



**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
AUGUST 16, 2021**

The City Council of Prairie Village, Kansas, met in regular session on Monday, August 16, 2021, 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: Byron Roberson, Chief of Police; Keith Bredehoeft, Public Works Director; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Tim Schwartzkopf, Assistant City Administrator; Meghan Buom, Assistant City Administrator; Nickie Lee, Finance Director; Adam Geffert, City Clerk.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

Ms. Reimer made a motion to approve the agenda for August 16, 2021. Ms. Nelson seconded the motion, which passed 11-0.

**PRESENTATIONS**

**PUBLIC PARTICIPATION**

The following residents spoke about the proposed mask mandate:

- Michelle Vianello, 5209 W. 83<sup>rd</sup> Terrace
- Steve Snitz, 4310 W. 70<sup>th</sup> Terrace
- Dr. Jameelah Lang, Ph.D.
- Rep. Jerry Stogsdill

John Anderson, 4402 W. 63<sup>rd</sup> Terrace, shared opinions about the Diversity Committee.

With no one else present to address the Council, public participation was closed at 6:28 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 - August 2, 2021
2. Approval of expenditure ordinance #3005
3. Consider request for alcoholic beverage waiver for Harmon Park for the Prairie Village Jazz Festival
4. Approval of change to animal enumeration process

**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, Reimer, McFadden, Graves; "nay": Gallagher. The motion passed 10-1.**

### **COMMITTEE REPORTS**

- Ms. Selders said planning for the 2021 JazzFest event continued. She noted that the Kansas Department of Health and Environment recently updated its COVID guidelines to recommend that unvaccinated individuals at outdoor public events of 500 or more quarantine afterward if social distancing at the event is not possible. The JazzFest Committee will consider modifications to meet the new guidelines, with cancellation being a possibility.
- Diversity Committee
  - Consider Approval of funds for Diversity Committee

Ms. Selders stated The Diversity Committee was collaborating with the American Jazz Museum to have a tent at the 2021 JazzFest event. The museum will provide information about the 18th and Vine District and the history of jazz in Kansas City. The committee is requesting funds to cover rental costs for the tent, tables, chairs, and to purchase a banner, signs, and other miscellaneous items, totaling \$1,000.00.

**Ms. Selders made a motion to approve funds in the amount of \$1,000.00 to the Diversity Committee for the proposed exhibit. Ms. Nelson seconded the motion, which passed 11-0.**

- Ms. Limbird said the Arts Council's State of the Arts event would be held in October, but that the in-person reception had been cancelled. She added that the Arts Council was working with The Parade of Hearts, R.H. Johnson and First Washington to bring more artwork to the City.



- Mr. Herring stated that the Tree Board met on August 4, at which a presentation on the Regional Climate Change Plan was given by representatives from the Mid-America Regional Council. Additionally, a conversation was held about upcoming plans to plant new trees in the City.

Mr. Herring also noted the Finance Committee would meet on August 19 to discuss the City's bond capacity.

### MAYOR'S REPORT

- The Mayor provided an update on the COVID-19 pandemic, stating that the vaccination rate in Johnson County had increased slightly, with 57.8% of residents aged 12 and up now vaccinated. In Prairie Village, the rate had grown to 61.8%. New cases were increasing, as were hospitalizations and deaths.
- The Mayor met with leadership from the Indian Hills Country Club to discuss cooperative security initiatives.
- The Police Department's 2021 first-half crime statistical report was included in the meeting packet.
- The Mayor attended the Police Department's National Night Out event on August 3.
- The Mayor said that the recently formed Housing Committee planned to hold its first meeting in September.
- The Mayor stated that 2020 census data had been released, and that Prairie Village had grown by approximately 7% since 2010. The population now stood at nearly 23,000.
- The Mayor attended a Mayor's Climate Group conference call, with Mayors from 90 cities around the country. He noted that the Environmental Committee would be considering the "Race to Zero" climate action campaign for the City.
- The Mayor stated that the Shawnee Mission School District's "State of the Schools" lunch would be held on August 19.
- The Mayor said that the Johnson County Charter Commission would hold its next meeting on August 25.
- The Mayor noted that the Johnson County / Wyandotte County Mayors group would meet in Prairie Village on September 1.
- The Mayor shared updates about several businesses in Prairie Village:
  - Tamara Day, star of HGTV's "Bargain Mansions", will be moving her Growing Days store to the Corinth Shops.
  - Café Provence in the Prairie Village Shops will celebrate its 20<sup>th</sup> anniversary.
  - Meddy's, a new Mediterranean restaurant, will open at Corinth Quarter soon.
  - Scratch Gourmet Express recently opened in the Village Shops, and will hold a ribbon-cutting ceremony on August 26.
  - Scissors and Scotch recently opened in the Corinth Shops.
  - A Corinth Quarter ribbon-cutting event will be held on September 16.
  - Blush Boot Camp, a fitness studio, will open in the old Tatsu's restaurant space.
- The Mayor stated that the Lancer Day Parade would be held on September 3.



### STAFF REPORTS

- Chief Roberson summarized the 2021 first-half crime statistics that were included in the meeting packet. He noted that the Police Department had partnered with the Internal Revenue Service to reduce fraud-related crimes in the City.

### OLD BUSINESS

There was no old business to come before the Council.

### NEW BUSINESS

**COU2021-59**

**Consider an ordinance regulating public offenses within the City of Prairie Village, Kansas, amending Chapter 11 (Public Offenses and Traffic), Article 2 (Local Regulations) of the Code of the City of Prairie Village to require the wearing of face coverings or masks during the COVID-19 public health emergency and recovery**

Mr. Waters reviewed the draft ordinance that Council had directed him to write at its August 2 meeting. He noted that the ordinance's rules and regulations were very similar to the Governor's previous statewide mandate, with some slight changes. The mandate would only apply to indoor public spaces, and would not apply to public and private schools, many of which had already implemented their own mandates. Religious ceremonies and activities were also excluded. Some options for Council to consider were also included, such as giving businesses the option to require proof of COVID vaccination for visitors rather than masks, and determining the penalty for violations. As written, the ordinance would expire at 11:59 p.m. on September 30, 2021.

Councilmembers shared concern over how the proposed mandate would affect local businesses, particularly those at which social distancing would be difficult. Many also expressed the importance of incentivizing vaccinations.

**Ms. Nelson made a motion to adopt the ordinance requiring masking for both vaccinated and unvaccinated individuals in all indoor public areas, including the first paragraph of Option 1 in Section 11-222, Subsection C:**

*The knowing and willful failure or refusal to comply with the requirements of this Section 11-222 shall be an unclassified violation. Any fine imposed for a violation of this section shall not exceed \$25.00.*

**The motion was seconded by Ms. Selders.**



After further discussion, Mrs. McFadden made a motion to amend the motion to include Option 2-C in Section 11-222, Subsection A - “Mask or other face coverings; definitions”:

*Notwithstanding anything in this Section 11-222 to the contrary, this Section 11-222 shall not apply to any public space or any other business or organization covered by this Section 11-222 which, as a condition of entry into such public space, business, or organization, requires reasonable proof that every person (regardless of age) entering such public space has received all doses of the then-available COVID-19 vaccines, per the minimum requirements for full vaccination established by such vaccine maker or applicable governing authority.*

Mr. Herring seconded the motion to amend. A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Poling, Limbird, Reimer, McFadden, Graves Gallagher; “nay”: Selders, R. Nelson, Myers. The motion passed 8-3.

Mr. Herring made a motion to amend Section 11.222, Subsection B-3-F, removing all language past the phrase “while they are eating or drinking”:

*Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are eating or drinking, ~~provided they maintain a 6-foot distance between individuals (not including individuals who reside together or are seated together) with only infrequent or incidental moments of closer proximity;~~*

The language of Section B-3-F would now read:

*Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are eating or drinking;*

Mr. Poling seconded the motion to amend. 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.

A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Reimer, McFadden, Graves Gallagher; “nay”: Myers. The motion passed 10-1.

Ms. Limbird 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. Myers and passed 11-0.



**COUNCIL COMMITTEE OF THE WHOLE**

COU2021-60      Consider memorandum of understanding with Bird Rides, Inc., for a one year pilot program

Mr. Bredehoeft stated that Bird Rides, Inc. approached the City with the desire to deploy electric assisted scooters in Prairie Village. On June 21, 2021, Mike Butler, with Bird Rides, presented a deployment plan to the City Council. At the meeting, Council directed staff to develop a pilot program for the deployment of Bird scooters.

Mr. Bredehoeft added that Bird typically develops a pilot program via a one-year memorandum of understanding (MOU). A proposed MOU was included in the meeting packet. If approved, the City and Bird Rides would launch a public outreach effort notifying residents of the pilot project. Input from the community will be obtained throughout the pilot project and will help the City determine if a longer-term agreement with Bird Rides is desired. The MOU can be terminated at any time by either party with a 30-day notice.

Mr. Butler was present to discuss the proposed pilot program, which would run from September 2021 through August 2022. He stated scooters would be located at 12 to 15 locations throughout the City, but locations had yet to be determined.

Councilmembers shared concern over ensuring riders were over the age of 18, and that scooters were used only on streets, as opposed to sidewalks.

Mr. Poling moved to authorize the Mayor to sign the memorandum of understanding with Bird Rides, Inc., for a one-year pilot program. The motion was seconded by Ms. Limbird.

After further discussion, A roll call vote was taken with the following votes cast: “aye”: R. Nelson, Poling, Limbird, Myers, McFadden, Graves; “nay”: Herring, J. Nelson, Selders, Gallagher. The motion passed 6-4. Ms. Reimer had already left the 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. Graves and passed 10-0.

**ANNOUNCEMENTS**

Announcements were included in the Council meeting packet.

**ADJOURNMENT**

Ms. Nelson made a motion to adjourn the meeting. Mr. Herring seconded the motion, which passed 10-0.

Mayor Mikkelson declared the meeting adjourned at 9:26 p.m.



Adam Geffert  
City Clerk