



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
NOVEMBER 15, 2021**

The City Council of Prairie Village, Kansas, met in regular session on Monday, November 15, 2021, at 6:00 p.m. Mayor Mikkelson presided.

ROLL CALL

Roll was called by the City Clerk with the following Councilmembers in attendance: Chad Herring, Jori Nelson (via Zoom), Inga Selders, Ron Nelson, Tucker Poling, Bonnie Limbird (via Zoom), Sheila Myers, Piper Reimer (via Zoom), Dan Runion (via Zoom), Courtney McFadden, Ian Graves (via Zoom), and Terrence Gallagher. Staff present: Byron Roberson, Chief of Police; Melissa Prenger, Public Works; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Tim Schwartzkopf, Assistant City Administrator; Meghan Boom, Assistant City Administrator; Nickie Lee, Finance Director; Deana Scott, Court Administrator; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Nelson made a motion to approve the agenda for November 15, 2021. Mr. Poling seconded the motion, which passed unanimously.

PRESENTATIONS

- Mayor Mikkelson read a proclamation recognizing November 27, 2021 as Small Business Saturday in Prairie Village.
- Dr. Sunny Sanwar, PhD, CEO of Dynamhex Corporation, gave a presentation on the City's estimated greenhouse gas footprint. Dr. Sanwar worked with Kansas Gas Service, Evergy and Johnson County to estimate emissions for all buildings in the City, and provided information on how to reduce emissions through certain actions and strategies.

Mrs. McFadden stated the website at which Prairie Village data could be viewed was not working correctly, and shared concern about the age of the data being collected. Dr. Sanwar said that he would ensure the website was functional and provide further information about the data being collected at a future Council meeting.



PUBLIC PARTICIPATION

None

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 - November 1, 2021
2. Approval of expenditure ordinance #3008
3. Consider renewal of the Blue Valley Public Safety contract for the City's outdoor warning siren system maintenance in 2022
4. Consider resolutions designating City officials and staff authorized to act on behalf of the City for investments and financial transactions

Mrs. Myers asked to remove item #1 from the consent agenda.

Mrs. McFadden made a motion to approve consent agenda items 2 - 4 as presented. 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 unanimously.

Mrs. Myers requested clarification of the metric used to determine the maximum assessed property value allowed for the tax rebate program. The minutes stated the median value would be used, but the motion that was made at the November 1 meeting referred to the average value. Mrs. Myers noted that the two amounts were significantly different.

After discussion, Mrs. Myers moved to use the language "median home value" in the minutes, but to strike the dollar amount listed, which represented the 2021 average value. Mr. Nelson seconded the motion, which passed 10-1, with Mr. Runion in opposition, and Mr. Gallagher in abstention.

COMMITTEE REPORTS

- Mr. Poling stated that the Parks and Recreation Committee met on November 10 to discuss a new five-year parks master plan, community garden expansion and updated recreational fee schedules.
- Mr. Nelson noted that the Meadowbrook Public Art Committee met on October 26 to evaluate the final three pieces of art being considered for installation at Meadowbrook Park. After reviewing public input, the committee selected "Gateway" by local artist Amie Jacobsen. A ribbon-cutting will be held on June 2, 2022.



Ms. Limbird said that VanTrust Realty had donated to the “[Parade of Hearts](#)” project, and that a piece of public art would likely be placed at Meadowbrook Park.

- Mr. Gallagher said the Prairie Village Foundation would be holding two events in December:
 - The Mayor’s Holiday Tree Lighting Ceremony on December 2 at the Corinth Shopping Center
 - The Gingerbread House Party on December 5 at Briarwood Elementary School

MAYOR’S REPORT

- The Mayor congratulated recently elected Councilmembers, and thanked all candidates that ran for office. He stated that the four outgoing Councilmembers would be recognized at the December 6 Council meeting, at which new Councilmembers would also be sworn in.
- The Mayor provided an update on the COVID-19 pandemic, noting that 5 - 11 year-old children were now able to receive vaccines. He stated that there had been a minor increase in cases over the prior week, and that the percent positive rate had increased to 5.9%. New hospitalizations and deaths remained stable. The vaccination rate in Johnson County had increased to 78.6% of those 12 and up according to the County Health Department, and the Center for Disease Control reported that 66.3% of the total population of the county (including children) had been vaccinated.
- Staff and Councilmembers completed Diversity, Equity and Inclusion (DEI) training over the prior two weeks.
- A ribbon-cutting event was held for the relocated Hunter Family Vision office in Corinth Quarter.
- Councilmembers were invited to attend a Johnson County / Wyandotte County Mayors dinner event on December 1.
- A Johnson County / Wyandotte County Council of Mayors meeting was held at the Meadowbrook clubhouse on November 3, at which United Community Services of Johnson County gave a housing presentation.
- The Mayor said that he planned to attend a memorial event for former Congressman Dennis Moore on November 18.
- The Mayor noted that bond pricing for the Meadowbrook bond refunding proposal approved by Council was underway. The refunding is expected to save Prairie Village taxpayers approximately \$700,000.
- The Johnson County Charter Commission will meet again on November 17.
- The Northeast Johnson County Chamber annual gala event will be held on November 20.
- The Kansas City Chamber of Commerce annual dinner will be held November 24.
- The Codes Department will move from City Hall to the new Public Works facility on November 18 and 19, and will reopen at its new location on November 22.



- The United Community Services' annual meeting will be held virtually on December 3.
- The City of Overland Park will celebrate the retirement of Mayor Carl Gerlach on December 3.

STAFF REPORTS

- Chief Roberson said the Police Department was participating in "Movember", an annual event involving the growing of moustaches and beards during the month of November to raise money for St. Jude's Children's Hospital cancer research. As of November 15, the Department had raised \$1,125.

OLD BUSINESS

There was no old business to come before the Council.

NEW BUSINESS

COU2021-80

Consider adoption of Ordinances 2459, 2460, and 2461 to clarify and clean up the nuisance, unsafe structure and abatement provisions in the municipal code

Ms. Robichaud said that there were currently two sections in the Prairie Village Municipal Code that addressed nuisances, unsafe structures, and abatements. In some instances, the language in each section conflicts with the other, which becomes confusing for staff when researching the process for handling abatement or nuisances and unsafe structures.

Staff worked with City Attorney David Waters to improve the language in the municipal code regarding these provisions to provide better clarity and eliminate conflicting language. Staff recommended adopting Ordinance 2459, which would create a new Article 6 of Chapter 8 (Health and Welfare) which addresses all provisions related to nuisances, unsafe structures, and abatements. The recommendation also includes adopting Ordinances 2460 and 2461, which amend and eliminate the current provisions in Article 1 of Chapter 4, and Article 2 of Chapter 8 related to nuisances, unsafe structures, and abatements. These changes will result in a nuisance and abatement code that is clearer and easier to understand for staff and residents.

Ms. Robichaud also noted that the Environmental Committee Chair recently approached staff with a request from the committee that the municipal code be amended to clarify that milkweed was permissible in native gardens. Staff agreed to present this requested change to the City Council by revising the definition for rank weeds in Section 8-207.

At its November 1, 2021 meeting, the Council Committee of the Whole recommended approval of the three proposed ordinances and definition change.



Mrs. McFadden made a motion to approve Ordinance 2459 as presented in the meeting packet. 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 unanimously.

Mrs. McFadden made a motion to approve Ordinance 2460, as presented in the meeting packet. 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 unanimously.

Mrs. McFadden made a motion to approve Ordinance 2461, as presented in the meeting packet. 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 unanimously.

COU2021-81 Consider approval of the hiring of part-time Crime Analyst

Chief Roberson stated that in 2004, the Police Department added a sworn position titled Crime Prevention Officer, which was designed to help the department reduce crime by educating citizens on ways to keep their homes and businesses safe. At times, this employee would also assist command staff with crime statistics. Due to work force shortages, the position had frequently been vacant.

The Police Department uses intelligence-based policing as its strategy to respond to and deter criminal activity. In order to effectively use this strategy, the department must have relevant statistical data. Jeff Collins, a volunteer who has the technical expertise needed to accomplish this goal, started working for the department in late 2020, and created several data programs and search engines that have been used to improve the efficiency of police operations.

Since Mr. Collins is not an employee, he does not possess the credentials needed to access several other regional and local computer systems. If employed, Mr. Collins will be able to fully access all necessary data sources after passing a background check.

Chief Roberson proposed hiring Mr. Collins as a part-time Crime Analyst at a rate of \$25.00 per hour, for not more than 20 hours per week. The position would not include health care benefits, and the cost would be shared with the City of Mission Hills as part of the 2022 police budget. The cost for the remainder of 2021 is estimated to be no more than \$4,500, and in 2022, no more than \$26,000, minus the Mission Hills portion. If approved and found to be an effective asset, the position will be funded in the 2023 Police Department budget.

At its November 1, 2021 meeting, the Council Committee of the Whole recommended approval of hiring of a part-time crime analyst.



Ms. Reimer made a motion to approve the hiring of a part-time crime analyst as presented. Mr. Poling seconded the motion, which passed 11-1, with Mr. Runion in opposition.

COU2021-82 Consider approval of property tax rebate program

Mr. Geffert stated that, as part of the 2022 budget process, the Governing Body voted to allocate \$20,000 from the City’s general fund to a property tax rebate program designed to alleviate some of the burden of home ownership due to rising property values. The program’s goal is to offer financial assistance in the form of a property tax relief grant to low income residents in need. Staff researched similar programs in Mission, KS and Roeland Park, KS, which utilize the U.S. Department of Housing and Urban Development’s “Very Low Income” guidelines to determine eligibility. Only property owners that are Prairie Village residents, are current on payment of their property taxes and special assessments, live in their own home, and meet the following income guidelines would be eligible for the program:

Household Size	Maximum Total Household Income (NOT Adjusted Gross Income)
1	\$30,100
2	\$34,400
3	\$38,700
4	\$43,000
5	\$46,450
6	\$49,900
7	\$53,350
8+	\$56,800

The average Prairie Village homeowner pays \$845 per year for the City’s portion of their overall tax liability. Theoretically, 23 homeowners could be assisted if these were the only fees rebated ($\$20,000 / \845).

The City Clerk’s Office will be responsible for receiving applications and verifying eligibility, and will in turn work with the Finance Department to reimburse homeowners. Information provided by Mission and Roeland Park indicates that in those cities, 15 - 30 applications are received annually. Further, applicants that continue to meet income guidelines are eligible to reapply each year. The application period is expected to open in January 2022, and will be advertised in the Village Voice and on social media platforms.

At its November 1, 2021 meeting, the Council Committee of the Whole voted to recommend approval of the program, with the addition of a property value cap of the



previous year's median home value. Only homeowners with property values at or below the median value would be eligible to participate in the program.

Mrs. Myers asked what forms of income would be included when calculating the total household income. Mr. Geffert stated that both Mission and Roeland Park had a comprehensive list of income to report, including earnings, interest, dividends, pensions, child support and public assistance, and that the City's program would require residents to report the same data and provide a copy of their previous year's tax return.

Mrs. Myers asked how applications received would be prioritized. Mr. Geffert said staff recommended applications be processed on a first-come, first-serve basis.

Ms. Nelson made a motion to approve the proposed tax rebate program, including a property value cap of the previous year's median home value on a first-come, first-serve basis, until allocated funds are fully expended. Ms. Selders seconded the motion.

After further discussion, Mr. Nelson made a motion to amend the motion to use the average home value rather than the median home value for the property value cap. Mr. Poling seconded the motion. A roll call vote was taken with the following votes cast: "aye": Herring, Selders, R. Nelson, Poling, Limbird, Runion, McFadden, Graves, Gallagher; "nay": J. Nelson, Myers; Reimer. The motion passed 9-3.

Mr. Runion made a motion to amend the amended motion to include a provision that recipients of the tax rebate agree to refund the total amount received to the City in the event the house is sold within five years. Mrs. Myers seconded the motion. A roll call vote was taken with the following votes cast: "aye": Myers, Runion, McFadden, Gallagher; "nay": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Reimer, Graves. The motion failed 8-4.

Mr. Gallagher made a motion to amend the amended motion to limit financial assistance to recipients to the incremental increase in property taxes for the calendar year. Mr. Runion seconded the motion. A roll call vote was taken with the following votes cast: "aye": Myers, Runion, Gallagher; "nay": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Reimer, McFadden, Graves. The motion failed 9-3.

A roll call vote on the original motion as amended was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Reimer, McFadden, Graves; "nay": Myers, Runion, Gallagher. The motion passed 9-3.

COU2021-83 Consider adoption of the 2021 Standard Traffic Ordinance for Kansas cities and the 2021 Uniform Public Offense Code for Kansas cities

Ms. Scott noted that on an annual basis, the City received the latest edition of the Uniform Public Offense Code (UPOC) and the Standard Traffic Ordinance (STO) from the League



of Kansas Municipalities. Prior to the request for incorporation, the offense codes and traffic ordinances were reviewed against current City ordinances for discrepancies. Any deletions or additions were reviewed and approved by the City Prosecutor and City Attorney.

- **Changes to UPOC Ordinance:** change UPOC edition year to 2021
- **Changes to STO Ordinance:** change STO edition year to 2021

Mr. Herring made a motion to approve the changes to the Unified Public Offense Code as presented. 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 unanimously.

Mr. Herring made a motion to approve the changes to the Standard Traffic Ordinance as presented. 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 unanimously.

COUNCIL COMMITTEE OF THE WHOLE

There was no business to come before the Council Committee of the Whole.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mrs. McFadden made a motion to adjourn the meeting. The motion was seconded by Mrs. Myers, and passed unanimously.

Mayor Mikkelson declared the meeting adjourned at 8:14 p.m.

Adam Geffert
City Clerk