



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
NOVEMBER 2, 2020**

The City Council of Prairie Village, Kansas, met in regular session on Monday, November 2, 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, 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 Buom, Assistant City Administrator; Jake Gunter, Senior Information Technology Specialist, Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mrs. Myers made a motion to approve the agenda for November 2, 2020. Mr. Nelson seconded the motion, which passed 11-0.

PRESENTATIONS

Ms. Nelson introduced the 2021 Teen Council members, who were in attendance:

- Macy Cherra, Junior at St. Teresa's Academy
- Sydney Newton, Junior at Shawnee Mission East

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 - October 19, 2020



Mr. 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, Runion, McFadden, Graves, Gallagher. The motion passed 11-0.

COMMITTEE REPORTS

- Ms. Selders provided an update on the Diversity Task Force, noting that a list of recommended priorities would be provided to Council in the coming weeks. She added that she had researched the history of racial restrictions that appeared in original Prairie Village Homes Association documents.
- Ms. Limbird stated that she had signed up to attend the “Vision Zero” summit regarding the elimination of traffic fatalities for drivers, bicyclists and pedestrians.

MAYOR’S REPORT

- Mayor Mikkelson provided an update on the COVID-19 pandemic, stating that the percent positive rate in Johnson County had increased from 6.6% to 9.9% over the previous two weeks. New hospitalizations were down, but the death rate was up slightly.
- The Mayor participated in the Governor’s Commission on Racial Equity and Justice with other elected officials from across the state of Kansas.
- The Mayor was invited to meet with the “Stand Up For Black Lives+ Prairie Village” group, which was planning a Zoom event on November 7. Further information was available on the group’s Facebook page.
- The Shawnee Mission East girls’ golf team won the state championship.
- The Shawnee Mission Education Foundation Breakfast would be held virtually on November 3.
- The next Village Vision 2.0 work session was scheduled for November 9.
- The Mayor and Ms. Robichaud planned to meet with a developer to discuss an attainable housing proposal on November 6.
- “Va Bene”, a new Italian restaurant, was set to open in the Corinth Shops before the end of the year.
- The Mayor stated that the Prairie Village Municipal Foundation would hold a meeting on November 10, and a remote holiday tree lighting ceremony was planned for December 3.

STAFF REPORTS

Administration

- Mr. Jordan stated that the November plan of action was in the packet, and that volunteer applications for all City committees were now being accepted.

Public Works

- Mr. Bredehoeft provided updates on construction projects throughout the City:



- Installation of steel columns for the new Public Works building had begun the prior week.
- Base asphalt for the drainage project at 83rd Street and Reinhardt Street would be installed in the next few days.
- The culvert replacement project at 71st Street and Mission Road would reopen to traffic in approximately three weeks.
- The drainage and sidewalk project on State Line Road between 71st Street and 74th Street was nearly complete. The City will work with the City of Kansas City to repave that section of road in the summer of 2021.
- Public Works staff was planning the installation of crosswalks near Meadowbrook Park and Franklin Park.
- Trans Systems would be studying the intersection of 71st Terrace and Eaton Road to determine if a four-way stop is needed.

OLD BUSINESS

There was no old business to come before the Council.

NEW BUSINESS

COU2020-53 Consider memorandum of agreement with Little Government Relations for government relations and lobbying services in 2021

Ms. Robichaud stated that in early 2020, the City Council authorized an agreement with Little Government Relations (LGR) for government relations and lobbying services. Throughout 2020, LGR provided these services for the City, which included legislative updates, drafting and providing in-person testimony, and briefing staff and Councilmembers on important issues that impact cities in Kansas. LGR's services included weekly written updates and conference calls during the legislative session and monthly written updates during the non-session period.

Prior to 2020, City staff had to draft all testimony on behalf of the City and stay apprised of legislative happenings through the League of Kansas Municipalities. Procuring the services of Little Government Relations in 2020 saved a significant amount of staff time and resulted in the City being more informed on legislative issues than in previous years.

Staff recommended continuing the City's relationship with Little Government Relations in 2021. The annual cost of services for 2021 is the same as 2020, at \$10,000, paid in four quarterly installments of \$2,500. The expenditure was included in the 2021 contractual services budget.

Mr. Nelson made a motion to approve the agreement as presented. Ms. Limbird seconded the motion, which passed 9-2, with Ms. Nelson and Mr. Runion in opposition.



COU2020-54 Johnson County Coronavirus relief fund subrecipient grant agreement and expenditures to date

Mrs. Santa Maria said that as a result of the Covid-19 pandemic, Johnson County received approximately \$116 million in Coronavirus Relief Funds (CRF) from the federal government. The State of Kansas allocated another \$8 million in state funds for Coronavirus relief to the County. The total amount received by Johnson County was approximately \$124 million. In June 2020, the County announced plans to divide the original \$116 million into three phases, including 45 percent or approximately \$50 million going to local governments. A committee of city and county representatives worked to develop a proposed method of sharing the Phase 1 funds with cities in Johnson County. This included the immediate reimbursement of actual expenses incurred in response to the Covid-19 emergency and review and approval of potential additional expenses anticipated through December 31, 2020.

Johnson County cities were eligible to receive a total allocation based on population. Prairie Village was allocated \$689,201.15; the City had received \$60,982.12 in funds from the county thus far, and an additional submittal of \$47,387.49 was in process. The total for all expenditure categories was \$533,705.15.

Mrs. Myers asked what was included in the \$111,337 allocated for video conferencing equipment in the Council Chambers and multi-purpose room (MPR). Mr. Gunter stated that the funds would add additional cameras and functionality to the Council Chambers, as well as video conferencing equipment in the MPR.

Mrs. McFadden made a motion to approve the subrecipient grant agreement and reaffirm expenditures to date. Mr. Gallagher 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. Mr. Herring seconded the motion, which passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE

COU2020-55 Amendments to City right-of-way regulations

Mr. Waters said that in 2019, Council approved updates to City zoning regulations, which included provisions regarding wireless facilities. As part of the process of accommodating anticipated "small-cell" installations, staff completed a thorough review of the City's right-of-way regulations and made the following updates:

- General "clean-up" revisions
- Updated terminology to account for wireless facility language incorporated into the City's zoning regulations
- New design and aesthetic requirements for use of the public right-of-way



Mrs. McFadden made a motion to approve the updated regulations as presented and advance Ordinance #2428 to the City Council for final approval. Mr. Nelson seconded the motion, which passed 11-0.

COU2020-55 Amendments to City fee schedule

Mr. Waters stated that the Kansas Legislature had prohibited the use of the term “franchise fee” for wireless providers, and as such, the City fee schedule needed to be updated to reflect the new term, “small-cell deployment fee”. Additionally, a 2018 FCC order established that fees charged to providers must be “reasonable”, and not exceed the following “safe harbor” thresholds:

- \$500 for a single, up-front application that includes up to five (5) small wireless facilities, with an additional \$100 for each small wireless facility beyond five
- \$270 per small wireless facility per year for all recurring fees, "including any possible right-of-way access fee or fee for attachment to municipally-owned structures in the right-of-way"

Mr. Waters added that some of the wireless fees on the City's current fee schedule exceeded these safe harbors, but that there had been legal challenges to the 2018 FCC Order, which had not yet been finalized. In discussions with providers and other Johnson County city attorneys, at least two providers agreed to language moving forward that accommodates some of the cities' higher fees, but allows the providers to pay only the "safe harbor" fees until such time as the challenges are completed. The new fee structure is laid out in Resolution 2020-07, which is consistent with many other cities in Johnson County.

Mrs. McFadden made a motion to approve the updated fees as presented and advance Resolution #2020-07 to the City Council for final approval. Mr. Graves seconded the motion, which passed 11-0.

Mr. Nelson moved that the City Council end the Council Committee of the Whole portion of the meeting. Ms. Limbird seconded the motion, which passed 11-0.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mr. Herring made a made a motion to adjourn the meeting. The motion was seconded by Ms. Limbird, and passed 11-0.



The City Of
Prairie Village, Kansas

Mayor Mikkelson declared the meeting adjourned at 6:54 p.m.

Adam Geffert
City Clerk