



**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
FEBRUARY 22, 2022**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, February 22, 2022, 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: Chad Herring, Cole Robinson, Ron Nelson, Lauren Wolf, Bonnie Limbird, Dave Robinson, Piper Reimer, Greg Shelton, Courtney McFadden, Ian Graves, and Terrence Gallagher. Staff present: Byron Roberson, 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; 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. Herring made a motion to approve the agenda for February 22, 2022. Ms. Reimer seconded the motion, which passed 11-0.

**PRESENTATIONS**

None

**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 - February 7, 2022
2. Approval of expenditure ordinance #3011
3. Consider Ordinance 2467 correcting nuisance abatement numbering error
4. Consider appointment of committee members



5. Approval of construction contract for Taliaferro Park shelter and restroom improvements (BG460001)

**Mr. Herring 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, Nelson, Wolf, Limbird, D. Robinson, Reimer, Shelton, McFadden, Graves, Gallagher. The motion passed 11-0.**

### **COMMITTEE REPORTS**

- Mr. Graves stated that the Housing Committee had begun analyzing zoning in the City, and that recommendations would be brought to the Council in the spring.
- Mr. Gallagher said that the Park and Recreation Committee met on February 16 to prioritize park capital improvement projects over the next five years. A presentation would be given to the Council at an upcoming meeting.
- Ms. Limbird noted that the Arts Council’s rescheduled February artist reception event at the Meadowbrook Park clubhouse had taken place on February 16.
- Ms. Reimer stated that the UCS Drug and Alcoholism Council held a meeting on February 17, at which a presentation was given by the Artists Helping the Homeless organization.

### **MAYOR’S REPORT**

- The Mayor reported that a Council work session was held on February 12. As a result of discussion at the meeting, the Ad Hoc Civic Center Committee would begin meeting again, with Mr. Graves as Chair and Ms. Limbird as Vice-Chair.
- The Mayor stated that the Johnson County Charter Commission had completed its work, and no changes were recommended to be made to the County charter.
- The Mayor and Ms. Robichaud met with a developer to discuss the construction of “net zero” emission workforce housing in the City.
- The Mayor thanked Public Works staff for their efforts plowing City streets during the prior week’s snowstorm.
- The Mayor congratulated the Shawnee Mission East boys’ swim team for winning the state championship.
- The Mayor, Council and staff delivered another round of COVID-19 test kits to residents the prior week.
- The Mayor stated that he would attend the Kansas City, Missouri Mayor’s Prayer Breakfast on February 23.
- The Mayor said that the Diversity Committee, Stand Up for Black Lives+ Prairie Village, the Johnson County NAACP and the Village Church would be holding a rescheduled Martin Luther King, Jr. Day celebration event on February 26.



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- The Mayor stated that he would be providing an update on City business to Mission Chateau residents on March 2.
- The Mayor, Ms. Lee and Mr. Nelson would meet with the Johnson County appraiser on March 3.
- The Mayor provided a COVID-19 update, noting that case numbers had fallen significantly in Johnson County since the previous Council meeting. The percent positive rate had dropped to 8.7%, and 72% of residents were considered fully vaccinated in zip code 66208, per the County Health Department. He added that both the cities of Mission and Fairway had recently elected to drop their indoor mask mandates, though the City of Roeland Park's mandate would remain active until March 16. Lastly, all school districts in Johnson County had made masking optional for students and staff.

**STAFF REPORTS**

- Mr. Geffert said that a link to a satisfaction survey for residential solid waste, recycling and compost services would be included in the next edition of the Village Voice. The link would also be shared via the City's website and social media platforms.
- Ms. Robichaud said that staff would be meeting with the compensation and benefits study consultant on February 25 to review positions and gather information. A presentation would then be given to Council at an upcoming meeting.
- Chief Roberson provided an update on a recent carjacking incident that occurred at a service station at 95<sup>th</sup> and Mission Road on February 19. He noted that the camera-based technology installed at the intersection had provided beneficial information for police.

**OLD BUSINESS**

There was no old business to come before the Council.

**NEW BUSINESS**

**COU2022-16**

**Consider approval of Resolution 2022-01, declaring it to be the intent of the Governing Body to vacate and discontinue a public utility easement at 4415 W. 89<sup>th</sup> Street**

Ms. Robichaud stated that the owners of the residence at 4415 W. 89<sup>th</sup> Street had requested that the public utility easement located on their property be vacated by the City. The City's subdivision regulations do not address the process by which a utility easement on a private property should be vacated. As a result, the City must complete the following steps based on state statute requirements:



- 1) The Governing Body must adopt a resolution to set the date for a public hearing in consideration of the easement vacation.
- 2) Staff must issue public notice to the Legal Record and notify all public utilities of the date of the public hearing at least 20 days in advance.
- 3) The Governing Body must hold a public hearing and adopt an ordinance authorizing the vacation of the easement.
- 4) Staff must publish the ordinance summary and send copies of the ordinance to the County for recording.

Ms. Robichaud noted that staff did not have concerns about vacating the easement, pending any issues raised by utilities that may be affected. She added that utilities would be notified directly of the proposed vacation and be provided information about the public hearing.

Mr. Dave Robinson asked if there was any historical information that addressed how the home had been allowed to be built over an existing easement. Ms. Robichaud said that it had been constructed in 1962, and that no records regarding its construction over the easement had been located from that period.

**After further discussion, Mr. Herring made a motion to approve Resolution 2022-01, setting the date for public hearing and ordinance adoption to vacate a utility easement located at 4415 W. 89<sup>th</sup> Street for Monday, March 21 at 6:00 p.m. Mr. Nelson seconded the motion, which passed 11-0.**

**COU2022-18            Consider repealing Ordinance 2466 requiring the wearing of face coverings or masks**

Mayor Mikkelson stated that the current masking ordinance would expire at midnight on March 16, 2022. However, with COVID-19 transmission levels dropping significantly in the community, he suggested that a discussion on repealing the ordinance sooner was warranted. He noted that staff had prepared a draft ordinance that would repeal the mandate, taking effect upon publication on March 1, 2022.

**Ms. Reimer made a motion to adopt Ordinance 2468, repealing the mask mandate authorized in Ordinance 2466, effective upon publication on March 1, 2022. Mr. Dave Robinson seconded the motion. A roll call vote was taken with the following votes cast: "aye": Herring, C. Robinson, Nelson, Wolf, Limbird, D. Robinson, Reimer, Shelton, McFadden, Graves, Gallagher. The motion passed 11-0.**

**Consider return to hybrid Council meeting format**



Mayor Mikkelson recommended that the Council return to a “hybrid” meeting format, in which Councilmembers would meet in person, but have the option to attend remotely if they preferred. The Mayor noted that, if approved, the change would apply to all other committee meetings as well. Mr. Jordan added that staff was in favor of returning to in-person meetings.

After further discussion, Mr. Herring made a motion to return all City meetings to a hybrid meeting format. Ms. Limbird seconded the motion. A roll call vote was taken with the following votes cast: “aye”: Herring, C. Robinson, Nelson, Wolf, Limbird, D. Robinson, Reimer, Shelton, McFadden, Graves, Gallagher. The motion passed 11-0.

Mrs. McFadden made a motion for the City Council to 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**  
**COU2022-17          2023 Budget calendar**

Ms. Lee said that staff created a budget-planning calendar every year to schedule activities that had to be completed to develop the annual budget. She noted that the proposed 2023 budget calendar was similar to the 2022 calendar, though the Finance Committee meetings and initial Council discussion were pushed back a few weeks due to the timing of budget adoption.

Ms. Lee added that State Senate Bill 13 required that a notification be sent to residents from the County Clerk in August regarding the revenue neutral rate, if applicable. The proposed calendar would include two separate scenarios: one scenario exceeding the revenue neutral rate, and another which did not exceed the rate. The revenue neutral rate is the tax rate in mills that would generate the same property tax in dollars as the previous tax year using the current tax year’s total assessed valuation. She noted that Johnson County would provide the City with rate information in June 2022.

Mr. Nelson made a motion to approve the 2023 budget calendar as presented. Mrs. McFadden seconded the motion, which passed 11-0.

**Transient guest tax discussion**

Ms. Lee stated that the City Council passed Charter Ordinance 27 in November 2015, creating a 9% transient guest tax on the “gross receipts derived from or paid directly or through an accommodations broker by transient guests for sleeping accommodations.”



The original intent of the tax would permit the City to keep \$25,000 of collections for City use as allowed under state statute, while excess funds would be returned to the developer as part of the overall development agreement for Meadowbrook Park. The Meadowbrook Inn opened in 2020 and had been charging the transient guest tax and remitting a portion to the City since that time.

In December 2021, the City restructured the Meadowbrook bonds, and in doing so amended the development agreement to direct all transient guest tax collections to the City for allowable uses. Ms. Lee noted that the current balance of the fund was \$112,831, with an estimated annual collection of \$280,000.

Ms. Lee said staff recommended that the Council discuss uses of transient guest tax funds for both the 2022 and 2023 budgets. Per the charter ordinance, funds could be used for “community, economic development and cultural activities which encourage or which are deemed to result in increased economic development, visitors and tourism for the City, and to the payments of principal and interest on bonds issued by the City.” Mr. Jordan added that funds could also be used to help pay for community events that were traditionally subsidized through fundraising.

**Mrs. McFadden made a motion to have the Finance Committee first vet how the funds should be used before a final decision was made by Council. Ms. Limbird seconded the motion.**

**After further discussion, a roll call vote was taken with the following votes cast: “aye”: Herring, C. Robinson, Nelson, Wolf, Limbird, D. Robinson, Reimer, Shelton, McFadden, Graves, Gallagher. The motion passed 11-0.**

**Mr. Herring moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Ms. Reimer, and passed 11-0.**

### **ANNOUNCEMENTS**

Announcements were included in the Council meeting packet.

### **ADJOURNMENT**

Mayor Mikkelson declared the meeting adjourned at 7:39 p.m.

Adam Geffert  
City Clerk