### **IV. Mayor's Report**

Mayor Poppa noted that for the Pancake Brinner they will be having Chris Cakes on Wednesday night and asked anyone from the Governing Body who can attend to help clear plates, serve sausages, and also help serve the residents.

#### **V. Reports of City Liaisons and Committees**

*No reports were given.*

#### **VI. Unfinished Business**

*No Unfinished Business was discussed.*

#### **VII. Ordinances and Resolutions**

*No ordinances or resolutions were presented.*

#### **VIII. New Business**

Mayor Poppa, with agreement from the Council, took Item C first under New Business.

##### **A. Approve Project Rise Agreement**

Ms. Jones-Lacy said this agreement is for two different contractors. One is with Northeast Johnson County with Rebecca Gallati continuing as project manager, and the second with Gather Media and Katie Garcia. She will continue to provide support work and keep the social media current. Included in

the packet is a summary of each agreement, the cost, and scope of work. the committee will continue to advise and monitor the project and will provide quarterly updates to the Governing Body as well as monthly reports to Ms. Jones-Lacy as the staff person to make sure they stay on top of their goals.

Mayor Poppa said he will have nominations for the Task Force in January and would like a representative from each ward.

CMBR Madigan asked if they would be keeping a small business owner on the Task Force. Mayor Poppa said they lost two of their business owners, but CMBR Madigan as a small business owner will stay on the Task Force along with CMBR Faidley, and Mayor Poppa. He said he will not be nominating anyone outside of elective office.

Ms. Jones-Lacy said they will work to help place four new businesses in the City while in the agreement it does state only one.

**MOTION:** CMBR MADIGAN MOVED AND CMBR DICKENS SECONDED TO APPROVE THE 2024 AGREEMENTS WITH THE NEJC CHAMBER FOR PROJECT RISE AND THE 2024 AGREEMENT WITH GATHER MEDIA FOR PROJECT RISE. (MOTION CARRIED 7-0.)

**B. Approve Dedication of Easements and Right of Way for 5400 Buena Vista**

Ms. Jones-Lacy stated the final plat was approved at the last Planning Commission meeting. She said it is Council's responsibility to accept the dedication of easements associated with the plat.

CMBR Faidley asked about the right-of-way expansion and whether that is only on the north side of property. Ms. Jones-Lacy said the easement dedicated is to the rear of the property. There is also a dedication of easement on the Buena Vista side. CMBR Faidley asked if the structure will face Buena Vista. Ms. Jones-Lacy said it would.

CMBR Madigan said it is a very intriguing house and thanked the owners for what they are doing to the property.

Mayor Poppa also thanked them for investing in the City and remaining there.

**MOTION:** CMBR LERO MOVED AND CMBR RAGLOW SECONDED TO APPROVE THE PUBLIC UTILITY EASEMENT DEDICATION FOR THE MISSION PARK 2ND PLAT FINAL PLAT, LOCATED AT 5400 BUENA VISTA. (MOTION CARRIED 7-0.)

**C. Appoint Joe Kmetz to the Planning Commission and Reappoint Haile Sims to the Diversity, Equity, and Inclusion Committee**

Mayor Poppa invited Mr. Kmetz to address the Governing Body.

Mr. Kmetz spoke of his engagement with the City and said he is looking forward to serving the City on the Planning Commission.

Mayor Poppa also noted that Mr. Kmetz helped when they did their codes review with Confluence and appreciated the discussion he brought to the table.

As an aside, Ms. Jones-Lacy said enrollment in the Citizens' Police Academy is now open and noted that Mr. Kmetz would be an ideal applicant for the program. She also suggested the Councilmembers inform their constituents about it.

**MOTION:** CMBR LERO MOVED AND CMBR HAGE SECONDED TO APPROVE JOE KMETZ TO THE PLANNING COMMISSION AND REAPPOINT HAILE SIMS TO THE DIVERSITY, EQUITY, AND INCLUSION COMMITTEE. (MOTION CARRIED 7-0.)

#### **D. Reappointment of City Attorney, City Engineer, Judge, and Prosecutor**

City Administrator Moody reported that the City Engineer agreement has been updated and can auto-renew if both parties are mutually agreeable. Also attached is a rate sheet. For the City Attorney, the agreement reflects a \$5 per hour rate increase. The judge and prosecutor agreements are currently in place and provided for a 5 percent increase in their fee for the 2024 budget.

CMBR Faidley asked about the code that states they shall appoint an ethics attorney. As they haven't had one, she questioned whether they should change code. City Administrator Moody said that potentially they could as they have never needed one.

Ms. Jones-Lacy said adding an ethics attorney to the code is from way back and it was actually recommended not having one as the City Attorney can handle those types of cases, but it is what the council at that time decided to do as they had concern about ethics amongst one another. CMBR Faidley said that is something they should probably look at as they do not have that concern now.

CMBR Madigan asked how often they put out an RFQ for these positions. City Administrator Moody responded that if you have good service professionals in place, he is not sure it is a motivation to go through an RFP process. If they are not happy with services, then that is a good time to go through such a process. Currently their professional consultants, their institutional knowledge of the City of Roeland Park is of value, and they should be reluctant to turn that position over because of the value they bring to the City through their years of service.

**MOTION:** CMBR MADIGAN MOVED AND CMBR HILL SECONDED TO APPROVE THE REAPPOINTMENT OF STEVE MAUER AND THE MAUER LAW FIRM AS CITY ATTORNEY; DAN MILLER AND LARKIN AS CITY ENGINEER; KAREN TORLINE AS MUNICIPAL JUDGE AND FRANK GILMAN AS CITY PROSECUTOR THROUGH 12/31/2024. (MOTION CARRIED 7-0.)

#### **E. Approve Remote Work Policy Addition to Employee Handbook**

City Administrator Moody said their work on the policy is complete, is comprehensive, and they would like to add it to the handbook.

CMBR Faidley said a lot more remote work is done now and many companies do not have a policy in place. She said it is good that they went through this process. She also asked if they would look at the Public Works assistant to equate to an administrative intern. City Administrator Moody said they will not fill the administrative intern position. This will free up funds and they will be able to hire a part-time administrative assistant. Both the Public Works assistant and administrative assistant are not

eligible for remote work as they are front line staff. They have a tool now in place to identify future positions for remote work.

CMBR Hage asked if they to consult with McGrath for new positions. City Administrator Moody said they are in a position to now do that for themselves, but they can reach out to them if there are any questions.

CMBR Madigan asked if they are going to allow remote work for eight hours or less. City Administrator Moody said regular and remote work will be structured and they will have to look at how it affects other people in the office as they have a limited number of staff. They will accept a request from an employee and evaluate the appropriateness of the request, again having to consider the productivity of everyone in the department. They will also speak with the Administrative Committee to get their insights.

**MOTION:** CMBR DICKENS MOVED AND CMBR RAGLOW SECONDED TO APPROVE ADOPTION OF THE AMENDED EMPLOYEE HANDBOOK INCORPORATING THE NEW REMOTE WORK POLICY AND REMOTE WORK AGREEMENT. (MOTION CARRIED 7-0.)

#### **F. 2024 IT Service Agreement with Johnson County DTI**

Mayor Poppa said the agreement reflects a fee increase as Johnson County DTI's fee increased and has been passed on. Also, elected officials are now included in a part-time total.

CMBR Madigan said since as elected officials they are now considered part-time employees that the people on the dais should have better Wi-Fi.

Mayor Poppa said the Governing Body is supposed to be getting a dedicated password-protected better Wi-Fi network. City Clerk Nielsen has been working with DTI on this.

**MOTION:** CMBR FAIDLEY MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE RENEWAL OF THE INFORMATION TECHNOLOGY SERVICE AGREEMENT WITH JOHNSON COUNTY DTI FOR 2024. (MOTION CARRIED 7-0.)

#### **G. Approve Funding Agreement with Johnson County for the 48<sup>th</sup> Street & Roe Boulevard Storm Pipe Lining Project**

Public Works Director Scharff said these agreements are similar to CARS and the County will be paying 50 percent of the costs so they can obtain SMAC funding.

CMBR Hill asked when and for how long should 48<sup>th</sup> would be closed. Public Works Director Scharff said they should not have full closures as most of the work will be done in the grass areas. They will do everything they can to avoid complete road closures.

**MOTION:** CMBR HILL MOVED AND CMBR RAGLOW SECONDED TO APPROVE THE AGREEMENT WITH JOHNSON COUNTY FOR THE 48<sup>TH</sup> STREET AND ROE BOULEVARD STORM PIPE LINING PROJECT. (MOTION CARRIED 7-0.)

#### **IX. Reports of City Officials**

**A. Discuss Street Reconstruction Project Options vs. Surface Treatment in 2024**

Public Works Director Scharff said since 2015 and up to 2023, they have been able to do some sort of maintenance to all but a handful of streets in the City. From this point, they are going to be able to maintain their streets. Some, however, are beyond their useful life and Mr. Scharff reviewed those areas. His request to the Council was to forgo 2024 maintenance and use those funds to focus on the reconstruction street projects.

CMBR Faidley asked for a list of the failed streets. Public Works Director Scharff said three streets are in a failed condition and would provide the PCI scores of streets to the Governing Body.

CMBR Hage asked if they budget annually for street maintenance or just for needs. Public Works Director Scharff said they have an annual street maintenance budget.

City Administrator Moody added that \$439,000 is budgeted for 2024. There are other areas in the budget for dollars. He said that road reconstruction is more of an inconvenience and would require some easements. Some projects can impact trees and they might have to build a retaining wall noting that they always need easements when putting in a sidewalk.

City Administrator Moody said they are looking for direction from the Governing Body who all agreed to forgo street maintenance in 2024 in favor of the reconstruction projects.

**Adjourn:**

**MOTION:** CMBR MADIGAN MOVED AND CMBR LERO SECONDED TO ADJOURN. (MOTION CARRIED 7-0.)

(Roeland Park City Council Meeting Adjourned at 7:59 p.m.)

  
Kelley Nielsen, City Clerk  
Michael Poppa, Mayor