



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
March 18, 2019**

The City Council of Prairie Village, Kansas, met in regular session on Monday, March 18, 2019, at 6:00 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas. Mayor Mikkelson presided.

ROLL CALL

Roll was called by the City Clerk with the following Council Members in attendance: Chad Herring, Jori Nelson, Serena Schermoly, Ron Nelson, Tucker Poling, Andrew Wang, Sheila Myers, Brooke Morehead, Dan Runion, Courtney McFadden, Ted Odell and Terrence Gallagher. Staff present: Tim Schwartzkopf, Chief of Police; Keith Bredehoeft, Director of Public Works; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Alley Porter, Assistant City Administrator; Lisa Santa Maria, Finance Director; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Tucker Poling made a motion to approve the agenda for March 18, 2019 as presented, and Ron Nelson seconded. The motion passed unanimously.

INTRODUCTION OF STUDENTS & SCOUTS

Students in attendance from Prairie Elementary School introduced themselves.

PRESENTATIONS

A recycling presentation was given by Prairie Elementary students. The students shared videos that demonstrated proper recycling procedures. The videos will be posted on the City's website and social media accounts.

PUBLIC PARTICIPATION

Nathan Kovac, 4112 W. 75th Street, shared his concerns about climate change and carbon dioxide levels, and how they will affect the City and surrounding areas in the future. He noted that sustainable energy options, such as solar panels, can be very expensive, and suggested the City consider buying electricity generated by wind farms.

Missy McGillicuddy, 4902 W. 69th Terrace, noted the continued increases in home assessment values, and that the additional costs were a strain on residents with fixed incomes.



CONSENT AGENDA

Mayor Mikkelson asked if there were any items to remove from the consent agenda for discussion.

Terrence Gallagher moved for the approval of the Consent Agenda of March 18, 2019 as presented. The motion passed unanimously.

1. Approve the regular City Council meeting minutes - March 4, 2019
2. Approve expenditure ordinance #2976
3. Approve Unite Private Networks franchise agreement
4. Approve professional services agreement with Clark Enersen Partners for the Public Works Building Assessment Project in the amount of \$18,000

A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Schermoly, R. Nelson, Poling, Wang, Myers, Morehead, Runion, McFadden, Odell and Gallagher.

COMMITTEE REPORTS

Brooke Morehead noted that the Arts Council would be giving a presentation later in the meeting.

MAYOR’S REPORT

- The Mayor gave a recap of the Prairie Village Foundation meeting, which was held on Tuesday, March 5th.
- The Mayor and City Administrator Wes Jordan met with First Washington, the owner of the Corinth and Prairie Village shopping centers, on Thursday, March 7th. Topics included the preference for local shops, maintenance improvements and the installation of electric vehicle charging stations. The Mayor noted that the recently-vacated building on the south side of the Corinth shops would be demolished and replaced with a new shopping area. The Mayor added that First Washington will try to pay tribute to the structure by incorporating a feature from salvaged wood, and would attend a future Council meeting to updated the Governing Body on building plans.
- A meeting was held with KCP&L on Monday, March 18th, to continue discussion about power outages in the City. Conversations included tree-trimming protocols, communication initiatives, and opportunities to reduce the duration and severity of outages.
- Community Center Update: The Mayor and staff met with representatives from the YMCA in a continuing dialogue to discuss partnership opportunities.
- The Mayor noted that in 2009, an approved ordinance modifying the voting process of the Council Committee of the Whole had been inadvertently left out of the Municipal Code. This ordinance included the provision that the Mayor can provide a tie-breaking vote in the Committee of the Whole. Since the most recently



approved version of the Code does not include this language, an update will be presented to Council at a future meeting to properly amend the code.

- The City was asked to take part in a “spread kindness” event known as SevenDays, which will take place April 9th through the 15th. The event was created in response to the fatal shootings at the Jewish Community Center in 2014. Staff is researching how other cities intend to participate.
- The Mayor met with other Johnson County and Wyandotte County Mayors. A countywide study of affordability in Johnson County has been proposed, but funding for the study has not yet been identified.

STAFF REPORTS

Public Works

- Keith Bredehoeft stated that work at Porter Park and Wassmer Park will begin later in the week. Additionally, Mr. Bredehoeft stated potholes caused primarily by winter weather are being addressed. Public Works largely relies on citizens to report information about potholes. Mr. Nelson asked when construction on Roe would begin between 67th Street and 75th Street. Mr. Bredehoeft stated that work will start in the next couple of weeks. Chad Herring added that there are several potholes on Roe that need attention. Courtney McFadden stated that she had received many positive reports from residents in regard to the new playground equipment at Franklin Park.

Administration

- Wes Jordan shared an update on storm debris collection. The project is nearly complete, and has cost the City approximately \$150,000 thus far. Public Works is now picking up debris that may have been too small for Arbor Masters and too large for Republic. 60% of the budget reserved for storm debris pickup has been used.

OLD BUSINESS

There was no old business to come before the Council.

NEW BUSINESS

COU2019-16 Consider approval of agreement with Conference Technologies, Inc. to upgrade City Council Chamber audio

Alley Porter noted that the audio equipment in the Council Chamber had originally been updated in 2012, and again in 2017 to address ongoing issues. Livestreaming was added in December, 2017. Mrs. Porter shared viewer statistics from both Facebook and Boxcast.

Mrs. Porter provided a proposal from Conference Technologies, Inc., noting that individual microphones would be removed from the dais, and 16 replacement microphones would be installed in the ceiling. Mute buttons would also be placed at each seat.



Terrence Gallagher made a motion to approve COU2019-16 as presented. The motion was seconded by Jori Nelson.

Dan Runion moved to amend the motion so that the proposal included a warranty guaranteeing that the system would work as intended. The amendment was seconded by Mr. Nelson.

The amended motion made by Mr. Runion passed by a vote of 11-1, with Mr. Odell in opposition.

The original motion passed 11-1 with Mr. Odell in opposition.

COU2019-19 Consider approval of KCP&L Renewables Direct Agreement

Drew Robinson of KCP&L and Westar (now merged and known as Evergy) gave a presentation on the Renewables Direct program. Mayor Mikkelson stated that a decision on the program was time-sensitive, and asked the Council to consider action at this meeting.

Mr. Robinson shared information about clean energy. As a result of the merger, Evergy has 1.6 million customers in Kansas and Missouri. Currently, 30% of the company's fuel generation comes from renewable sources; when nuclear power is included, 50% of the energy generated is emission-free. Wind farms will be the clean energy source for the program, but signed commitments must be received from a certain number of municipalities to meet the threshold to move forward. Construction would potentially start in the Summer of 2019, and be completed in 2021. Agreement terms are 5, 10, 15 and 20 years.

Mr. Robinson added that a Renewal Participation Charge (RPC) would replace the existing monthly Energy Cost Adjustment (ECA) charge. Participation in the program guarantees a maximum \$.02 per kilowatt hour charge. KCP&L will also pay customers for energy produced that is not used, and conversely, charge customers when energy has to be obtained from other sources. Street lights are not eligible for the program due to billing complexity. The expected savings for the City would be nearly \$2,000 annually. If the City elects to terminate the agreement prior to completion, it would pay the RPC costs due for the remainder of the term. The 20-year term will commence when the wind farm begins generating power.

Mr. Nelson made a motion to approve COU2019-19 as presented. The motion was seconded by Ms. Nelson, and passed 11-0 with Mr. Odell abstaining.

Dan Runion provided a report of the testimony he gave in Topeka in support of a bill that would give cities more flexibility with respect to the property tax-lid. It was unclear whether the bill would make it out of Committee.



COU2019-17 Consider approval of the 2020-2024 County Assistance Road System (CARS) program

Mr. Bredehoeft stated that each year, the County's CARS program shares funding with cities for projects on eligible routes. The City generally submits multiple projects, and nearly always receives funding for those identified as first priority. Other lower-priority projects are often funded as well. Projects submitted this year include:

- Roe Avenue, from 83rd Street to 91st Street
- Nall Avenue, from 83rd Street to 95th Street (a shared project with Overland Park)

Mr. Bredehoeft noted that there is approximately \$500,000 in City funding set aside each year for these projects. In 2022, approximately \$1,000,000 will be reserved for larger projects.

Sheila Myers made a motion to approve COU2019-17 as presented in the packet. The motion was seconded by Tucker Poling, and passed unanimously.

COU2019-18 Consider approval of cereal malt beverage (CMB) ordinance update

David Waters stated that legislation was passed in 2017 that would authorize Kansas retailers carrying a Cereal Malt Beverage (CMB) license to begin selling beer that contains up to 6% alcohol by volume (ABV). Wine and spirits are still not allowed to be sold under this license.

The League of Kansas Municipalities developed the term "Enhanced Cereal Malt Beverage", which includes cereal malt beverages with 3.2% ABV as well as beer up to 6% ABV. City Code has been updated to reflect these changes, which are required by Kansas statute. Other updates were also made to outdated language within the section.

Tucker Poling made a motion to approve COU2019-18 as presented. The motion was seconded by Andrew Wang.

Chad Herring asked whether the Council would still have the authority to deny location exemptions to retailers within 200 feet of a school or religious facility. Mr. Waters stated that the Council will continue to be responsible for approving or denying exemptions.

A roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Schermoly, R. Nelson, Poling, Wang, Myers, Morehead, Runion, McFadden, Odell and Gallagher.



Brooke Morehead motioned that the City Council move into the Council Committee of the Whole portion of the meeting. The motion passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE

2020 Committee budget and funding requests

Representatives from City committees presented their budgetary requests for fiscal year 2020.

- **Village Fest**

Courtney McFadden stated that the Village Fest budget request remained the same as 2018, at \$20,000. The event is in its 24th year, and typically has an attendance of 5,000 to 10,000.

Tucker Poling made a motion to approve the budget request made by the Village Fest Committee. The motion was seconded by Chad Herring, and passed unanimously.

- **Jazz Fest**

J.D. Kinney, Chair of the Jazz Fest Committee, said that the event is in its 10th year. The Committee requests continued funding of \$10,000, as it has since 2015. In 2018, heavy rain reduced attendance to half of the roughly 4,000 that typically attend, so approximately \$13,000 of \$25,000 in reserve funds had to be used to cover costs. Mr. Kinney added that the 2019 event has been scaled back to decrease expenses. The stage will be reduced in size and free food for volunteers will be eliminated, as will some less-successful advertising campaigns.

Mrs. Morehead made a motion to approve the budget request made by the Jazz Fest Committee. The motion was seconded by Mr. Nelson and passed 11-1, with Mr. Gallagher in opposition.

- **Environmental Committee**

Jori Nelson stated that the Environmental Committee's primary objective is to educate and increase awareness among residents about the importance of preserving and protecting the environment and its natural resources. In 2020, the Committee intends to participate in an Earth Fair, which will require hiring a consultant to help work out the details of participating. The Committee would also like to host a recycling and drop-off event, as well as participate at Jazz Fest in some capacity. The budget request is \$8,000, which, with the exception of a small reduction in 2019, is the same amount that was approved in previous years.

Mr. Poling made a motion to approve the budget request made by the Environmental Committee. The motion was seconded by Serena Schermoly and passed 11-1, with Mr. Wang in opposition.



- **Arts Council**

Dan Anderson, Sheila Evans and other members of the Arts Council were present to discuss budget needs. Mrs. Evans stated that Johnson County has one of the highest levels of philanthropy for the arts in the nation. The 2019 budget for the Council is \$14,500; in 2020, the group is requesting \$11,500, a 21% decrease. The decrease is expected to be offset by revenue from ticket sales. There will be no increase in the City's contribution to the 2019 budget; instead, additional dollars will be used from a surplus from the previous year.

Mrs. Evans stated that the Arts Council intends to broaden its focus from just visual arts. The requested reallocation in 2019 also includes performing arts, particularly chamber music. If approved, a new event series known as "Chamber at the Chambers" will take place on the third Friday of every other month. Three events will be hosted in 2019, and six in each future year. Tickets will be \$20 for adults, and free for children (or possibly those under the age of 21).

Councilmembers shared concern that reducing the budget would leave almost no surplus at the end of 2020, and that additional events would require more staff time after-hours. Mrs. Schermoly stated that she believed the Council needed the full \$14,500 to successfully operate in 2020.

Mrs. Schermoly made a motion to approve a budget of \$14,500 for the Arts Council for 2020. The motion was seconded by Tucker Poling.

Mrs. Morehead moved to amend the motion to approve the original request of \$11,500. The amendment was seconded by Mrs. Myers. The motion failed 5-7, with Mr. Herring, Ms. Nelson, Mrs. Schermoly, Mr. Nelson, Mr. Poling, Mrs. McFadden and Mr. Gallagher in opposition.

The original motion passed by a vote of 9-3, with Mr. Wang, Mrs. Morehead and Mr. Odell in opposition.

Mr. Odell made a motion to approve the revised 2019 budget of \$41,270, which included the addition of the Chamber Music Series. The motion was seconded by Mr. Wang, and passed unanimously.

- **Preliminary revenue estimate**

Lisa Santa Maria shared the preliminary revenue forecast, stating that she expects additional revenue of \$1.2 million in 2020 if the mill levy remains the same. Property taxes would make up approximately 50% of that amount. Mrs. Santa Maria stated that franchise fees make up approximately 10% of the budget, and that she does not anticipate and significant changes in 2020, with the exception of KCP&L. Now that the utility has merged with Westar, it has advised that the City should expect a 2.5 - 3% yearly decrease. KCP&L franchise fee collection was significantly impacted in January due to reduced gross receipts that month.



Mrs. Santa Maria added that the top 10 businesses in the City make up approximately half of the City's sales tax revenue. Motor vehicle and gas tax revenue has not yet been determined. General fund revenue projections for 2020 are expected to be nearly 6% greater than the 2019 budget estimate, and 6.5% over 2018 actuals. Mrs. Santa Maria also stated that the City has no control over property assessment increases. The City's portion of property taxes are 16% of the total amount collected.

Finally, staff budget review in preparation for 2020 will take place the week of April 8th. At the May 6th Council meeting, budget expenditure estimates will be presented for the first time.

- **2020 Budget decision packages**

Wes Jordan presented the 2020 budget decision packages that were recommended by Councilmembers. Mr. Jordan added that it was an opportunity for Council to change or add items to the list and provide direction as to whether the packages should continue to be studied by staff.

Mr. Herring made a motion to accept the decision package list with the inclusion of increased funding for ward meetings. Jori Nelson seconded the motion.

Mrs. Schermoly made a motion to add enhancements to the meeting streaming system. Mr. Poling seconded the motion. The motion passed 7-4 with Mr. Wang, Mrs. Myers, Mrs. Morehead, and Mr. Gallagher in opposition. Mr. Odell was absent.

Mrs. Schermoly made a motion to add municipal code hosting to the list. Mr. Nelson seconded the motion. Mr. Jordan asked that it be combined with the website update package.

Mr. Poling made a motion to remove a potential change to the mill rate levy from the list. Mrs. Schermoly seconded the motion. The motion failed 2-9, with Mr. Herring, Ms. Nelson, Mrs. Schermoly, Mr. Nelson, Mrs. Myers, Mrs. Morehead, Mr. Runion, Mrs. McFadden, and Mr. Gallagher in opposition, and Mr. Odell absent.

The motion to accept the decision package list including the addition of livestreaming and code hosting passed 10-1 with Mr. Poling in opposition and Mr. Odell absent.

New Business

There was no new business to come before the Council Committee of the Whole.

Sheila Myers moved the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Serena Schermoly, and passed unanimously.



ANNOUNCEMENTS

Announcements were included in the Council packet.

ADJOURNMENT

With no further business to come before the City Council, Mayor Mikkelson declared the meeting adjourned at 10:35 p.m.

Adam Geffert
City Clerk