



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
APRIL 20, 2020**

The City Council of Prairie Village, Kansas, met in regular session on Monday, April 20, 2020, at 6:08 p.m. Due to the COVID-19 pandemic, Councilmembers attended a virtual meeting via the Zoom software platform. Mayor Mikkelson presided.

ROLL CALL

Roll was called by the City Clerk with the following Council Members in attendance remotely via Zoom: Chad Herring, Jori Nelson, Inga Selders, Ron Nelson, Tucker Poling, Bonnie Limbird, Sheila Myers, Piper Reimer, Dan Runion, Courtney McFadden, Ian Graves and Terrence Gallagher. Staff present via Zoom: 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; Lisa Santa Maria, Finance Director; Meghan Boom, Assistant City Administrator; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Herring made a motion to approve the agenda for April 20, 2020. Mr. Gallagher seconded the motion. A roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.

PRESENTATIONS

Mayor Mikkelson read a proclamation designating the week of April 21 through 27, 2020, as "SevenDays Week 2020".

PUBLIC PARTICIPATION

No public comments were received prior to the meeting.

CONSENT AGENDA

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

Ms. Nelson requested item #1 be pulled from the agenda for further discussion, and Ms. Reimer asked that item #5 be removed as well.



1. Approval of regular City Council meeting minutes - April 6, 2020
2. Approval of Expenditure Ordinance #2989
3. Approval of agreement with Black and McDonald for streetlight maintenance services
4. Approval of bid award for highway rock salt
5. Approval of bid award for purchase of swimming pool chemicals

Mr. Gallagher made a motion to approve all items on the consent agenda with the exception of items #1 and #5. The motion was seconded by Mr. Herring. A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.

Ms. Nelson asked that language be added to the minutes noting that she had shared concerns raised by Ward 1 residents regarding groups of people playing sports at Indian Hills Middle School, in violation of social distancing guidelines.

Mrs. Myers stated that the date of the meeting with the Johnson County Library, referenced on page 2, needed to be changed from March 23 to March 11.

Mr. Herring made a motion to approve item #1 and the date correction. The motion was seconded by Ms. Reimer. A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.

Ms. Reimer asked if the purchase of pool chemicals should be delayed if the pool does not open for the season, and if purchased, whether the chemicals would expire or could be used the following year. Mayor Mikkelson stated that staff had been considering when and if the pool would open in 2020, but a decision had not yet been made. Mr. Bredehoeft added that chemicals are only purchased as they are needed throughout the year. If a decision to fill the pools was made, some chemicals would be purchased at the start of the season, with additional purchases later. He added that even if the bid award was approved, it would not require the City to purchase chemicals.

Mr. Graves made a motion to approve item #5. The motion was seconded by Mr. Nelson. A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.

COMMITTEE REPORTS

- Ms. Limbird provided an Arts Council update, noting that the April meeting had been cancelled, as had the April “Art of Photography” exhibit and reception. The Council intends to hold a virtual meeting in May.



- Ms. Nelson stated that the Environmental Committee had been promoting the “Deep Roots KC” plant sale, which would have taken place at a Prairie Village park in April. The event was tentatively postponed to June 6.
- Ms. Reimer said that she attended a virtual United Community Services Drug and Alcohol Council meeting the prior week, at which a discussion was held regarding requests from organizations that received funding to carry funds over to 2021. The next meeting will be held on May 21.
- Ms. Reimer, Ms. Limbird, Ms. Selders and Mayor Mikkelson shared information from their experience at the National League of Cities Conference, held in Washington, D.C. in March.
- Mr. Herring shared that the Tree Board did not meet in April, but was considering having a virtual meeting on May 6. He added that the annual Arbor Day celebration scheduled for April 25 was cancelled but may be rescheduled later in the year. Lastly, he noted that Public Works staff installed a sign at the American Elm tree stump at Bennett Park, and planted a new American Elm nearby.
- Mr. Gallagher said that the Statuary Committee meeting in March was cancelled, but that a virtual meeting was being organized to discuss the audit and inventory of all statuary assets in the City.

MAYOR’S REPORT

- Mayor Mikkelson said that The Market restaurant in Meadowbrook Park had opened for carryout services.
- The Mayor said that the stay-at-home order continued to be challenging, and noted that he met with City staff on a regular basis, and had participated in calls with Johnson County, the state of Kansas and federal agencies. He added that he had been appointed to a task force to develop a plan to reopen businesses in Johnson County.

STAFF REPORTS

Mr. Bredehoeft provided information on several Public Works projects:

- Johnson County Wastewater will begin a project in the summer to replace main lines under the northbound lanes of Mission Road from 83rd Street to 93rd Street. The project will take approximately one year. In 2021, Prairie Village and Leawood will work together to complete street rehabilitation of that section of roadway.
- The construction on Nall Avenue between 83rd Street and 95th Street is underway. The project is being managed by Overland Park.
- Public Works staff vacated the ‘A’ and ‘B’ buildings at 3535 Somerset and moved to the community center in preparation for construction. Mr. Bredehoeft will meet with contractors on April 29 to discuss building demolition.



- At the conclusion of the 2018 pool season, staff identified a leak in the adult pool. The leak continued through the 2019 season, but staff was unable to determine its source. Over \$12,000 was spent on extra water as a result of the leak in 2019. Mr. Bredehoeft proposed repairing the pool after the 2020 pool season, if the pools open. If the pools do not open, the repair work could begin sooner.

Ms. Nelson asked how much money was available in the pool budget for repairs, and when the Master Gardner would finish installing plantings in the back section of Wassmer Park. Mr. Bredehoeft stated that there was not currently significant money set aside for pool repairs, so funding would come from the park reserve. He added that he would get more information regarding the park gardens.

OLD BUSINESS

Mrs. Myers said that she was uncomfortable with the procedure the Mayor used to make changes to the employee vacation accrual policy on April 8 in response to the COVID-19 pandemic. She added that she felt it was appropriate for the Council to have participated in making the decision.

Mayor Mikkelson summarized his response by stating the following:

- The authority of the Mayor to make the changes was confirmed by the City Attorney.
- With the country in the midst of a pandemic crisis, and with other city and county governments announcing layoffs, furloughs and salary cuts, the Mayor felt it was crucial to make the announcement as soon as possible.
- City employees were working under extraordinary stress, pressure and risk due to the crisis; and
- Absent a special meeting, it would have been another two weeks from the time the policy had been determined to be legal for a vote to be taken by Council.

Mrs. Myers made a motion for Council to approve the increase in vacation accrual made by the Mayor on April 8. The motion was seconded by Mr. Poling. A roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, McFadden, Graves, Gallagher. The motion passed 11-0, with Mr. Runion unable to participate due to technical difficulties.

NEW BUSINESS

COU2020-07

Consider revisions to Council Policy 028 to allow for public meetings held by remote participation

David Waters stated that the Mayor had asked him to update the policy to better clarify how Council meetings are held remotely. The updated sections define the difference between meetings held predominantly by remote participation and in-person meetings at which individual Councilmembers participate remotely. Mr. Waters noted that the policy was broad in its scope, and could apply to all meeting that are subject to the requirements



of the Kansas Open Meetings Act (KOMA). He added that in-person meetings are still preferred, and the remote meetings would only be held when necessary.

Mr. Gallagher asked if the policy applied to other subcommittees besides the Council. Mr. Waters stated that remote participation for in-person meetings is only allowed for both City Council and Council Committee of the Whole meetings. It could be extended to other groups as well, though some committees, such as the Planning Commission, might require changes to their bylaws.

Mr. Gallagher made a motion to approve the revisions to Council Policy 028 as presented. Ms. Nelson seconded the motion.

Mr. Graves noted that Section B-3-d indicated that members of the Governing Body would only be allowed to attend two in-person meetings per year remotely. He asked if the limit could be waived at the Mayor's discretion in certain circumstances, such as prolonged illness. Mr. Waters said that it could be waived, but the language was written intentionally to ensure members make every effort to attend in-person meetings.

Mr. Poling asked whether remote meetings were only allowed when an emergency declaration or some other order was declared preventing an in-person meeting. Mr. Waters stated that was the case.

A roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.

COU2020-08 Consider approval of survey questions for curbside compost and glass recycling pilot program

Mrs. Robichaud provided a brief recap of the pilot program, noting that residents were selected to participate in each of the City's six wards, and that it would continue through July. The program's initial approval by Council included the creation of a survey to be shared with participants; a draft of the survey, which will be sent in early May, was included in the packet.

Ms. Nelson stated that questions #5 and #14, which address satisfaction of service provided, should include additional space for residents to share the reason for their answers. She also stated that some of the prices listed for glass recycling in question #16 were much higher than what would actually be charged by Glass Bandit. Mrs. Robichaud said the figures listed were selected to match those listed for compost collection in question #7 in an effort to find out how much residents would be willing to pay for both services each month. She added that the questions had been reviewed by the vendors participating in the pilot program.



Ms. Limbird stated that non-participants in the program should be given the opportunity to complete a survey about curbside compost and glass recycling programs as well. Ms. Robichaud said a survey for non-participants could be shared through the City's social media channels in the future.

Mrs. Myers noted that question #9 did not specify whether respondents preferred to have compost picked up weekly or biweekly, and recommended adding a question about collection frequency. Ms. Reimer suggested adding a question about customer service and cleanliness issues.

Ms. Nelson made a motion to add the changes she recommended for questions #5 and #14. Mr. Poling seconded the motion. A roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.

Mrs. Myers made a motion to add a question asking residents about their preference regarding frequency of compost pickup. Mr. Nelson seconded the motion. A roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.

Ms. Reimer declined to make a motion.

Ms. Limbird made a motion for final approval of the survey as amended. Mrs. Myers seconded the motion. A roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.

COU2020-09 Consider Amendment No. 1 with McCownGordon for the construction manager at risk agreement for the Public Works facility

Mr. Bredehoeft stated the amendment was related to the building demolition contract approved by Council on April 6. The amendment modifies the original agreement with the vendor from October 2019, and sets expectations in light of the COVID-19 pandemic. The new language is similar to standard contract language used by Public Works for delays related to adverse weather conditions. The City and the construction manager will work together toward a reasonable accommodation should delays related to the pandemic occur.

Mr. Poling made a motion to approve the amendment as presented. Mr. Herring seconded the motion. A roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.



COU2020-10 Consider Amendment No. 2 with McCownGordon for the pre-engineered metal building at the Public Works facility

Mr. Bredehoeft stated that after Public Works selected its pre-engineered metal building, McCownGordon suggested that it would be advantageous to also select the building contractor in order to begin construction sooner. The amendment sets the guaranteed maximum payment at \$1,002,079.

Ms. Limbird noted that a single-sloped roof was listed as an alternate for the administration portion of the building, and asked how it affected the overall design. Mr. Bredehoeft stated the building would still be well designed, and that the single-sloped option would save approximately \$60,000. Public Works staff will research both roof options and present findings to the Council at a later date.

Mr. Poling asked how installing the proposed silver Galvalume roof rather than a white roof would affect sustainability. Mr. Bredehoeft said both roofs meet LEED requirements, and sustainability would not be impacted.

Ms. Limbird made a motion to approve Amendment #2 as presented. Mrs. Myers seconded the motion. A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.

2021 Budget Update

Mrs. Santa Maria gave a presentation sharing estimated revenue for 2020 and a revenue forecast for 2021, and noted that the estimates came from review with other cities and the county. In a worst-case scenario, the City would see a loss of approximately \$1.5 million dollars, or roughly 6.6% of initial revenue estimates. She added that staff had identified nearly \$380,000 of potential budgetary savings through the remainder of the year, including reduced health insurance expenses, fuel, travel costs, and leaving some vacant positions unfilled. With these savings, combined with \$900,000 of currently unallocated and contingency funds, only \$178,000 would need to be used from the City’s reserve fund to make up the estimated revenue loss.

In 2021, property tax revenues are still projected to increase, while sales tax revenues are currently estimated to decrease slightly. Mrs. Santa Maria shared the proposed calendar for the remainder of the budget planning period.

Mr. Graves asked for additional information about the reduced healthcare expenses. Mrs. Santa Maria stated that the amount budgeted for health insurance in 2020 was greater than what the insurance plan actually ended up costing the City.

COUNCIL COMMITTEE OF THE WHOLE



There were no items to come before the Council Committee of the Whole.

ANNOUNCEMENTS

Mr. Runion stated that the Colonial Church shared information with parishioners about the solar panels that had recently been installed on the building. During a three-month period, the panels saved 2.5 tons of carbon dioxide, the equivalent of planting 122 trees.

Ms. Nelson said that she had been contacted by Asbury Church regarding food pantry donations for Prairie Village families struggling as a result of the pandemic. She spoke to the Prairie Village Foundation about using money raised at the Mayor's Christmas Tree Lighting for this purpose. Mayor Mikkelson added that the Foundation also provided donations to the Village Church food pantry. A link to additional resources will be posted on the City's website.

Announcements were included in the Council meeting packet.

ADJOURNMENT

Ms. Limbird made a motion to adjourn the meeting. Mr. Poling seconded the motion. A roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.

Adam Geffert
City Clerk