



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
JULY 1, 2019**

The City Council of Prairie Village, Kansas, met in regular session on Monday, July 1, 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, Courtney McFadden, Ted Odell and Terrence Gallagher (via phone). Staff present: Tim Schwartzkopf, Chief of Police; Keith Bredehoeft, Public Works Director; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Alley Porter, Assistant City Administrator; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Tucker Poling made a motion to approve the agenda for July 1, 2019. Sheila Myers seconded the motion, which passed unanimously.

INTRODUCTION OF STUDENTS & SCOUTS

Devon McFadden from Briarwood Elementary was in attendance.

PUBLIC PARTICIPATION

With no one present to address the Council, public participation was closed at 6:03 p.m.

CONSENT AGENDA

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

1. Approval of regular City Council meeting minutes - June 3, 2019
2. Approval of expenditure ordinance #2979
3. Consider approval of revisions to CP001 - City Committees
4. Consider reappointment of City Municipal Judges and Prosecutor
5. Consider reappointment of City Treasurer
6. Consider appointment to the Arts Council
7. Consider approval of utility easement on City Hall property
8. Request permission to publish the 2020 budget
9. Consider interlocal agreement with Overland Park related to the 2019 Crack
10. Seal/Micro Surfacing program
11. Consider approval of proposal for installation of foot lockers in Police



Department men's locker room

Mr. Odell asked to remove item #6 for discussion.

A roll call vote was taken for items #1 - #11, excluding item #6. The following votes were cast: "aye": Herring, J. Nelson, Schermoly, R. Nelson, Poling, Myers, Morehead, McFadden, Odell and Gallagher.

Mr. Odell suggested that the appointment to the Arts Council be delayed until after the fall election since the applicant, Bonnie Limbird, was currently running for City Council in Ward 3. Mayor Mikkelson stated that Mrs. Limbird's application was submitted prior to her filing to run for election.

Mr. Odell and Mrs. Morehead both stated they felt that Mrs. Limbird was qualified to fill the vacancy, but that the timing was poor since the election was only four months away.

Mrs. Schermoly made a motion to table the vote until after the Arts Council Chair and Vice-Chair had an opportunity to review other applicants. Mrs. Morehead seconded the motion. The motion failed 7-3, with Mrs. Schermoly, Mrs. Morehead and Mr. Odell voting in favor.

Mr. Poling made a motion to approve item #6 from the consent agenda, approving the Mayor's appointment. The motion was seconded by Ms. Nelson, and passed 8-2, with Mrs. Morehead and Mr. Odell in opposition.

COMMITTEE REPORTS

- Ms. Nelson noted that the Environmental Committee was looking into reducing the use of single-use plastics. She added that the Committee was also researching the use of herbicides and pesticides. Finally, she stated that the Committee voted unanimously to change the City's zoning regulations to recommend allowing solar panels to be installed as high as two feet above the roof of a house, as well as removing restrictions requiring panels to be parallel to the pitch of the roof.
- Mrs. McFadden stated that the 21st annual VillageFest event would take place on Thursday, July 4th. Ms. Nelson added that the Environmental Committee would be participating, providing information about recycling, food waste and composting.
- Mr. Herring shared that the Parks and Recreation Committee would meet on July 10th to discuss the process of handling complaints received at the City pool.
- Mrs. Myers stated that an arboretum map was now available on the City's website. She noted that members of the Tree Board had been inventorying and mapping trees, and that seven Kansas state championship trees were located within Prairie Village.



MAYOR'S REPORT

Mayor Mikkelson reported the following:

- The Mayor recognized the passing of Elizabeth Gallagher, and read a statement provided by Mr. Gallagher.
- The Mayor attended a ribbon-cutting ceremony at the Kessler apartment complex.
- The Mayor, Mrs. Myers and staff members met with representatives from the Johnson County Library and YMCA to continue discussion regarding the construction of a potential community center. A memorandum will be brought before Council authorizing the expenditure of up to \$50,000 on a market feasibility study and community survey.
- The Meadowbrook Park opening took place on June 22nd; the park is already seeing significant use by the public.
- The Mayor, Fire Chief Lopez and staff attended a KCUR fundraiser on June 14th.
- Mr. Jordan and the Mayor met with the local president of the NAACP to speak about diversity and justice issues in the City.
- Electric vehicle charging stations were made available at Meadowbrook Park. Additional charging stations will be operational soon at the Village Shops, and stations will be installed at the Corinth Shops in the future.
- The Kansas Supreme Court ruled in favor of the City of Topeka on the Tobacco 21 ordinance, affirming that cities have the ability to raise the minimum age to purchase tobacco products to 21.
- The State Board of Tax Appeals ruled in favor of Wal-Mart in a case centered around the “dark store theory”. The decision will be appealed.
- The proposed construction of the Corinth Quarter development will be presented to the Planning Commission on July 2nd.
- Wassmer Park is on-track for a fall opening.
- A cybersecurity company, Soft Warfare, recently relocated from Shawnee to Prairie Village. The Mayor credited the move to the investments made by the City along Mission Road, which in turn lead to reinvestment in the Village Office Center property at 73rd and Mission.

STAFF REPORTS

Public Safety

- Chief Schwartzkopf reported that the mental health co-responder began working on July 1st. He also presented an example of a crime prevention sign that will be installed at City parks and potentially commercial areas as well.

Public Works

- Keith Bredehoeft said that the Delmar/Fontana drainage project was underway. He stated that he appreciated neighbors working with Public Works to make the project successful. He added that parts of Somerset Road will be closed for up to 60 days for repair. Lastly, he noted that the new Porter Park bathroom would open later in the week.



Administration

- Mrs. Robichaud shared that she attended the United Community Services of Johnson County (UCS) Human Services Summit that covered access to affordable housing and how it directly affects the health and well-being of the community.
 - The First Suburbs Coalition will host a regional housing summit to discuss the topic of workforce housing on July 19th.
 - Johnson County is partnering with UCS to put together a task force and conduct a housing study for all Johnson County cities. The agency asked each city to partner in the effort. Prairie Village plans to be involved in the process, and Mrs. Robichaud will have more information to share in the future as the process gets started.

- Wes Jordan noted future agenda items that would be presented to the Council:
 - The Community Center MOU is anticipated to be presented at the next meeting.
 - Presentation and discussion about rental inspections.
 - A review of the City-wide traffic study
 - Enterprise leased vehicles for Public Works
 - Determine what date newly-elected officials take office
 - KCP&L will give a presentation about planned investments in the community at the Council meeting on August 5th.
 - The drone ordinance was reviewed by the prosecutor and judges. A final draft will be presented again on August 5th.
 - The Johnson County Parks and Recreation District will attend on August 19th to speak about future phasing at Meadowbrook Park.
 - The final sign at Meadowbrook Park will be installed July 9th.

OLD BUSINESS

There was no old business to come before the Council.

NEW BUSINESS

Discuss the historical marker at Wassmer Park

Mr. Bredehoeft reported that when Wassmer Park was purchased, the Faith Lutheran Church formerly on the site provided \$20,000 to the City to design and install a historical marker to commemorate the history of the parcel and its transition to park land. Along with the marker, a patio with three benches and garden will be installed.

Mr. Poling moved that the City Council approve the installation of the historical marker as presented. The motion was seconded by Mr. Nelson, and passed unanimously.

COU2019-34 Consider approval of the agreement with New Line Skate Parks FL, Inc., for the preliminary design and public outreach for the Harmon Park



Mr. Bredehoeft reported that Public Works had received eight proposals for the project, three consultants were interviewed, and New Line Skate Parks was selected by the team. Mr. Bredehoeft added that the project would consist of two phases: first, the initial design and public outreach, followed by public meetings and a presentation to Council. After Council direction is received, the public outreach and design work would continue. The project will take about 6 months to complete, and an early 2020 construction bid is expected. Construction is anticipated to be complete in the summer of 2020.

Mr. Odell moved the City Council approve the agreement with New Line Skate Parks as presented. The motion was seconded by Mr. Nelson.

Ms. Nelson asked if a stage, lighting and sound equipment would still need to be rented after the installation of the new concrete pad, and Mr. Bredehoeft stated that it would. Mr. Poling asked if the design of the performance pad would be combined with the skating facility or treated as a separate item. He added that he didn't believe a performance pad had been approved by Council. Mr. Bredehoeft said that the consultant would bring back multiple options, and a decision had not yet been made on whether the performance pad would be included in the project or not.

Ms. Nelson amended the motion to remove the \$100,000 allocated for the performance pad, and instead to spend those dollars to integrate the necessary amenities and details currently present at the facility. The motion was seconded by Mr. Poling.

Mr. Odell stated that this request was merely for the collection of design ideas, and not an authorization to build the performance pad. Mr. Poling asked if the consultant would present options that did not include a new pad, and Mr. Bredehoeft said it would.

The vote on the amended motion failed 10-1, with Ms. Nelson in support.

The vote on the original motion passed 10-1, with Ms. Nelson in opposition.

Ms. Nelson made a motion that the City Council move to the Council Committee of the Whole portion of the meeting. The motion was seconded by Mrs. Schermoly and passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE **Zoning Regulation Changes**

Mrs. Robichaud stated that the Planning Commission had been working on the updates for nearly two years, and were now at a point to bring recommendations to Council. She asked that any changes suggested by the Council be made with a motion.



Chris Brewster, City Planning Consultant with Gould Evans, provided a presentation on zoning updates, noting that the bulk of the work focused on addressing items that needed to be “cleaned up”, as well as policy and planning issues and special tasks. The areas covered included landscape standards, sign standards, alternative energy, site plans, conditional use permits and special use permits.

Mr. Herring asked if a section on animal care would be included in the regulations. Mr. Brewster stated that there were inconsistencies in the past regarding how different types of animal-related facilities, such as veterinary clinics and daycare providers, were treated. The new regulations attempt to clarify and simplify the process.

Stating the he was supportive of the Environmental Committee’s suggestions regarding more flexibility for the installation of solar panels to allow them to function more efficiently, **Mr. Poling made a motion to revise the language in Section 19.50.010-C1 in the draft to match what was developed by the Environmental Committee. The motion would change the text to read “systems mounted on pitched roof structures or vertical walls shall not project more than 2 feet off the surface of the roof or wall.” The motion was seconded by Jori Nelson.**

Mrs. Robichaud stated that she had taken the previous recommendations made by Council to the Planning Commission, and particularly focused on the subject of solar panels. She added that the Commission had concerns about how projecting solar panels would affect neighborhoods and adjacent properties, and they felt it was appropriate to ask applicants to go through the site plan review process before a building permit is issued.

After some debate, Mr. Herring called the question. Mr. Odell seconded, and the motion passed 8-2, with Mr. Poling and Mrs. McFadden in opposition.

The motion to make a revision failed by a vote of 6-4, with Mr. Herring, Ms. Nelson, Mr. Nelson and Mr. Poling in favor.

Mr. Poling made a motion to direct staff to request that the Planning Commission make revisions to Section 19.50.010-C1 in the draft to allow a greater height for solar panels to allow angling. Ms. Nelson seconded. The motion failed by a vote of 6-4, with Mr. Herring, Ms. Nelson, Mr. Nelson and Mr. Poling in favor.

New Business

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

Mrs. Myers moved the City Council end the Council Committee of the Whole portion of the meeting. Mrs. Morehead seconded the motion which passed unanimously.



ANNOUNCEMENTS

- The Mayor shared that the State of Seniors Art reception would take place on July 12th.
- Ms. Nelson shared that the “Lights for Liberty Kansas City” event protesting family separation at the border would also take place on July 12th.
- Other 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 8:59 p.m.

Adam Geffert
City Clerk