

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE**

April 17, 2017

The City Council of Prairie Village, Kansas, met in regular session on Monday, April 17, 2017 at 7:30 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas.

ROLL CALL

Mayor Laura Wassmer called the meeting to order and roll call was taken with the following Council members present: Jori Nelson, Serena Schermoly, Steve Noll, Eric Mikkelson, Sheila Myers, Brooke Morehead, Dan Runion, Courtney McFadden, Ted Odell and Terrence Gallagher.

Staff present: Tim Schwartzkopf, Chief of Police; Keith Bredehoeft, Director of Public Works; David Waters, City Attorney; Quinn Bennion, City Administrator; Wes Jordan, Assistant City Administrator; Lisa Santa Maria, Finance Director, Amy Hunt, HR Manager, and Meghan Buum, Deputy City Clerk.

INTRODUCTION OF STUDENTS & SCOUTS

One scout was in attendance and introduced himself.

PUBLIC PARTICIPATION

Mary English, 4402 W 77th Terrace, addressed the City Council. On April 4, 2017, Ms. English read a Shawnee Mission Post article related to constructing an amphitheatre at Harmon Park. Ms. English uses the park on a daily basis and does not support advancing a study for a rarely used amphitheatre in place of a heavily used green space.

She stated that the park is used daily by residents for disc golf, picnics, walking dogs, and hanging hammocks. Ms. English has met many neighbors at the disc golf course. The park is already losing a large chunk of green space to the fire station that citizens did not have input in. She doesn't want to see green space, trees, landmarks, or the disc golf course compromised for a concrete structure. She stated that her household will be watching the progression of this proposal closely and as it advances, they will take action as they can as citizens.

CONSENT AGENDA

Mr. Runion noted a correction to the April 3, 2017 meeting minutes in reference to the cost of the Village Square study.

Ted Odell moved the approval of the Consent Agenda items with the noted correction to the minutes for April 17, 2017:

1. Approval of the regular City Council meeting minutes - April 3, 2017
2. Approval of claims ordinance 2953
3. Approval of bid award to purchase swimming pool chemicals
4. Approval of bid award for highway rock salt
5. Approval of JazzFest performance contract
6. Approval of 2017-2018 insurance renewal

A roll call vote was taken with the following members voting "aye": Nelson, Schermoly, Noll, Mikkelson, Myers, Morehead, Runion, McFadden, Odell and Gallagher.

COMMITTEE REPORTS

Environment/Recycle Committee

Jori Nelson announced that the Annual Earth Fair held at Shawnee Mission East on Saturday, April 15th was a great success with many in attendance.

Prairie Village Arts Council

Eric Mikkelson shared that the “Future of the Arts” reception was successful. The Council Chamber was filled with youngsters and families and by all reports a big success.

Prairie Village Tree Board

Terrence Gallagher noted that April 29th is Arbor Day and the Tree Board will recognize that by planting a tree in Weltner Park.

MAYOR’S REPORT

Mayor Wassmer reported that she was elected Vice Chair of the Johnson and Wyandotte County Council of Mayors.

STAFF REPORTS

Public Safety

- Chief Tim Schwartzkopf addressed the compensation study. He mentioned the number of Public Works and City Hall employees present at the meetings. While a large portion of the discussion focused on the Police Department, the salary study does impact the entire organization. He reinforced that the Police Department relies on all these departments to get their job accomplished. Not a week goes by where he doesn’t hear from his peers regarding the difficulty of hiring new officers. The industry faces many challenges including the inherent danger of police work, competition from other agencies and the private sector, and damaging national news stories hurting the reputation of policing. The PVPD is authorized to have 47 officers. The Department is currently five officers down and will be six down in May after an officer relocates to a new state. Three officers will come on board in May to go to the Police Academy so the Department will still be three short. Out of 386 applicants since February 2016, 30 candidates have made it to the interviews and nine have been hired. There is significant competition among departments as they try hard to attract seasoned, trained officers. It is \$50,000 to recruit, hire, and train an officer. The Department has spent \$450,000 with an upcoming \$300,000 for the new hires. It is important to not just recruit the right people, but keep those that we have developed to our standards. These officers will be the next corporals, sergeants, captains and police chief. It is not just officers, but dispatchers, animal control, and office staff. He wants the Prairie Village Police Department to be an employer of choice. He wants tenured employees to be rewarded and young employees to be able to plan for their future. He fully supports the recommendations from the compensation study.

- Officer Mark Brown competed in a metro wide motorcycle competition and took third place.
- The Citizens Police Academy starts Wednesday, April 19th. 12 people are enrolled.

Public Works

- Keith Bredehoeft submitted a grant to the Land Water Conservation fund for North Park. Continued discussions will take place at future meetings
- The McCrum Tennis Court repairs are progressing. Asphalt was laid this week.
- Mr. Bredehoeft noted that the construction at Roe Avenue at 91st Terrace is complete.

Shelia Meyers asked if Mr. Bredehoeft has received any comments from the neighbors.

Mr. Bredehoeft replied that he had not received any negative feedback. Mayor Wassmer stated that she had seen a few people confused by the inability to turn left. Mr. Bredehoeft stated that a sign indicating that had been placed on 91st Street.

Administration

- Lisa Santa Maria shared a presentation highlighting the preliminary 2018 budget revenue assumptions. This is the earliest she has ever shared this information but it is a good starting point. She highlighted items to consider:
- After meeting with the County Appraiser, the estimated growth in property tax income should be around 12.13%. However, it appears that appeals will likely be higher than usual this year so it may be slightly less. Ms. Santa Maria does not anticipate Meadowbrook affecting the 2018 Budget in terms of property taxes and TIF increment.
- The County Public Safety sales tax of which the City will receive a portion is in effect for the next 10 years but the City cannot count on it as a long term revenue source.
- The Google Fiber franchise fee is new revenue but it may cause others franchise fees to go down.
- Motor Vehicle and Gas Tax are using 2017 budget numbers as the 2018 estimates are not available yet. The Alcohol Tax is up slightly.
- The bulk of revenue over the last several years has been from property and sales tax.

Sheila Meyers asked if the increase in building permit fees will increase the total revenue. Ms. Santa Maria responded that there are a lot of different fees that factor into

the budget. The one that most significantly impacts the budget is ticketing from the Police Department, where revenues have decreased due to a lack of officers.

Brooke Morehead asked if the city receives permit fees from the Meadowbrook TIF projects. Quinn Bennion responded that yes, the city does receive income from the building permit fees at Meadowbrook. Mr. Bennion explained that the entities pay their property taxes each year. The base amount is distributed to the city, county, school district, and state as usual. The increment, or new tax, goes to the repayment of the bonds. When the property taxes at Meadowbrook are calculated, the city can only count on the base, not the increment.

Ms. Morehead asked how the price of a building permit was determined. Mr. Bennion responded that it is usually a percentage of the total cost of the project.

Eric Mikkelson asked for clarification on the TIF. Even if no improvements were done, it can be assumed that the property value will increase by 12% on average as other Prairie Village properties did. Assuming the property does increase by 12%, does that go into the TIF fund or does it increase the base? Mr. Bennion stated that the base is fixed and it would go into the TIF fund, which means the bonds could be paid off earlier than anticipated.

Terrence Gallagher clarified that the new county sales tax is related to the construction of the new courthouse. Ms. Santa Maria responded affirmatively.

- Ms. Santa Maria shared that Motor Vehicle and Gas Tax are using 2017 budget numbers as the 2018 estimates are not available yet. The Alcohol Tax is up slightly.
- The bulk of revenue over the last several years has been from property and sales tax.
- She is moving forward on the assumption that the mill will remain 19.41.
- The Public Safety budget will be presented at the May 1 meeting. The Public Works and Administration budget will be presented at the May 15 meeting. The

final CIP, outside agencies, and economic development budgets will be shared at the June 5 meeting.

- The Personal Services components will be finalized at a later date dependent on the outcomes of the compensation study.

Brooke Morehead asked if the City would still receive a franchise fee from KCP&L after the street light purchase. Ms. Santa Maria responded affirmatively, the franchise fee is unrelated to the streetlights.

Mr. Mikkelson asked when the Council can expect to see the compensation piece factored into the budget. Ms. Santa Maria said that she hoped that would be final at the May 15 meeting. Because it is the city's largest expenditure, the sooner the better. Mr. Mikkelson asked if that conversation would be conducted in tandem with the department budgets. Ms. Santa Maria said yes.

Dan Runion stated that while City Council would like to fund everything, there may be some decisions that need to be made to fund certain items over others. He asked how those piece by piece decisions are made. Ms. Santa Maria stated that the further we get into the budget cycle, the more difficult it becomes to change items. Thus far, the budgets are very conservative. The largest components are Personal Services, the CIP, and the Economic Development as it depletes. City Council needs to look out 10 years from now and decide how that fund should look for future Councils. Mayor Wassmer reiterated if you don't like the way the budget looks, the time to make any drastic adjustments is now.

Staff Reports continued:

- Wes Jordan shared that when the solid waste ordinance was considered at a past meeting, he received input to further look into the "scavenger" prohibitions. He clarified that this concerns scavenging from recycling, not the large item pick up as that actually provides the City a service because the weights collected is lower. That will be clarified in the amended ordinance.

Sheila Myers asked for clarification on the prohibition of kitchen scraps in compost piles. Mr. Jordan stated that the City gets very few complaints on compost items. He believes that the kitchen scraps is typically related to meat products due to the odor and attracting wildlife. He can do more research on the item. Serena Schermoly asked if that would be a misdemeanor crime as the ordinance currently states. Mr. Jordan stated that he doesn't foresee that being classified as a misdemeanor but he will talk to the City Attorney about best practices.

- Mr. Jordan shared further research related to trash can screening. He found that other cities requirements are all across the board. Some require screening and others don't. Some cities rely on the homes associations to enforce screening requirements. A new anomaly the City is facing is residents who have kept their Deffenbaugh cans and now have four trash containers. He is not aware of any city that does a partial screening option as a front screen does not solve the issue. The latest issue to pass a screening ordinance is Roeland Park which is similar to Prairie Village's ordinance as it currently stands, with an exception for elderly residents on a case by case basis as well as a requirement to correct the issue within 48 hours or a progressive fine. Mr. Jordan recommends leaving the current ordinance in place.

Mayor Wassmer stated that she doesn't agree with the 48 hour correction window and feels at least three weeks is a more acceptable window.

Eric Mikkelson asked about a possible program to help residents facing a hardship. Mr. Jordan stated that he would further investigate those options after receiving direction from the Council to continue the screening ordinance.

Mr. Odell shared his support for maintaining the current ordinance with a hardship provision and a longer length for rectifying screening issues.

Mayor Wassmer suggested creating a pamphlet with appropriate screening options.

Ms. Myers asked if landscaping was an appropriate screening option. Mr. Jordan responded that as long as the planting had foliage year round, it was an appropriate option.

Mr. Jordan stated that the last thing the City wanted was for this to become a court issue.

Mr. Odell moved the City Council direct staff to develop an ordinance that maintains the screening requirements with clarification to screening multiple sides, a hardship provision, a progressive fine structure, and the development of an assistance program. The motion was seconded by Brooke Morehead and passed unanimously.

- Mr. Jordan stated that large item pickup would take place over the next two weekends. Staff has fielded phone calls related to the removal of refrigerants/freon from appliances prior to collection. This change was implemented eight years ago so it is not a new requirement.
- Quinn Bennion reported that Lisa Santa Maria was recently voted as president of the State of Kansas GFOA.
- Mr. Bennion reported that Johnson County Park and Recreation recently put the Meadowbrook Park amenities out for bid.
- Mr. Bennion reported that Dial Realty will be attending the May 1, 2017 meeting to discuss the senior living facility at Meadowbrook Park as well as a financial update.

OLD BUSINESS

Brooke Morehead responded to Mary English's comments from the public participation portion of the meeting. She stated that the study underway is related to the comprehensive park master plan created in 2009. She has gotten a great response to the proposed park improvements. She believes it is an opportunity for the Council to show leadership and plan for the future. There is not a plan to cover green space with concrete, but a hope to add to the development of the park.

Serena Schermoly stated that she wants to reinforce that the fire department is building on the church's property, not city's property. She believes there confusion over that fact. She would like to hear from Chief Lopez on the development. Mr. Bennion stated that the Council would hear from the Consolidated Fire District at the May 1 meeting.

Eric Mikkelson stated that Mary English's comments resonated with him, and he understands her desire to keep green space in the park. It is important to hear both sides.

Mayor Wassmer clarified that there is no plan to remove the disc golf course or damage the historical wagon ruts that are visible in the park. Mr. Mikkelson questioned how that would be possible considering two holes of the disc golf course would be impacted by the amphitheatre. Ms. Morehead responded that the layout of the course might need to shift. The amphitheatre is an open air concept so play could continue. Everything can work together in the park.

Dan Runion asked if the amphitheatre was a guaranteed concept or a potential option. Mayor Wassmer stated that they study will determine if it is a feasible, wanted amenity in the park. Terrence Gallagher stated that just like any other park in the CIP, there will be community meetings to provide direction. The amphitheatre is just one component; the study will also address play structures, park shelters and other amenities.

Jori Nelson stated that she understood Ms. English's desire for City Council to be mindful of the importance of the green space to residents.

NEW BUSINESS

Eric Mikkelson stated that in light of the existing policy on the election of Council President beginning in May, the election would need to be held at this Council meeting. The issue of change of elections and desire for the term to run concurrent with the elections cycle will require a change to the policy. According to the current policy, Jori Nelson would be the next Council President. Mr. Mikkelson has spoken to Ms. Nelson and she has stated her willingness to accept a truncated term to get the terms back on track with the election cycle. He stated that this is in no way a reflection on the current Council President, Ted Odell, however, this role has a significant amount of agenda control and the Council shouldn't trample the rights of a fellow member to serve in her due role. Eric Mikkelson would like to amend council policy to start with a new president in January or February and nominate Jori Nelson to serve in the shortened term until that time. He welcomed discussion.

Mayor Wassmer stated that following the Committee on Committee meeting, she met with Quinn Bennion and Joyce Hagen Mundy to review all items impacted by the election cycle change for amendments at the May 1 Council meeting. She would like to have the discussion as part of a larger review on all policies that will need to be amended, such as committee appointments, Council committee assignments, and council recognition. Additionally, she would like to have council members have the information in advance of the discussion so they have time to review the materials. Dan Runion asked if the other policy items should also be affective in May. Mayor Wassmer responded that they all are due to the previous election cycles.

Eric Mikkelson stated that we are not in compliance with the Council Policy. Mayor Wassmer responded that we are not in compliance with any of our policies that were impacted by the election changes.

Eric Mikkelson moved to nominate Jori Nelson for Council President. Serena Schermoly seconded the motion.

Courtney McFadden asked why the election needed to happen at this meeting. She asked if the committee assignments would change as well. Jori Nelson responded that the Council President is a completely different entity than the committee policies.

Dan Runion stated that he would like to broaden the motion to include similarly affected positions to be in compliance with the policies. Mr. Mikkelson stated that he would be fine to amend the policies at the next meeting, but the Council needs to be in compliance with the policies until that point.

Mr. Mikkelson restated his motion to nominate Jori Nelson for Council President in accordance with Council Policy.

Brooke Morehead asked why this wouldn't be considered with all the committee decisions at the May 1, 2017 meeting. Mr. Runion asked if the motion could be amended to include all council committee assignments. Mayor Wassmer responded that those assignments hadn't been made yet. Mr. Mikkelson stated that they can be treated differently and everyone is agreeable to extending their terms. It is important to not adversely affect one member of the governing body.

Terrence Gallagher stated that the Council doesn't have to vote tonight to elect the Council President. The positions could continue and Jori could assume the role in January. Eric Mikkelson clarified that she might not get reelected and this is her only sure opportunity. Mr. Gallagher stated that he believes it needs to be more thought out. Additionally, he would like to see the other council members here as they were previous Council Presidents.

Ted Odell shared that the Council President was not elected at this meeting in some previous years.

Courtney McFadden said she wanted a comprehensive discussion of all the changes at the next meeting.

Dan Runion stated that in order to not make this personal, he believes that the Council should comply with the policy unless there is a compelling reason not to, which he doesn't see. He believes the Council President is sufficiently different from the other positions. Mayor Wassmer responded that the compelling reason is the election cycle changes.

Eric Mikkelson stated that his motion is simply to be in compliance with the Council Policy and he wants to look at more changes in future meetings.

The motion was voted on and passed with the following members voting "aye": Nelson, Schermoly, Mikkelson, Myers, Morehead, Runion, McFadden, and Gallagher.

Committee meetings scheduled for the next two weeks:

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|--------------------------------|------------|-----------|
| JazzFest Committee | 04/25/2017 | 5:30 p.m. |
| VillageFest Committee | 04/27/2017 | 5:30 p.m. |
| Council Committee of the Whole | 05/01/2017 | 6:00 p.m. |
| City Council | 05/01/2017 | 7:30 p.m. |

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The city will celebrate Arbor Day on Saturday, April 29th at 9:30 a.m. at Weltner Park.

2017 Recreation Memberships are now on sale. Council members are encouraged to get their memberships early.

The 2017 annual Large Item Pick up has been scheduled for Saturday April 22nd for homes on 75th Street and north of 75th street; homes south of 75th Street will be collected on Saturday, April 29th.

Save the Date for the Leadership Northeast Graduation on May 24, 2017. RSVP to Meghan Boom.

Save the Date for the Annual National League of Cities Conference in Charlotte, November 15-18, 2017. Early Bird registration is available through June 30th

ADJOURNMENT

With no further business to come before the City Council the meeting was adjourned at 9:20 p.m.

Meghan Buum
Deputy City Clerk