



**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
DECEMBER 21, 2020**

The City Council of Prairie Village, Kansas, met in regular session on Monday, December 21, 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, 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; Major Byron Roberson; Keith Bredehoeft, Director of Public Works; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Meghan Boom, Assistant City Administrator; Adam Geffert, City Clerk.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

Mrs. Myers made a motion to approve the agenda for December 21, 2020. Mr. Nelson seconded the motion, which passed 11-0.

**PRESENTATIONS**

The Mayor recognized retiring Police Chief Tim Schwartzkopf, noting his 27 years of service to the Police Department and the City.

**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 - December 7, 2020
2. Approval of Expenditure Ordinance #2996 and #2997
3. Consider interlocal agreement with Johnson County for Project DRAIN19X: State Line Road (71<sup>st</sup> to 74<sup>th</sup>) and 71<sup>st</sup> Street RCB culvert replacement
4. Consider agreement with Berberich, Trahan & Co., P.A. to audit the City's 2020 financial statements



5. Consider approval of memorandum of understanding with the City of Overland Park for the sharing of traffic camera video for law enforcement and traffic engineering purposes

**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, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 11-0.**

### **COMMITTEE REPORTS**

- **Insurance Committee**

**COU2020-74            Consider approval of a recommendation to renew insurance coverage with Travelers Insurance**

Mr. Nelson stated that the Insurance Committee met with the City’s insurance agent, Hub International, to review potential rate increases for 2021. He noted that the City could expect a single-digit increase for all non-health insurance rates, which would be lower than most similarly sized communities. The Insurance Committee decided not to go out to bid, but instead stay with Travelers, the city’s current provider.

**Mrs. Myers made a motion to approve the recommendation of the Insurance Committee as presented. Ms. Selders seconded the motion, which passed 11-0.**

- Ms. Reimer shared that Shawnee Mission School District Superintendent Mike Fulton had announced his retirement as of July 1, 2021. She added that middle and high school students would continue to attend classes remotely until at least January 22, due to the COVID-19 pandemic. Lastly, ballots for the proposed bond measure for the district would be sent by mail in early January.
- Ms. Limbird said that committee applications would continue to be received through January 1, 2021.

### **MAYOR’S REPORT**

- Mayor Mikkelson stated that individual donations to the Prairie Village Foundation made before the end of the year would be matched by an anonymous donor up to a total of \$10,000.
- The Mayor participated in the “Shop with a Cop” event the prior week.
- The Mayor provided an update on the COVID-19 pandemic, noting that in Johnson County, the moving 14-day percent positive rate was down from two weeks ago, at 12.7%. New hospitalizations were down slightly, though deaths were trending upward. Vaccinations of front-line healthcare workers began the prior week.
- The Mayor thanked those that shared messages with City employees for staff appreciation week.



- The Mayor and staff met with Kyle Palmer, editor of the Shawnee Mission Post. Juliana Garcia will start as the full-time reporter for the City in January.
- The Mayor and Mr. Graves participated in a “climate mayors” call, at which a discussion of sustainability projects was held.
- The City of Mission Hills hired a new City Administrator, Jennifer Lee, to replace retiring administrator Courtney Christensen.
- The Northeast Johnson County Mayors met the prior week with School District President Heather Ousley and other district officials to discuss ways to promote the bond issue.
- The Va Bene Italian restaurant in the Corinth Shops had recently opened for carryout and delivery.
- The Mayor recognized the Council’s accomplishments throughout the year.

### STAFF REPORTS

None

### OLD BUSINESS

There was no old business to come before the Council.

### NEW BUSINESS

**COU2020-75      Provide a one-time, year-end hazard/stress disbursement to city employees in recognition of extraordinary workload, risk and results through the COVID-19 pandemic**

Mayor Mikkelson stated that City staff had made extraordinary sacrifices and contributions in 2020 to keep the City running smoothly while facing the dangerous COVID-19 pandemic. He added that the City's good financial position presented a unique opportunity to acknowledge their extraordinary performance, and that doing so would have a positive impact on morale, retention and recruitment.

The proposed 1.5% disbursement would total approximately \$101,250, and would be paid to employees in 2020. Because of budgetary action in the early stages of the pandemic which reduced spending, the City was expected to end the year with \$1.4 million in funds exceeding budgeted reserves.

**Mr. Poling made a motion to approve the one-time pay disbursement as presented. Mr. Nelson seconded the motion.**

**Mr. Runion made a motion to amend the motion to allow Council to grant the Mayor the authority to direct the expenditure of funds for the proposed bonuses. The motion was seconded by Mrs. McFadden.**



After further discussion, A roll call vote on the motion to amend the motion was taken with the following votes cast: “aye”: Limbird, Myers, Runion, McFadden. “nay”: Herring, Selders, R. Nelson, Poling, Reimer, Graves, Gallagher. The motion failed 7-4.

A roll call vote on the original motion was taken with the following votes cast: “aye”: Herring, Selders, R. Nelson, Poling, Limbird, Reimer, McFadden, Graves, Gallagher; “nay”: Myers, Runion. The motion passed 9-2.

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. Limbird, and passed 11-0.

### **COUNCIL COMMITTEE OF THE WHOLE** **Discuss 2021 Legislative Platform**

Ms. Robichaud stated that at its December 7 meeting, the Council discussed possibly adopting the League of Kansas Municipalities’ Statement of Municipal Policy each year and then identifying the City’s top priorities. The Council asked staff to put together a side-by-side comparison of the League’s statement with the City’s 2020 platform, which was included in the meeting packet for review. The League’s statement, with highlights noting items that were not included in the City’s platform, was also included.

Mr. Nelson stated the League’s statement was written with the intention of representing over 500 cities in the state, and as such, did not adequately address the specific legislative priorities of the City. Ms. Selders and Mr. Poling were in agreement.

Dr. Stuart Little and Mallory Lutz of Little Government Relations, the City’s lobbying firm, were in attendance at the meeting. Ms. Reimer asked them if there was an advantage to making the League’s statement the City’s own. Ms. Lutz stated she did not feel it would be a disadvantage, particularly if additional City-specific priorities were included. Mr. Little added that local legislators would likely view issues specific to the City with more interest.

**Ms. Limbird made a motion to adopt the League of Kansas Municipalities’ Statement of Municipal Policy as the City’s Legislative Platform, and for the City Council to select five priorities from any source to provide to legislators. Mrs. McFadden seconded the motion. The motion passed 6-5, with Ms. Selders, Mr. Nelson, Mr. Poling, Ms. Reimer and Mr. Graves in opposition.**

After further discussion, Ms. Limbird made a motion for each Councilmember to provide their top five priorities to staff, who would then collate the lists and present them to Council for further discussion. Ms. Reimer seconded the motion, which failed 7-4 with Mr. Herring, Mr. Nelson, Ms. Selders, Mr. Poling, Mr. Runion, Mr. Graves and Mr. Gallagher in opposition.



Mr. Graves made a motion to elevate language from the 2020 Legislative Platform related to the following items for 2021:

- State funding of public education
- Internet sales tax collections
- Maintaining local control
- Addressing the climate crisis
- Tax policy and the “dark store” theory
- Non-discrimination policy
- Repeal of the property tax lid

Mr. Nelson seconded the motion, which passed 9-2, with Mrs. Myers and Mr. Runion in opposition.

Mr. Gallagher made a motion to defer discussion on the decriminalization of marijuana until the Council had an opportunity to see the presentation that would be given by Ms. Selders and Mr. Graves at the January 4, 2021 meeting. There was no second to the motion.

Ms. Selders moved to change the language of the existing “Medical Marijuana” item on the 2020 Legislative Platform to the following:

#### Legalization of Marijuana

“We support the legalization of marijuana and its derivatives for the purpose of improving the quality of life for individuals with medical conditions that can benefit from its use. We support the legalization of marijuana because racial disparities in marijuana enforcement are widespread and longstanding. Legalizing marijuana would correct these disparities. We support the legalization of marijuana because taxes generated from legal sales will boost our economy, fund public programs, and create new jobs. We support the legalization of marijuana because it would free up police resources and end costly enforcement.”

The motion was seconded by Mr. Graves, and failed 7-4, with Mr. Nelson, Ms. Limbird, Mrs. Myers, Ms. Reimer, Mr. Runion, Mrs. McFadden and Mr. Gallagher in opposition.

Ms. Limbird made a motion to use the language developed by the League of Kansas Municipalities regarding the legalization of marijuana:

“The legislature should carefully weigh the impact of medical marijuana on law enforcement and human resources. In addition, medical marijuana should be subject to existing state and local sales tax and cities should be able to levy their own excise fees and receive a portion of any state funds to offset the impact of medical marijuana. Also, cities should have the ability to opt-in to allowing dispensaries in their city. Kansas should only allow the cultivation and processing of medical marijuana and THC in licensed facilities and should not allow residential



grow operations of any sort. In addition, Kansas should delay implementation to give time to study any issues that might result from the passage of medical marijuana legislation.”

Mr. Herring seconded the motion, and moved to amend it to by adding the first sentence of Ms. Selders’ suggested edits to the beginning of the language provided by the League. Mr. Nelson seconded the motion, which passed 7-4, with Ms. Selders, Ms. Reimer, Mr. Runion and Mr. Gallagher in opposition.

The vote on the original motion as amended failed 6-5, with Ms. Selders, Mrs. Myers, Ms. Reimer, Mr. Runion, Mrs. McFadden and Mr. Gallagher in opposition.

Ms. Robichaud said that she would provide a one-page summary stating that the City supported the League’s statement along with the list of the seven items to be elevated at the January 4, 2021 meeting.

**COU2020-76            Consider approval of design agreement with BBN Architects, Inc. for the design of the park projects at Taliaferro Park**

Mr. Bredehoeft said that Public Works had requested proposals from firms to provide professional services for park design in 2018. BBN Architects was selected to provide those services for the three-year period of 2018-2020.

The proposed agreement included two park projects at Taliaferro Park: the shelter renovation project, to replace the shelter and repair the retaining wall surrounding the northern edge of the structure, and the restroom project, which included the construction of a permanent restroom for the park. Mr. Bredehoeft added that both projects would be constructed at the same time, reducing the impact on park patrons.

Mrs. McFadden made a motion to approve the design agreement as presented. Mr. Gallagher seconded the motion, which passed 11-0.

**COU2020-77            Consider Project BG3900001: Harmon Park skate park construction contract and transfer of \$50,000 from park reserve to Project BG3900001**

Mr. Bredehoeft stated that Public Works had selected O’Donnell and Sons Construction to serve as the local general contractor for the new skate park. The project would be added to their existing contract with the City, as a change order to Project PAVP2020. O’Donnell and Sons would perform the general site work and manage the project, while New Line Skate Parks would complete the specialty construction work on the park.

Mr. Bredehoeft added that the final skate park design was based on the concept presented at the third public meeting for the project. As the final design was developed, some of the



cost estimates increased, and as such, the project would require an additional \$50,000 from the Park Reserve Fund to build the same concept and cover miscellaneous expenses. Construction was expected to begin in the summer of 2021.

**Mrs. McFadden made a motion to approve the agreement as presented. Mr. Graves seconded the motion, which passed 11-0.**

**Ms. Limbird moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Mrs. McFadden and passed 11-0.**

#### **ANNOUNCEMENTS**

Announcements were included in the Council meeting packet.

#### **ADJOURNMENT**

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

**Mayor Mikkelson declared the meeting adjourned at 8:01 p.m.**

Adam Geffert  
City Clerk