

**CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
ROELAND PARK CITY HALL
4600 WEST 51ST STREET, ROELAND PARK, KS 66205
September 16, 2024, 6:00 P.M.**

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

- Matthew Lero Council Member
- Tom Madigan, Council Member
- Kate Raglow, Council Member
- Jeffrey Stocks, 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

Lero
Faidley

Finance

Stocks
Dickens

Safety

Hage
Hill

Public Works

Raglow
Madigan

(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.

Roll Call

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

Modification of Agenda

Mayor Poppa suggested, and the Councilmembers agreed, that since CMBR Hill was not available for the entire meeting, they would vote on the Tree Preservation Policy after the Mayor's Report.

I. Public Comments

George Reichman (5215 Clark) Mr. Reichman spoke to the tree ordinance. He stated that after reviewing the initial language, he was not in support as it was too punitive. He suggested there be ward meetings to discuss this and noted there was a good turnout, but more education needs to be done. He stated that the proposed language is an improvement over the original but that it continues to have a lot of unknowns as it currently stands. He also recommended that the plural use of replacement trees be changed to a singular tree.

II. Consent Agenda

- A. Appropriations Ordinance #1051**
- B. City Council Meeting Minutes September 3, 2024**

MOTION: CMBR RAGLOW MOVED AND CMBR DICKENS SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (THE MOTION CARRIED 8-0.)

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

A. Girl Scout Troop 2336 Project

Members of Girl Scout Troop 2336 addressed the Governing Body regarding the Girl Scout Bronze Award they received for a sustainable community service project. When they were deciding on a project they spoke to Catholic Charities and the Avenues of Life organizations who pointed them to the McKinney Vento program that provides hygiene products for people in need. To get the products, the scouts conducted a drive asking for support and received enough to make at least 100 hygiene kits. As the Girl Scout Troop attends Roesland Elementary, they spoke with their principal, and it was decided that the school nurse would distribute the kits as needed as discreetly as possible. They also want to spread awareness of the necessity of hygiene products to those in need. They also thanked the City Council for allowing them the opportunity make their presentation.

Mayor Poppa thanked Troop 2336 for what they are doing for members of the community and said that the young people of Roeland Park are changing the city for the better.

IV. Mayor's Report

A. Diaper Needs Awareness Week Proclamation

Mayor Poppa said at the request of Happy Bottoms, they are again making the proclamation to bring awareness to those who struggle with diaper needs. He read the proclamation into the record declaring September 23-29, 2024, as Diaper Needs Awareness Week. All Councilmembers signed onto the proclamation.

B. Bullying Prevention Month Proclamation

Mayor Poppa read the proclamation into the record noting the month of October 2024 to be Bullying Prevention Month in the City of Roeland Park. All Councilmembers signed onto the proclamation and a copy will be sent to Roesland School.

Those in attendance recited The Pledge together.

(Photos were taken with the Governing Body and those representing Roesland Elementary)

Ryan Gotham[ph], Student Council President from Roesland, said they have doing lessons on anti-bullying and anti-cyber-bullying to prevent this at Roesland.

Mayor Poppa thanked the students for what they are doing to prevent bullying.

(Applause)

(The Tree Preservation Policy - Ordinance 1062 was discussed next.)

V. Reports of City Liaisons and Committees

A. Ad-Hoc Historical Committee

Anna Jacobson, historian, stated she continues to work with the Ad-Hoc Historical Committee. She provided a recap of what they have been working on since May 2023 including a project update to edit

Roelin' Through the Years as well as signage copy for markers and interpretive signs in the City. Their work has touched on pre-colonization, the environment and indigenous history of the area, the Shawnee nation's presence, Shawnee missions, and early Johnson County. Also, John Roe and his family, development and becoming a city, redlining and white flight, and how Roeland Park is a frontrunner for queer rights in Kansas. They are also working on an oral history project.

Ms. Jacobson noted that CMBR Raglow has been a huge help with the oral histories project.

CMBR Faidley thanked Ms. Jacobson for the work on the land acknowledgement question. It was suggested they could read text at the start of their meetings but there is concern that it could be seen as a trend and not really have a meaning. She added that the way the committee has approached this is to be lauded and thanked them again for their work.

CMBR Madigan said that when they got into the land acknowledgement discussion, they noted they had limited word space on the interpretive signs, and it was suggested they could link back to the City's website for more detailed information. They continue to figure out what to put on the sign and again for full context refer to the City's website. CMBR Madigan suggested they needed to reach out to the Kansas City Indian Center for their input and offered to speak with them. Mayor Poppa said that when they get to that point, they will let him know.

CMBR Madigan also wanted to acknowledge that CMBR Raglow was the liaison to the committee and volunteered her time to help with the oral histories. They hope to get a few more people's stories. CMBR Raglow said it has been a pleasure.

(CMBR Hill left the meeting after this discussion)

VI. Unfinished Business

There was no Unfinished Business discussed.

VII. New Business

There was no New Business discussed.

VIII. Ordinances and Resolutions

A. Eminent Domain Resolution for Mission Road Street Project

City Manager Moody said this is the first step in the process to acquire temporary construction easements as well as sidewalk and utility easements.

CMBR Faidley noted that the monies to do the project will come from all residents of the City. City Manager Moody said the ordinance will list all the properties involved, but they will keep the Governing Body apprised of how they are doing at securing those easements.

MOTION: CMBR LERO MOVED AND CMBR STOCKS SECONDED TO APPROVE A RESOLUTION AUTHORIZING THE CITY ENGINEER TO COMPLETE SURVEYS AND PREPARE LEGAL DESCRIPTIONS FOR RIGHT-OF-WAY, PERMANENT SIDEWALK/UTILITY EASEMENTS AS WELL AS TEMPORARY CONSTRUCTION EASEMENTS NECESSARY FOR CONSTRUCTING AND MAINTAINING SIDEWALK,

STREET, STORM, AND LIGHTING IMPROVEMENTS ALONG THE MISSION ROAD STREET PROJECT.
(THE MOTION CARRIED 7-0.)

B. Eminent Domain Resolution for 47th Place Street Project

MOTION: CMBR DICKENS MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE RESOLUTION AUTHORIZING THE CITY ENGINEER TO COMPLETE SURVEYS AND PREPARE LEGAL DESCRIPTIONS FOR PERMANENT SIDEWALK/UTILITY EASEMENTS AS WELL AS TEMPORARY CONSTRUCTION EASEMENTS NECESSARY FOR CONSTRUCTING AND MAINTAINING SIDEWALK, STREET, STORM, AND LIGHTING IMPROVEMENTS ALONG THE 47th PLACE STREET PROJECT. (THE MOTION CARRIED 7-0.)

C. Eminent Domain Resolution for El Monte to Delmar Sidewalk Project

MOTION: CMBR HAGE MOVED AND CMBR DICKENS SECONDED TO APPROVE THE RESOLUTION AUTHORIZING THE CITY ENGINEER TO COMPLETE SURVEYS AND PREPARE LEGAL DESCRIPTIONS FOR PERMANENT SIDEWALK/UTILITY EASEMENTS AS WELL AS TEMPORARY CONSTRUCTION EASEMENTS NECESSARY FOR CONSTRUCTING AND MAINTAINING SIDEWALK, STREET, STORM DRAINAGE IMPROVEMENTS BETWEEN EL MONTE AND DELMAR STREETS. (THE MOTION CARRIED 7-0.)

D. Ordinance 1062 - Tree Preservation Policy

Mayor Poppa said the idea behind this ordinance is to preserve the tree canopy in Roeland Park. The ordinance allows for the establishment of an administrative fee, set out an enforcement and appeals mechanisms, as well as definitions. It also allows for the creation of the Roeland Park Tree Preservation Fund as well as a mitigation fee to support the fund. There is also a 90-day education window around the policy and the fund.

Mr. Reichman's comments regarding Section 13-512 that if someone would wish to remove a tree, they need to receive authorization and would need to replace a protected tree. Mr. Felzien suggested changing the word "trees" to "tree(s)" in anticipation that it may not be feasible to replace with multiple trees.

Mayor Poppa said it is important to move this forward so they can begin the education component. He noted that people are cutting down trees in anticipation of the ordinance, which is antithetical of what they are trying to do.

CMBR Hill asked for clarification whether the protected trees would be in both the right-of-way and the front of yard. Mayor Poppa said that both are included and addressed in the policy.

CMBR Faidley said that moving some of this into the policy makes sense as fee structures change, and it is not necessary to amend the ordinance every time they revisit the fee schedule.

CMBR Madigan said he met with Mayor Poppa and believed the tree ordinance and fees should be on the same agenda. It was decided the amount of the fees could be discussed at a different time and a commission is to be created to discuss this. CMBR Madigan said he has not spoken with any ward members that are in favor of the ordinance beyond the right-of-way. And the copy of the minutes

reflected a previous discussion, and they have not been approved by the Workshop. The minutes were revised to include more discussion points. He said this seems like an addendum to an existing ordinance to make sure it will be passed, but he will not be voting in support of it.

CMBR Dickens said they have been doing this for three years and originally, he was not really in support. He too has not met anyone in his ward in support of this, and campaigning he did not find any support. After the ward meetings were held, they did get good feedback from them. Now, the ordinance seems less punitive, and while he is not excited about it, it is more amenable after a reworking. He likes the mission but does not particularly care for the fact the City Council can tell someone they cannot cut down a tree on their own property. He does believe the ordinance as presented is a good compromise and will be supporting this version of the tree ordinance.

CMBR Hill said when people hear how you feel about a certain ordinance coming into play, they tend to flock to you. She has heard from so many that knew she supported this from the beginning. And in its current version, she believes it is fair and gets to the point that they want to preserve trees. This has never been about taking away people's rights. It is about improving the environment, their community, and taking care of those things and, therefore, supports the ordinance.

CMBR Raglow stated she originally voted against this because they did not have community feedback. They now have the survey responses and have had the ward meetings. She appreciates everything coming together and that the language is not as punitive. They want to help their residents protect, trim, and take care of trees they have. They are, after all, known as a City of Trees, and they are important to the community and the environment. For those reasons, she will be supporting the ordinance.

CMBR Hage said it has been informative and encouraging to be part of this conversation. She agreed they need to prioritize the tree canopy and can do so by ordinance. She wants it to be easy and accessible for the planting of trees and is looking forward to the discussion in Workshop on how to flesh all of that out. She noted the tree ordinance is clearer and has not heard any opposition, and so she will be supporting the ordinance.

CMBR Stocks said the lodestar on whether he will support a policy is if the problem is easy to define and communicate. He said that it is obvious they want to protect the tree canopy, and it is important to the community, nature, and the homes that they need a healthy tree canopy. Originally, he felt the language was too punitive. They have gotten to a point where that was taken into consideration that they would get support for tree removal and replanting. This ordinance language is more cooperative and collaborative with the people in Roeland Park and he expressed appreciation for the work prior councils have put into this.

CMBR Lero also agreed a lot of work has been done by prior councils. They have been looking at what other cities are doing and taken the good parts and put this ordinance together to include those things. They need to protect the trees as best as they can while they still can and is in support of the ordinance.

Mayor Poppa said that he is proud of the ordinance, that it is less punitive, more collaborative, and easier to read and understand. They have incorporated most if not all the feedback from residents into the re-draft of the tree preservation policy. He also thanked staff and legal for their work on this.

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO APPROVE ORDINANCE 1062 - TREE PRESERVATION POLICY SECTION 13-512 AS AMENDED. (THE MOTION CARRIED 7-1 WITH CMBR MADIGAN VOTING NO.)

E. Ordinance 1063 - Chapter 5 Business Licenses

Ms. Jones-Lacy noted the only change made was the fine for short-term rental violations. After speaking with the municipal judge, they were agreeable to essentially whatever they put in place but suggested adding the phrase "a fine up to" the \$5,000 in a 30-day period if a property is found in violation of the code.

MOTION: CMBR DICKENS MOVED AND CMBR RAGLOW SECONDED TO APPROVE ORDINANCE 1063 AMENDING CHAPTER 5 OF THE CITY CODE. (THE MOTION CARRIED 7-0.)


IX. Reports of City Officials

No reports were given.

Adjourn:

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

(Roeland Park City Council Meeting Adjourned at 7:02 p.m.)



Kelley Nielsen, City Clerk



Michael Poppa, Mayor