



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
NOVEMBER 20, 2023**

The City Council of Prairie Village, Kansas, met in regular session on Monday, November 20, at 6:00 p.m. Mayor Mikkelson presided.

ROLL CALL

Roll was called by the City Clerk with the following Councilmembers in attendance: Cole Robinson, Chad Herring, Inga Selders, Ron Nelson, Bonnie Limbird, Lauren Wolf, 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, Spencer Fane LLP; Wes Jordan, City Administrator; Nickie Lee, Deputy City Administrator; Tim Schwartzkopf, Assistant City Administrator; Meghan Boom, Assistant City Administrator; Jason Hannaman, Finance Director; Adam Geffert, City Clerk.

Youth Council members present: Brynn Bettenhouse, John Gagen, Robbie Lashmet, Isabelle Zschoche.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Cole Robinson made a motion to amend the agenda by removing item COU2023-70: Consideration of Updated Code of Ethics, and to revisit the issue at a date to be determined. Ms. Selders seconded the motion. After discussion, the motion passed unanimously.

Mr. Herring made a motion to approve the agenda as amended. Mrs. McFadden seconded the motion, which passed unanimously.

INTRODUCTION OF STUDENTS AND SCOUTS

Two 7th grade boy scouts from Indian Hills Middle School were in attendance to attain their communications merit badges.

PRESENTATIONS

- Mayor Mikkelson read a proclamation declaring November 25 as Small Business Saturday in Prairie Village.



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- Chief Roberson and Sgt. Joel Porter recognized graduates of the Citizens Police Academy.
- Senator Ethan Corson and Representatives Stephanie Clayton, Jerry Stogsdill, and Rui Xu provided legislative updates to the Council.

PUBLIC PARTICIPATION

- Pam Justus, Ward 6, Tom Ward, Ward 4, and Tom Clough, Ward 5, shared their thoughts about proposed changes to the code of ethics.
- Leon Patton, Ward 5, spoke about issues related to housing proposals.
- Paul Gorelick, Ward 6, spoke in opposition to the ethics complaints brought against the Mayor and certain Councilmembers.
- Tim Swanson, Ward 3, shared concerns about election integrity.

CONSENT AGENDA

Mayor Mikkelson asked if there were any items to remove from the consent agenda for discussion:

1. Consider approval of regular City Council meeting minutes - November 6, 2023
2. Consider approval of expenditure ordinance #3032
3. Consider reappointment of City Municipal Judges and Prosecutor

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

COMMITTEE REPORTS

- Mr. Shelton noted that a carbon disclosure project scorecard had been provided to Councilmembers noting the City’s progress in its “race to zero” pledge to reduce carbon emissions.
- Ms. Limbird stated that the Arts Council’s gallery reception was held on November 8 at City Hall.
- Ms. Reimer said that the United Community Services’ Drug and Alcoholism Council would meet on December 4 to discuss grant recipients for 2024. She added that she had attended the Mid-America Regional Council’s regional transportation meeting and a United Community Services public policy forum.



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- Mr. Dave Robinson shared that the Mayor's holiday tree lighting would take place on November 30 at the Corinth Shops, and the annual gingerbread house building party would be held on December 3 at Briarwood Elementary School.
- Mr. Nelson spoke about a children's book written by Prairie Village Police Officer Brian Wolf, who formerly served as DARE officer for elementary schools in the City.

MAYOR'S REPORT

- The Mayor shared information about events that had taken place since the prior Council meeting:
 - The U.S. State Department's visit to City Hall with representatives from Stand-Up Ukraine.
 - The Northeast Johnson County Chamber of Commerce gala on November 18.
 - The Jewish Community Relations Bureau and American Jewish Council's human relations event on November 19 at which Greater Kansas City Chamber of Commerce President Joe Reardon was recognized.
 - A kickoff meeting for the proposed community center project with architectural firm BNIM, the YMCA and the Johnson County Library.
 - A meeting with staff from the Mid-America Regional Council to discuss grant opportunities related to the proposed community center and construction of a new municipal building.
 - A memorial service for a local Korean War veteran on Veterans Day weekend.
 - Several one-on-one meetings with residents.
- The Mayor noted the following upcoming events:
 - A 20-year anniversary celebration for Lenexa Mayor Michael Boehm on November 28.
- The Mayor also congratulated newly elected Councilmembers.

STAFF REPORTS

None

OLD BUSINESS

None

NEW BUSINESS

COU2023-68

Consider audit services contract



Mr. Hannaman noted that state statute required the City to have an annual audit. In 2012, the City issued a request for proposals (RFP) for auditing services and selected Berberich Trahan & Co., P.A. (now known as BT & Co., P.A.). The firm performed the audits of the 2012 - 2015 financial statements. In 2016, the City issued a new RFP for auditing services and again selected BT & Co., who continued to perform annual audits of the 2016 - 2022 financial statements.

Mr. Hannaman said that the services provided by BT & Co. had been of high quality with annual price increases averaging under 2% per year. Given the firm's experience with Prairie Village and competitive pricing, staff was comfortable continuing to use BT & Co.'s services. However, in early September, BT & Co. notified the City that due to increases in costs, it would need to implement a significant price increase.

In late September, staff issued an RFP for professional audit services for the City for a period of three years, with options to renew for an additional two years. A selection committee made up of the Chair and Vice-Chair of the Finance Committee, Finance Department staff, and the Deputy City Administrator received two proposals. Both were reviewed for services needed as well as pricing. A summary of the two proposals is shown below:

	BT & Co.	Gordon CPA
2023	\$42,000	\$30,625
2024	\$44,100	\$31,850
2025	\$46,200	\$33,125
2026*	\$48,300	\$33,450
2027*	\$50,400	\$35,825

*City option to renew

After reviewing the proposals, the Selection Committee interviewed Sean Gordon, Principal of Gordon CPA, and conducted reference checks with three active clients. The committee found Gordon CPA's services to be of high quality and its proposal the best fit for the needs and philosophy of the City. Mr. Hannaman said that the agreement was for three years with two, one-year options to renew, and that funding was included in the 2024 budget for the financial management program.

Mr. Herring made a motion to approve the agreement with Gordon CPA, LLC to audit the City's 2023 financial statements. The motion was seconded by Mr. Shelton and passed unanimously.

Mr. Herring 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 Mr. Shelton and passed unanimously.



COUNCIL COMMITTEE OF THE WHOLE

COU2023-69 Consideration of ethics complaints by Mr. Mike Sullinger

Mr. Waters shared information about the complaints made by Mr. Sullinger, which alleged that Mayor Mikkelson and Councilmembers Mr. Cole Robinson, Ms. Selders, Mr. Graves, Ms. Limbird, and Mr. Nelson had violated Article 2, Section 1-212 of the Prairie Village Code of Ethics. He noted that the language of the code detailed that ethics complaints should be brought before the Council Committee of the Whole for consideration but lacked details about a process to follow. He suggested that the committee should review the allegations against each person individually.

Mr. Waters added that he had concluded Mr. Sullinger's complaints were generally based on broad goals and guidelines of the Code of Ethics, and it appeared that the complaints were primarily based on personal, political and policy disagreements. Lastly, the complaints submitted by Mr. Sullinger were often the same as those that he submitted to the Johnson County District Attorney's Office in an effort to recall the Mayor, which were rejected seven times. As a result, Mr. Waters recommended that the Council Committee of the Whole reject all complaints filed by Mr. Sullinger.

Mr. Cole Robinson asked if there was a particular threshold that ethics complaints needed to meet in order to be considered. Mr. Waters said that there was not a threshold; rather, the process of addressing ethics complaints was based on City code and state statute.

Mr. Water's memorandum of findings are attached to the minutes for specific reference.

Mrs. McFadden made a motion for the Council Committee of the Whole to dismiss all ethics complaints raised by Mr. Sullinger on September 20, 2023, under the Prairie Village Code of Ethics as to Mayor Mikkelson and recommend that no further action be taken. The motion was seconded by Mr. Cole Robinson. After further discussion, the motion passed unanimously.

Mr. Shelton made a motion for the Council Committee of the Whole to dismiss all ethics complaints raised by Mr. Sullinger on September 20, 2023, under the Prairie Village Code of Ethics as to Mr. Cole Robinson and recommend that no further action be taken. The motion was seconded by Mr. Dave Robinson. After further discussion, the motion passed 11-0, with Mr. Cole Robinson recusing himself.

Mr. Herring made a motion for the Council Committee of the Whole to dismiss all ethics complaints raised by Mr. Sullinger on September 20, 2023, under the Prairie Village Code of Ethics as to Ms. Selders and recommend that no further action be taken. The motion was seconded by Mrs. McFadden. After further discussion, the motion passed 11-0, with Ms. Selders recusing herself.



Mr. Gallagher made a motion for the Council Committee of the Whole to dismiss all ethics complaints raised by Mr. Sullinger on September 20, 2023, under the Prairie Village Code of Ethics as to Mr. Graves and recommend that no further action be taken. The motion was seconded by Mrs. McFadden. After further discussion, the motion passed 11-0, with Mr. Graves recusing himself.

Ms. Wolf made a motion for the Council Committee of the Whole to dismiss all ethics complaints raised by Mr. Sullinger on September 20, 2023, under the Prairie Village Code of Ethics as to Ms. Limbird and recommend that no further action be taken. The motion was seconded by Mrs. McFadden. After further discussion, the motion passed 11-0, with Ms. Limbird recusing herself.

At this time, Mr. Nelson relinquished Chairmanship of the Council Committee of the Whole to Mr. Herring.

Mr. Shelton made a motion for the Council Committee of the Whole to dismiss all ethics complaints raised by Mr. Sullinger on September 20, 2023, under the Prairie Village Code of Ethics as to Mr. Nelson and recommend that no further action be taken. The motion was seconded by Mrs. McFadden. After further discussion, the motion passed 11-0, with Mr. Nelson recusing himself.

At this time, Mr. Herring relinquished Chairmanship of the Council Committee of the Whole back to Mr. Nelson.

Councilmembers cited in the document expressed their individual concerns with the resident who filed the unfounded complaints.

Mr. Shelton 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

Mayor Mikkelson declared the meeting adjourned at 8:45 p.m.

Adam Geffert
City Clerk