



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
DECEMBER 6, 2021**

The City Council of Prairie Village, Kansas, met in regular session on Monday, December 6, 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, Inga Selders, Ron Nelson, Tucker Poling, Bonnie Limbird, Sheila Myers, Piper Reimer, Dan Runion (via Zoom), Courtney McFadden, Ian Graves, and Terrence Gallagher. Staff present: Byron Roberson, Chief of Police; Keith Bredehoeft, Director of Public Works; 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; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Nelson made a motion to approve the agenda for December 6, 2021. Mrs. McFadden seconded the motion, which passed unanimously.

INTRODUCTION OF STUDENTS AND SCOUTS

Members of the Teen Council and two students from Shawnee Mission East were in attendance.

PRESENTATIONS

- Mayor Mikkelson read proclamations citing the accomplishments of outgoing Councilmembers Jori Nelson, Tucker Poling, Sheila Myers and Dan Runion.
- Mayor Mikkelson swore in new Councilmembers Cole Robinson, Lauren Wolf, Dave Robinson and Greg Shelton, as well as re-elected Councilmembers Ron Nelson and Terrence Gallagher.
- Rebecca Galati, Evergy Senior Customer Solutions Manager and Community Liaison, provided an update on continuing electrical service improvements in the City.



PUBLIC PARTICIPATION

- The following residents spoke in opposition to a proposed sidewalk on the east side of Nall Avenue between 79th Street and 83rd Street:
 - Debbie McDonald, 8115 Nall Avenue
 - Patricia Allman, 8211 Nall Avenue
 - Michael Shook, 5501 W. 81st Street

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 15, 2021
2. Approve the issuance of cereal malt beverage licenses for 2022
3. Consider Resolution 2021-23 approving the Prairie Village Arts Council artist receptions in 2022 as special events promoting the arts to allow the serving of free alcohol
4. Consider agreement with Berberich, Trahan and Co., P.A. to audit the City's 2021 financial statements
5. Consider bid award for electrical services
6. Consider bid award for painting services
7. Consider bid award for tree planting services
8. Consider bid award for material testing services

Mrs. McFadden made a motion to approve the consent agenda as presented. A roll call vote was taken with the following votes cast: "aye": Herring, C. Robinson, Selders, Nelson, Wolf, Limbird, D. Robinson, Reimer, Shelton, McFadden, Graves, Gallagher. The motion passed unanimously.

COMMITTEE REPORTS

- Ms. Limbird provided an Arts Council update, stating that a "Strength in Diversity" show would open in the new gallery at the Meadowbrook Park clubhouse in January, and run through March. The show was developed in partnership with the Diversity Committee, the Johnson County Park and Recreation District, and the Johnson County Arts and Heritage Center.

Additionally, the Arts Council partnered with the Arts Council of Johnson County to sponsor the first-place award for literature for the "Shooting Stars" program for high school seniors. A call for entry recently closed for two new sculptures to be placed at the Meadowbrook Shopping Center in May. Ms. Limbird noted 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. Lastly, the annual Prairie Village Art Fair would be held at the Village Shops June 10 - 12, 2022.

Ms. Limbird shared that the City was participating in the Racial Equity in Communities pilot program, and recently met with United Community Services and representatives from several other Johnson County communities.

- Ms. Reimer said that Teen Council members provided support at both the Mayor's holiday tree lighting and gingerbread house building events for the Prairie Village Foundation.

Ms. Reimer also noted that United Community Services' Drug and Alcoholism Council met on November 18 to discuss and approve priorities for 2023 - 2028. The Council will next meet in January.

- Mr. Graves reported that the Environmental Committee held its final meeting of the year on December 1. The committee reviewed emissions reports developed by Dynamhex and considered how the data could be used in the future. Initiatives for 2022 were also discussed.

MAYOR'S REPORT

- The Mayor stated the refunding of the Meadowbrook bonds had been priced, and that they were expected to save Prairie Village taxpayers over \$1.4 million. He added that the Dial senior living center had partially opened, and that park improvements were underway.
- The Mayor provided an update on the COVID-19 pandemic, noting that boosters were widely available, and that Prairie Village zip code 66208 had a vaccination rate of 83% of the eligible population ages five and up. He added that Johnson County cases were increasing again, though hospitalizations and deaths remained stable.
- The City hosted the Johnson County/Wyandotte County Mayors Dinner on December 1 at Fiorella's in Overland Park.
- The Mayor noted that the Mayor's Christmas Tree Lighting event on December 1 was successful, raising a significant amount of money for the Prairie Village Foundation. A gingerbread house building event was also held on December 5.
- The Mayor acknowledged the passing of former Kansas Senator Bob Dole.
- The Johnson County Charter Commission met earlier in the day on December 6.
- The Mayor, Councilmembers and staff attended a Northeast Johnson County Chamber of Commerce dinner, at which Courtney McFadden was named Chairman of the Board.
- The Mayor attended the Kansas City Chamber of Commerce dinner on November 24.
- The Mayor attended United Community Services' virtual annual meeting, and noted that he would begin serving as a board member in January.



PRAIRIE VILLAGE KANSAS

- The Mayor stated that he had been appointed to the Mid-America Regional Council Board of Directors as an alternate member, representing the Council of Mayors, beginning in 2022.
- The Mayor, along with several Councilmembers and staff, attended the League of Kansas Municipalities dinner on November 30, which was hosted by the City at the Meadowbrook Park clubhouse.
- The Mayor attended a memorial service for former Representative Dennis Moore on November 18.
- The Mayor attended a retirement party for Overland Park Mayor Carl Gerlach on December 3.
- The Mayor noted that committee request forms had been provided to Councilmembers, and were due by December 20.
- The Mayor and Ms. Selders attended a meeting on December 4 to discuss a Martin Luther King, Jr. Day event at Village Church on January 16. The event will be coordinated with the Johnson County NAACP and Stand Up for Black Lives Matter+ of Prairie Village.
- The Mayor noted that the Prairie Village volunteer appreciation dinner would be held on December 11.
- The Mayor and Ms. Buum planned to meet with the Faith Always Wins Foundation to discuss the City's participation in Seven Days.
- The Mayor stated that the remote participation policy would be reviewed at an upcoming Council meeting.
- The Mayor said that planning for the annual Council retreat had begun.
- A Northeast Johnson County Chamber of Commerce holiday lunch was planned for December 17.

STAFF REPORTS

- Mr. Jordan reported that the League of Kansas Municipalities was writing a community profile on Prairie Village, which would appear in an upcoming issue of the Kansas Government Journal.
- Chief Roberson stated that the annual "Tip-a-Cop" event was held at Johnny's restaurant on December 2. The event raised \$1,300 for the Special Olympics. Additionally, the Police Department partnered with the Johnson County Mental Health Department to hire a new co-responder, who will start on December 27.
- Mr. Geffert said that the application opening date for the tax rebate program would be delayed a week to Monday, January 10, 2022, to ensure residents receive information about the program in the January issue of the Village Voice first.

OLD BUSINESS

There was no old business to come before the Council.



NEW BUSINESS

COU2021-84 Consider reappointment of Deputy City Administrator

Mayor Mikkelson stated that under the terms of the Municipal Code, the Deputy City Administrator was an appointed position with a four-year term. He requested the City Council ratify the reappointment of Jamie Robichaud to serve as the Deputy City Administrator.

Mr. Herring made a motion to ratify Mayor Mikkelson’s reappointment of Jamie Robichaud as Deputy City Administrator. Mr. Nelson seconded the motion, which passed unanimously.

After approval, the Mayor swore in Ms. Robichaud.

COU2021-85 Consider 2022 contribution allocation recommended by UCS for human service fund grants

Christina Ashie Guidry, Director of Resource Allocation for United Community Services of Johnson County, gave a presentation describing the core functions of the organization and its focus on education and advocacy, mobilization and planning, and targeted resource allocation. These allocations, collected from cities within Johnson County, were used to provide services to residents and improve the well-being of the community. She noted that Prairie Village had contributed to the fund since 1990.

\$10,000 had been designated in the 2022 budget for this contribution, an increase from \$8,300 in prior years. The UCS grant review committee and the UCS Board of Directors reviewed grant applications from a variety of agencies. If approved by Council, the City’s contribution to UCS would be pooled with funds from other cities in Johnson County and distributed to the agencies listed in the 2022 Human Service Fund recommendation report.

Mrs. McFadden made a motion to approve the recommendation of the UCS Grant Review Committee contained in the 2022 Human Services Fund recommendation report and a contribution to UCS of \$10,000. Mr. Cole Robinson seconded the motion, which passed unanimously.

COU2021-86 Consider 2022 contribution allocation recommended by the Drug and Alcoholism Council of Johnson County for the 2022 alcohol tax funds

Ms. Guidry said that State Statutes require that one-third of the revenue derived from a state excise tax on liquor sold by the drink be used for alcohol and drug prevention or rehabilitation programs. The Drug and Alcoholism Council of Johnson County formed a



grant review process providing a structured and accountable system that allows organizations, through one application, access to funds from multiple jurisdictions.

The Council makes recommendations to cities for the expenditure of their funds. Cities have ultimate authority and responsibility for determining the allocation of their portion of the Alcohol Tax Fund. The 2022 budget included an allocation of \$44,000 from the Special Alcohol Fund, an increase from \$40,000 in previous years.

Ms. Reimer made a motion to approve the recommendations of the Drug and Alcoholism Council of Johnson County contained in the United Community Services' fund recommendations report, and approve a contribution of \$44,000 for the 2022 community programs budget. Ms. Limbird seconded the motion, which passed unanimously.

COU2021-87 Consider approval of software services agreement with OpenGov for new permitting, licensing, and code enforcement software

Ms. Robichaud stated that for several months, staff had interviewed numerous software companies that provide permitting and licensing services to local governments. After numerous software demonstrations and conversations, staff selected OpenGov Citizen Services as the top choice. OpenGov is a cloud-based ERP system that includes a customer service portal in which individuals can apply and pay for permits and licenses online as well as request building inspections. The software will allow staff to conduct all plan reviews electronically, eliminating a significant number of paper files managed and stored within the office.

Other features include a robust reporting and transparency module, in which the public can view information about active permits and licenses. The new software will allow staff to find efficiencies in day-to-day business processes and improve the customer experience. The annual software fee includes unlimited users, so there is an opportunity for the City Clerk's Department and Public Works to use the software for licensing and permitting as well at no additional cost.

The total cost of the software for 2022 is \$50,292. This fee includes a one-time set up and training fee of \$20,350 and an annual subscription fee of \$29,942. Staff was able to negotiate with OpenGov on the annual fee to be more in line with pricing from other software providers and get a rate guarantee with no annual increase for five years. The software will be paid for with remaining CARES funds to be transferred into the Equipment Reserve Fund, and \$20,000 allocated in the 2022 General Fund budget. Staff is also recommending a modification to building permit fees in 2022, including the addition of a new \$5.00 technology fee on all permits, to offset the cost of this software.

Mr. Herring made a motion to approve the software services agreement with OpenGov for new permitting, licensing and code enforcement software. Mrs. McFadden seconded the motion, which passed unanimously.



COU2021-88 Consider approval of sidewalk construction on Nall Avenue from 79th Street to 81st Street as part of the 2022 CARS project (NAAV0004)

Ms. Prenger said the proposed project encompassed the east side of Nall Avenue between 79th Street and 83rd Street, but that it would be split into two sections: 79th Street to 81st Street, and 81st Street to 83rd Street. She noted that the project included a mill and overlay of Nall Avenue, along with the replacement of curbs and gutters and repairs to the existing sidewalk on the west side of the street. The lack of a sidewalk on the east side of the street did not meet City policy for arterial roadways, which requires sidewalks on both sides of the street.

Ms. Prenger said that there were several challenges related to installing a sidewalk between 81st Street and 83rd Street, including the presence of a short stone wall roughly five feet from the curb, and a slope downward from the curb to the wall, which would cause drainage issues. In order to construct a sidewalk, part of the wall would need to be removed in order to place infill dirt for proper drainage, and the roadway, curb and gutter would need to be lowered, at a substantial cost. As a result, Public Works recommended that a sidewalk should be installed between 79th Street and 81st Street, but that the construction of the sidewalk between 81st Street and 83rd Street should be delayed until such time as the wall is no longer a physical restraint.

Ms. Reimer stated that residents in the proposed location had expressed frustration that a sidewalk plan had been repeatedly brought before them. She added that some residents indicated there were drainage issues caused by the existing sidewalk on the west side of the street. Ms. Prenger said that Public Works would inspect the sidewalk to ensure run-off issues were addressed, and that if the sidewalk was significantly damaged, the City would replace it.

After further discussion, Mrs. McFadden made a motion to approve the staff recommendation for sidewalk construction on Nall Avenue from 79th Street to 81st Street as part of the 2022 CARS project. Mr. Graves seconded the motion, which passed unanimously.

COU2021-89 Consider approval of the 2022 fee schedule

Mr. Geffert reported that an assessment of all City fees was conducted by staff each year in order to develop a single, comprehensive list of fees that accurately reflected what the City charges for services. The primary changes to the proposed 2022 fee schedule were related to building permits, which had not been increased since 2016. The proposed increases were based on an analysis of fees in surrounding cities, and would help cover the costs of Community Development staff, training, supplies and equipment. Mr. Geffert added that other fee changes for 2022 included an increase to annual solid waste services



(from \$218 to \$227), daily jail fees (from \$65 to \$75), and finger print fees (from \$5 to \$10 per card).

Ms. Reimer made a motion to approve the 2022 fee schedule as presented. Mrs. McFadden seconded the motion, which passed unanimously.

Mr. Herring 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 unanimously.

COUNCIL COMMITTEE OF THE WHOLE Discuss the 2022 legislative platform

Ms. Robichaud noted that each year, the City Council considered and adopted a legislative platform, establishing the City's legislative priorities for the upcoming legislative session. The document is shared and discussed with local, state, and federal elected officials who represent Prairie Village, and is used by staff and the City's lobbyist when determining whether the City should submit testimony on legislation. In 2021, the Council changed the format of the platform, which included endorsing the League of Kansas Municipalities' Statement of Municipal Policy and identifying the top priorities of the City in an additional document. Staff asked the City's lobbyists, Little Government Relations, to make recommendations for the changes for the 2022 platform. Staff also asked the Councilmembers to individually send any requested changes to discuss at the meeting, which were included in the Council packet.

- Mr. Nelson made a motion to revise the "Tax Lid Repeal" section to state the following: "We strongly oppose any state imposed limits on the taxing and spending authority of cities and counties. We believe those elected to manage the affairs of cities and counties can be most responsive to the local taxpayers and make budget and tax decisions that are most reflective of the community's needs and financial interests. State government should abide by the same taxing and spending decisions they impose on cities and counties."

Mayor Mikkelson suggested that additional language should be included stating that if the request Mr. Nelson recommended could not be implemented, the current revenue neutral rate process include consideration for inflation and new construction adjustment in cities. Mr. Nelson agreed to amend his motion to include this language.

Mr. Herring seconded the motion, which passed unanimously.

- Ms. Selders made a motion to add "Legalization of Marijuana" as one of the top priorities for Prairie Village with the following wording: "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.” Mr. Graves seconded the motion.

After further discussion, Ms. Selders withdrew her original motion and made a new motion that stated, “We support the legalization of recreational marijuana and its derivatives.” The motion passed 9-3, with Mr. David Robinson, Ms. Reimer and Mr. Gallagher in opposition.

- Mr. Shelton made a motion to revise the “Addressing the Climate Crisis as a Public Policy Priority” section to state the following: “We believe that climate change poses a global economic, social, and public safety crisis. We support policy makers at all levels of government elevating sustainability and decarbonization, to be included among the top line of policy priorities.” The motion was seconded by Mr. Herring and passed unanimously.
- Mr. Shelton made a motion to revise the “Local Control” section to read as follows: “Our local communities across the state are best served and residents’ values and standards are best reflected when local taxing and spending are determined by local voters and taxpayers. We support the retention and strengthening of local home rule authority to allow locally elected officials to conduct the business of their jurisdiction in a manner that best reflects the desires of their constituents and results in maximum benefit to that community. This includes matters dealing with public health and safety, such as local health orders and the ability to govern possession of firearms in public spaces in the interest of community safety.” The motion was seconded by Mr. Herring and passed unanimously.
- Mr. Herring made a motion to approve Mayor Mikkelson’s recommendation to indicate support of the Governor’s proposed reduction of the state portion of the sales tax on food, while not impacting the local sales tax portion. Mr. Nelson seconded the motion, which passed unanimously.
- Mrs. McFadden made a motion to approve Mayor Mikkelson’s recommendation to add a “Federal Funds” section that noted support for fair, transparent, and equitable distribution of state and county portions of Federal ARPA and infrastructure monies amongst cities from recent new funding bills passed in Washington, D.C. Mr. Herring seconded the motion, which passed unanimously.



PRAIRIE VILLAGE
KANSAS

Mr. Dave Robinson moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Ms. Limbird, and passed unanimously.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Ms. Reimer made a motion to adjourn the meeting. The motion was seconded by Mr. Herring, and passed unanimously.

Mayor Mikkelson declared the meeting adjourned at 9:16 p.m.

Adam Geffert
City Clerk