

**CITY OF ROELAND PARK, KANSAS**  
**GOVERNING BODY WORKSHOP MINUTES**  
**ROELAND PARK CITY HALL**  
**4600 WEST 51<sup>ST</sup> STREET, ROELAND PARK, KS 66205**  
**November 4, 2024, 6:00 P.M.**

- |                                    |                                  |  |
|------------------------------------|----------------------------------|--|
| • Michael Poppa, Mayor             | • Matthew Lero, Council Member   | • Keith Moody, City Administrator        |
| • Benjamin Dickens, Council Member | • Tom Madigan, Council Member    | • Jennifer Jones-Lacy, Asst. City Admin. |
| • Jan Faidley, Council Member      | • Kate Raglow, Council Member    | • Kelley Nielsen, City Clerk             |
| • Emily Hage, Council Member       | • Jeffrey Stocks, Council Member | • John Morris, Police Chief              |
| • Jennifer Hill, Council Member    |                                  | • Donnie Scharff, Public Works Director  |

(Roeland Park Governing Body Workshop Meeting Called to Order at 7:30 p.m.)

## **I. MINUTES**

*There were no minutes submitted for approval.*

## **II. DISCUSSION ITEMS**

### **1. Review Chapter 8 - Health and Welfare, Articles 1-6**

Ms. Jones-Lacy reviewed the recommended edits and suggested redline edits to the Chapter 8 code. She said the review included the input from the DEI Committee as well as the City Attorney. Gender neutral pronouns have been used.

CMBR Raglow asked about the designation of a public officer and in what instance that would occur, and what staff would take his place. Ms. Jones-Lacy said if City Manager Moody is not available, then it would fall to her as the designated person to make the assignment. They do have an organizational chart they follow.

Mayor Poppa said this is so that the Governing Body is not selecting a new codes enforcement officer, and the staff will take care of that.

Ms. Jones-Lacy noted the City Attorney provided input on Section 8-301(a) related to an offensive or disagreeable thing as not being enforceable, so that was removed. It is more of a you'll know it when you see it type of situation.

Ms. Jones-Lacy further clarified Section 8-304, Right of Entry, for City staff to investigate a nuisance. After speaking with the City Attorney, staff is allowed to enter onto a property for a variety of reasons including a nuisance. Clarification was made that it should be in plain view from the street. In the past, if an issue was in the back yard, they tried to get permission to view the nuisance from a neighboring yard. Also, staff changed references to the Governing Body in this section to the designated public officer.

CMBR Faidley, referring to Section 8-305(b), said the 24-month period seems like a long time for a public nuisance to go on. Ms. Jones-Lacy said this is in reference to their inability to contact the property owner to abate the nuisance.

Mayor Poppa said he reads that section as if a homeowner or property owner has a history of not abating the nuisance issue, then this would give the City options to move forward on separate and future issues.

City Attorney Walker stated the language should be clarified. City Manager Moody added the intent is if someone is dodging them and they cannot get a hold of the property owner through normal means, then they have an alternative means of notification which cannot be avoided. Ms. Walker said her initial read would be to remove the 24-month period, and she can work on a revision.

CMBR Raglow asked if Section 8-403 would not be enforced during the leaf pickup program as this could include debris left by dead trees.

CMBR Madigan said there should be something stated about the leaf program and some people miss their pickup date and leave them in the street for the street sweeper.

Mayor Poppa said it would be a violation of the leaf program policy if they are leaving leaves in the street after the pickup. If they put the leaf program in the ordinance, and then do away with the program in the future, they will have to change every ordinance where the leaf program is mentioned.

Regarding Article 5, Rodent Control, Ms. Jones-Lacy is still waiting to hear from the Johnson County Health Department. Staff have made no changes to this section, but it is potentially outdated since the last change was in 1977. She will inform the Governing Body once she hears back if there are any recommendations.

CMBR Hage asked about unsightly stored or parked material. Ms. Jones-Lacy said it was changed to move away from the aesthetics of something and more to the materials that are unsafe or for what makes it unfit for human habitation in the home structure.

CMBR Madigan noted that some code violations are not enforced until people complain. Ms. Jones-Lacy said they enforce some, are more proactive on others, and some are complaint based. Ms. Jones-Lacy noted they did a proactive enforcement of trash container screening in 2016. She said the City does enforce their codes 100 percent, but they have limited resources as they only have one staff member.

CMBR Madigan said they need to address the trash bins again because most people only built space for one when this was last addressed. Shortly after that time, their hauler gave everyone a second bin for recycling.

CMBR Faidley said it might also be time to look at the trash issue and do more public education on the screening of trash bins.

## **2. Task Group Present Tree Fund Policy Recommendation**

The Tree Fund Policy and recommendations from the task group are provided in the packet. It outlines the recommended fee amounts, the purpose of the program, its benefits to the community, how the fund will be maintained, and what the applications and awards process would be.

CMBR Raglow clarified that the program discussion is different than the policy discussion, and policy is the focus of this discussion. The task group recommended placing \$25,000 into the fund and breaking it into two areas. \$10,000 for use of the funds would have no income requirements and would be used for tree trimming and maintenance covered by the ordinance. It would include a 50 percent match per calendar year per property.

The remaining \$15,000 would have income requirements of 80 percent of low-moderate income based on Johnson County criteria. These funds could be used for tree maintenance and planting of new trees to replace trees removed that were covered by the Ordinance. The maximum amount would be \$1,500 per calendar year per property.

Mayor Poppa asked where they came up with the \$1,500. CMBR Raglow said the recommendation was by CMBR Hage and was followed with significant discussion. The group felt it was a good place to start considering the significant costs related to tree maintenance.

CMBR Madigan said a resident brought up to him the phrase of using an arborist. They wanted to know who would pay for the arborist, whether it would be the City or the resident.

CMBR Raglow said that if residents asked for an arborist's opinion, most do that at no cost. She commented that residents could include the labor for reimbursement.

CMBR Madigan said that previously the pool superintendent was studying to be an arborist. City Manager Moody said the opportunity to have one of their Public Works employees become an arborist still exists. Currently they do have a contract with Arbor Masters and have them on staff. If an arborist is needed to provide insights, they can access that through them. He added that they also have an agreement for such with Mission Hills.

CMBR Faidley asked what is involved as far as time commitment, cost, and where training is available to become an arborist. CMBR Raglow suggested they can talk about that when they discuss the entire program. CMBR Faidley said it is a challenge for a small community because they must contract out a lot of work.

CMBR Raglow asked City Manager Moody to put some information together on the process of certifying an in-house arborist and along with associated training and costs.

Mayor Poppa asked if the \$15,000 would help with removal of the tree. CMBR Raglow said it will not, but it can be used for reimbursement of tree maintenance or replanting.

Mayor Poppa asked about the fee for invasive plant removal and replanting with a different tree. CMBR Faidley responded that the Sustainability Committee has discussed this. There are approximately a dozen Bradford pears that would qualify to be covered in front yards or right-of-way. They talked about a program to address those homeowners directly regarding those trees. She said that Sustainability would like to look at this issue further.

CMBR Faidley said they are at a good starting point and have a lot of things to do as they get started.

The application process will be like the property tax abatement program administered by the City. Residents will need to show an invoice unless the City has paid for work directly. Also, there will need to be before and after photo documentation.

Some other considerations were whether labor could be included in the reimbursements and not being able to access the Tree Fund more than once per calendar year.

CMBR Hage said she can understand why it would not be more than once a year, but it does give pause as most do not need to trim mature trees annually. She said that people could rotate each year and get a different tree trimmed. She would prefer a longer frequency, but that might be too hard to track.

CMBR Raglow said they will learn a lot in the next couple of years and things could potentially change. It will be a continuous discussion as they review the program as it goes into effect.

Mayor Poppa said this will be included with the other annual grant programs brought before Council for review.

This item was moved to New Business for the November 18<sup>th</sup> City Council meeting.

### **III. COMMITTEE MINUTES**

*There were no minutes submitted.*

### **IV. ADJOURN**

CMBR Raglow adjourned the meeting.

(Roeland Park Workshop Adjourned at 8:07 p.m.)