



**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
SEPTEMBER 8, 2020**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, September 8, 2020, at 6:00 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 Councilmembers in attendance remotely via Zoom: Chad Herring, Jori Nelson, Inga Selders, Ron Nelson, Tucker Poling, Bonnie Limbird, Sheila Myers, Piper Reimer, Courtney McFadden, Ian Graves and Terrence Gallagher. Staff present via Zoom: Tim Schwartzkopf, Chief of Police; Keith Bredehoeft, Director of Public Works; Katie Logan, attorney with Lathrop & Gage; Michael Seck, attorney with Fisher, Patterson, Sayler and Smith; 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. Nelson made a motion to approve the agenda for September 8, 2020. Mrs. Myers seconded the motion, which passed 11-0.

**PUBLIC PARTICIPATION**

No requests to address the Council were received.

**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 - August 17, 2020
2. Approval of Expenditure Ordinance #2993
3. Approval of short-term special use permit extending an outdoor seating area within the boundaries of a barricaded public area at the Blue Moose restaurant

Ms. Nelson made a motion to approve the consent agenda as presented. 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.



### EXECUTIVE SESSION

At 6:05 p.m., Mrs. Myers moved for the City Council to recess into executive session for a period of 20 minutes for the purpose of discussing, with legal counsel representing the City, a legal claim related to land use, pursuant to the exception for consultation with an attorney which would be deemed privileged in the attorney-client relationship, K.S.A. 75-4319(b)(2). Mr. Nelson seconded the motion, which passed 11-0.

The open meeting resumed at 6:25 p.m.

### COMMITTEE REPORTS

- Ms. Reimer stated that the Shawnee Mission School District began classes for the 2020 school year remotely on September 8. A hybrid schedule for elementary schools will begin in October. She added that the district would continue to provide free breakfast and lunch to all students.
- Ms. Limbird said that the City-to-City voter challenge kickoff meeting would be held on Thursday, September 10 at 4:30 p.m.

### MAYOR'S REPORT

- Mayor Mikkelson provided an update on the COVID-19 pandemic, stating that the 14-day positive percentage moving average was 12.3% in Johnson County. Daily new cases remained steady, with just over 100 per day in the county. Hospitalizations continued on a downward trend, and the death rate remained low.
- The Mayor attended a webinar on COVID-19 hosted by chief medical officers from several area hospitals. The webinar reinforced good hygiene and the wearing of masks to reduce the spread of the virus.
- The recently created Diversity Task Force will hold its first meeting on September 22 at 6:30 p.m. via Zoom.
- The Mayor was a panelist at a United Community Services housing summit meeting on August 26.
- The Mayor attended an economic inclusion housing webinar, which featured the creators of the Tiny Houses for Veterans project in Kansas City. He noted that methods to address housing issues would be included in the "Village Vision 2.0" comprehensive plan.
- The Mayor acknowledged the passing of Mike Copeland, who had been mayor of Olathe for 20 years.
- The Mayor congratulated Ron Nelson for graduating as President of the Northeast Johnson County Chamber of Commerce leadership class. He added that Courtney McFadden would begin serving as Vice-Chair of the Chamber.
- The Mayor attended two virtual lunch meetings with other regional mayors.
- The Mayor said that a Taco Republic restaurant would be taking over the space formerly occupied by Arby's in the Corinth Shops.



## **STAFF REPORTS**

### **Administration**

- Mr. Jordan shared that after significant effort, all of the CARES funding reimbursement submissions made by the City for COVID-19 expenses had been approved by Johnson County.
- Ms. Robichaud stated that a virtual public meeting would be held on September 9 to get community input on the “Village Vision 2.0” comprehensive plan update. She added that a Council work session to review comments would take place on September 28.
- Mr. Geffert noted that the City’s transition to a municipal code hosting platform provided by Municode had gone live. The new platform simplified the updating process and provided a much more user-friendly interface and search function. The Code is accessible by clicking the “Municipal Code” button on the City’s website.
- Mr. Jordan said that the September Plan of Action was included in the packet.

## **OLD BUSINESS**

Mr. Gallagher asked if the Diversity Task Force would consider displaying Pride banners on the light posts at City Hall. The Mayor said that such a request would fall within the scope of the Task Force, and that the body would make policy recommendations to the Council later in the year.

## **NEW BUSINESS**

**COU2020-39      Approve amendments to the Municipal Code pertaining to allowable hours for private property construction**

Mr. Jordan stated that the Council Committee of the Whole voted to direct staff to amend applicable language in the Municipal Code to reflect the following hours for private property construction at its August 17, 2020 meeting:

- Summer Months (May 15 through September 15):
  - Monday through Friday (excluding Federal holidays): 7:00 a.m. until 8:00 p.m.
  - Saturday and Sunday: 8:00 a.m. until 8:00 p.m.
  - Federal Holidays: 8:00 a.m. until 8:00 p.m.
- Non-Summer Months (September 16 through May 14):
  - Monday through Sunday: 8:00 a.m. until 8:00 p.m.

Ms. Selders stated that a construction “code of conduct” should be considered to address concerns regarding the behavior of homebuilders and contractors. **She made a motion to direct staff to amend the Municipal Code to allow private property construction during the**



hours approved by the Council Committee of the Whole, but to prohibit private property construction on the 10 annual Federal holidays. Ms. Nelson seconded the motion. A roll call vote was taken with the following votes cast: “aye”: J. Nelson, Selders, Poling; “nay”: Herring, R. Nelson, Limbird, Myers, Reimer, McFadden, Graves, Gallagher. The motion failed 8-3.

Ms. Nelson made a motion to approve amendments to Chapter VIII and Chapter XI of the Municipal Code as approved by the Council Committee of the Whole to regulate allowable hours for private property construction. 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, Graves, Gallagher; “nay”: McFadden. The motion passed 10-1.

**COU2020-40          Approve memorandums of understanding with Compost Collective KC and Food Cycle KC for curbside compost collection in Prairie Village**

Ms. Robichaud stated that Council had decided not to move forward with a citywide curbside compost and glass collection program for 2021 at its June 15, 2020 meeting. Instead, city staff was directed to negotiate discounted rates for residents to purchase services directly in exchange for the City helping to promote the programs. A 30% discount was negotiated with both Compost Collective KC and Food Cycle KC for residential customers and a 20% discount with Food Cycle KC for commercial customers.

Representatives from Food Cycle KC and Compost Collective KC gave presentations describing the services each offered.

Mr. Poling asked if customers could pick up compost from the vendors. Both stated they offered customers the opportunity to do so.

Mr. Gallagher made a motion authorizing the Mayor to execute Memorandums of Understanding with Compost Collective KC and Food Cycle KC. Ms. Reimer 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, McFadden, Graves, Gallagher. The motion passed 11-0.

**COU2020-41          Approve Project DRAIN-19X - 71<sup>st</sup> Street RCB replacement contract**

Mr. Bredeheoft stated that the project would replace the culvert under the 71<sup>st</sup> Street bridge on the east side of Mission Road. The culvert was in poor condition and the existing stone headwalls behind the curbs were failing. Replacement of the culvert would also allow for improved sidewalk conditions. The construction would result in the 71<sup>st</sup> Street intersection at Mission Road being closed for 60 days.



Five bids were received for the project, and Infrastructure Solutions' bid of \$433,800.00 was the lowest. Funding sources included the 2019 and 2020 drainage program as well as the Johnson County stormwater management program.

**Mrs. Myers made a motion to approve the construction contract with Infrastructure Solutions in the amount of \$433,800 along with change order authorization up to \$30,000. Ms. Limbird seconded the motion, which passed 11-0.**

**Mrs. Myers made a motion that the City Council move to the Council Committee of the Whole portion of the meeting. The motion was seconded by Ms. Reimer, and passed 11-0.**

#### **COUNCIL COMMITTEE OF THE WHOLE**

**Discussion related to participation in the Climate Mayors Network, purchase of Dynamhex carbon emissions tracking software, and adoption of a Climate Action Plan**

Ms. Buum stated that the Environmental Committee had recommended that the City Council move forward with a commitment to the Climate Mayors Network and the Paris Climate Agreement. To achieve the goals of the agreement, the Committee also recommended the purchase of the Dynamhex carbon emissions tracking software and the future development of a Climate Action Plan in accordance with the Climate Action KC Playbook.

Ms. Nelson added that the Climate Action Playbook would simply be used as a guide, not as a set of requirements to move forward.

Sunny Sanwar and Patrick Hosty of Dynamex gave a presentation about the company and its carbon emission tracking services, which measure emissions in the City and provides recommendations on how to address them.

**Ms. Nelson made a motion directing staff to draft an agreement with Dynamhex for carbon emissions tracking software to be approved at a future meeting. Mr. Poling seconded the motion. After further discussion, a roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Graves, Gallagher; "nay": McFadden. The motion passed 10-1.**

**Ms. Nelson made a motion to direct staff to move forward with a resolution in support of the Climate Mayors Network and Paris Climate Agreement to be approved at a future meeting. Mr. Nelson seconded the motion. After further discussion, a roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Reimer, Graves; "nay": Myers, McFadden, Gallagher. The motion passed 8-3.**

**Mr. Gallagher made a motion to table a discussion of the Climate Action KC Playbook until data had been obtained from the Dynamhex study. Mrs. McFadden seconded the motion.**



After further discussion, Mr. Gallagher withdrew his motion, and Councilmembers informally agreed to further discuss the Climate Action KC playbook at a future meeting.

Mr. Nelson moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Mr. Poling and passed 11-0.

### ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

### ADJOURNMENT

Mr. Poling made a motion to adjourn the meeting. The motion was seconded by Mr. Nelson, and passed 11-0.

Mayor Mikkelsen declared the meeting adjourned at 9:09 p.m.

Adam Geffert  
City Clerk