

**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
February 20, 2018**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, February 20, 2018 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: Chad Herring, Jori Nelson, Serena Schermoly, Ronald Nelson, Tucker Poling, Andrew Wang, Sheila Myers, Dan Runion, Courtney McFadden and Ted Odell

Staff present: Tim Schwartzkopf, Chief of Police; Keith Bredehoeft, Public Works Director; Katie Logan, City Attorney; Wes Jordan, City Administrator; Jamie Robichaud, Assistant City Administrator; Alley Porter, Assistant to the City Administrator, Lisa Santa Maria, Finance Director and Joyce Hagen Mundy, City Clerk.

**INTRODUCTION OF STUDENTS & SCOUTS**

Mayor Wassmer welcomed a scout from Troop 387 in attendance for his “Citizenship and the Community” Badge.

**PRESENTATIONS**

**POLICE DEPARTMENT RECOGNITION AWARDS**

Chief Tim Schwartzkopf welcomed family, friends and guests present to recognize and honor the work of Prairie Village Police personnel in two specific incidents. The first supervisory recognition for exemplary service was presented to Dispatchers Tim Kobe

and Miriam Russell, Detective Lacey Daly, Officers Ben Overesch and Curtis Phipps and Sgt. Adam Taylor for their response to an attempted suicide call on August 9, 2017. The second recognition for exemplary service was presented to Detectives Kelsey Houchen, Josh Putthoff, Jason Wakefield and Sergeant Dan Stewart for their response to an incident on October 22, 2017, where a nine-year old girl was asleep in her house when she woke up to find a man standing near her holding a pocket knife. The work of these detectives resulted in the identification of a suspect and charges being filed for aggravated burglary, felony theft and criminal damage to property.

Chief Schwartzkopf congratulated all of the recipients for their exceptional work in these two incidents.

### **PUBLIC PARTICIPATION**

Nathan Kovac, 4112 West 75<sup>th</sup> Street, addressed the City Council regarding the proposed changes to the Council Policy on committees particularly regarding the proposed ability of the Mayor to remove a committee member without approval of the City Council. He felt the check and balance of Council involvement was important for transparency.

With no one else to address the City Council, public participation was closed at 7:46 p.m.

### **CONSENT AGENDA**

Ron Nelson noted a correction to the minutes on page 14 “Tucker Gallagher” should be “Terrence Gallagher” and Mr. Poling noted a correction to the vote on the bottom of page 24 that Mr. Runion should have been recorded as a vote in support.

Dan Runion asked for clarification on the proposed pole attachment fee and if the fees could be changed. Wes Jordan stated these fees apply to the attachment of small cell antennas. They are proposed to bring consistency to fees currently charged by area municipalities. Mr. Jordan noted the fees could be changed.

Mr. Runion confirmed the poles are owned by the City and that any replacement poles would also be owned by the City. Mr. Jordan noted that the first application for placement of small cell antennas would come before the Council at the March 5<sup>th</sup> meeting and that more are expected. Mr. Runion asked when replacement poles would be required. Mr. Jordan responded that if the provider was not able to retrofit its antenna on an existing pole a replacement pole would be required. He added that the City will also be discussing the placement of the equipment cabinets in conjunction with the franchise agreements. David Waters will be at the March 5<sup>th</sup> meeting to present the proposed application and related restrictions that the city is allowed to place on the providers.

Dan Runion moved for the approval of the Consent Agenda for Tuesday, February 20, 2018 as amended:

1. Approval of the regular City Council meeting minutes - February 5, 2018 as corrected
2. Approval of Claims Ordinance #2963
3. Approval of amendment to the City Fee Schedule adding a Small Cell Franchise Fee (Wireless Infrastructure Provider) of 5% of gross receipts; Franchise Fee (Wireless Services Provider) of \$25 per pole/antenna on an annual basis and Pole Attachment Fee of \$45 per pole/antenna per month

A roll call vote was taken with the following members voting “aye”: Herring, J. Nelson, Schermoly, R. Nelson, Poling, Wang, Myers, Runion, McFadden and Odell.

## **COMMITTEE REPORTS**

There were no Committee Reports.

## **MAYOR'S REPORT**

Mayor Wassmer noted she and Mrs. Santa Maria and Mr. Jordan will be meeting with Johnson County Appraiser Paul Welcome on March 2 to receive information on property appraisals in Prairie Village. The city is anticipating increases of 12 to 15 percent. She will have more information for the Council at the March 5<sup>th</sup> meeting.

## **STAFF REPORTS**

Mayor Wassmer announced that Staff Reports were given at the earlier Council Committee of the Whole meeting.

## **OLD BUSINESS**

### **Council Meeting Efficiency**

Tucker Poling stated he is seeking to improve council meeting efficiency and transparency. Under the current process there are two meetings, two meeting times, two separate agendas, two separate packets, two sets of minutes and duplicated agenda items. Mr. Poling reviewed the duplication in the current process. He is proposing to combine the two meetings into one Council meeting with the "Committee" meeting last on the agenda. Most other cities do not have a council committee meeting as well as a City Council meeting.

Mr. Poling also noted the confusion brought on by the two separate meetings to residents. Residents will come to a City Council meeting expecting to hear discussion on a topic only to find out it was discussed at the earlier meeting and the only discussion at the City Council meeting was the actual action taken on the issue. He feels it is the city's

responsibility to make information as easily accessible to residents as possible. The current process is not clear to residents. He believes improvements can be made that will make the process more accessible to residents and thus more transparent.

Mr. Tucker proposed the current two meetings be combined into one meeting. This would eliminate a great deal of duplication. Items would only appear on the agenda once. There would not be duplicated motions and votes. Items currently heard in the committee meeting and brought forward would be heard once at the council meeting under New Business. The Council Committee of the Whole would not be eliminated, but would become a segment of the unified meeting serving as a work session for items that do not require same night action. These items would be considered at the next, or future designated, city council meeting for action. This would align the process with the intended function of a committee - to consider, deliberate and prepare items for final action at a later date.

Mayor Wassmer asked where action would occur at the next city council meeting. Mr. Poling responded under "Committee Reports" or "Old Business". This allows the council the time to deliberate on an issue before taking action. He noted the proposed process is essentially how the Kansas state legislature operates.

Ted Odell stated he appreciated Mr. Poling's passion and thoughtful process. He likes how the committee functions and feels the process has worked over the years. He doesn't view the current process as broken.

Dan Runion asked how the current process came to be. Mayor Wassmer stated that several years ago there were two committees: Policy/Services and Legislative/Finance. They would consider designated items and bring a recommendation to the Council for action. When there was an item of broad interest it was directed to the

Council Committee of the Whole. The recommendations would be brought before the City Council and acted upon. Committee members began to question recommendations feeling that they did not have all the information. The subcommittees were dissolved and everything was brought to the Council Committee of the Whole. Mayor Wassmer stated that she likes the proposal and is supportive.

Wes Jordan stated that he was supportive of the proposal acknowledging the duplication of efforts pointed out by Mr. Poling. He added to the proposal consideration of moving toward action minutes rather than the current detailed minutes. He noted the significant staff time that was spent in preparing and reviewing minutes. He felt staff time could be better and more efficiently used.

City Clerk Joyce Hagen Mundy stated she was supportive of both Mr. Poling's and Mr. Jordan's recommendations. She noted the improvement in staff time with the change to paperless packets, but noted this could be further improved as proposed. The preparation of minutes does take a significant amount of her time, especially if recordings of the meetings are referenced and she would be supportive of action minutes noting that this is what is done by most municipalities. She noted there are pros and cons to the issue, but the cons can be addressed through the availability of the live streamed meeting and overall the efficiencies of action minutes would be a significant improvement.

Chad Herring stated he felt the proposal needs to be given serious discussion. He doesn't feel the proposal changes the function of the Council Committee of the Whole. As Mr. Poling pointed out the proposed process is easier for residents to understand. The only downside he sees is potentially the earlier 6 p.m. start for the City Council meetings and the impact on residents desiring to attend the meeting. He stated he is

generally supportive of the proposal and asked how it would need to be adopted. City Attorney Katie Logan replied it would be adopted by ordinance.

Mr. Herring stated that he did not feel the discussion on action minutes was germane to the proposed change in process and could be acted upon independently. He would like to see the adoption of a docket at the beginning of a meeting. The docket would present any “New Business” items to be added at that time. This prevents the addition of surprise items later in the meeting and gives people time to prepare for the discussion during the meeting. A docket would be presented as an agenda and either approved or amended.

Andrew Wang stated he previously served on both the previous subcommittee structure and current structure. He does not see the current process as broken. He is hearing support from staff for the proposed change and more support for the change to action minutes. He questioned how much efficiency would be gained and how it would be measured.

Mr. Poling replied any measurement of gained efficiencies would be speculative on his part. He does not believe the current process is broken, but he does believe that it could be improved. He doesn't see any reason for the duplication that is occurring. As the ordinances are currently written, changes required would be minor. The Council Committee of the Whole is not being eliminated so there would be no change to Section 1.804. Mayor Wassmer noted the meeting times would need to be changed. Mr. Poling noted currently residents wanting to hear the council discuss items need to come at 6 p.m. He believes residents will appreciate the ability to address the council prior to action being taken.

Ron Nelson stated he supported the proposal. He and Mr. Poling discussed these concerns while attending meetings prior to their election. The proposed action does not indicate that the current process is broken; the proposed changes will bring increased efficiency and transparency.

Ted Odell noted his biggest concern with the proposed process is how “New Business” would be handled. He wants to ensure that council members and residents have sufficient time to consider issues before taking action.

Mayor Wassmer stated New Business would be placed on the agenda allowing everyone to know that it is being acted upon. Information on the items needs to be included in the packet providing the background necessary for action to be taken.

Jori Nelson confirmed that New Business could not be brought up at the meeting with action taken. She noted that currently during council meetings only the motion is stated without providing any background. Ms Nelson advised the Council members to use their microphones as individual’s live streaming the meeting are not able to hear what is being said.

Serena Schermoly stated she supports action minutes and would like to explore having the agenda linked to the live streaming to assist residents in going directly to a specific part of the meeting.

Chad Herring noted the question is how to create good order. The adoption of the docket clarifies what will be acted upon. New Business is acted upon during the Council meeting, while Council Committee items are acted upon at a later meeting. The adoption of the docket and creation of a policy on how items are to be brought forward under New Business would address these concerns. He noted that one option would be to require a



super majority vote to move an item forward the same evening. There needs to be some flexibility.

Mayor Wassmer noted currently items come out from Council Committee of the Whole to the City Council on the same evening.

Chad Herring stated he understands Mr. Odell's concerns. Once the Council meeting adjourns into the Council Committee of the Whole no official action can be taken. Where the items are placed on the agenda determines when it would be voted upon. Sheila Myers confirmed the Council is not required to vote.

Tucker Poling stated there is no change to the function of New Business. The Council Committee of the Whole meets at the conclusion of the Council meeting because you want action taken on these in proper order at a future Council meeting. The committee's function is to discuss, deliberate and work out issues bringing forth a recommendation for action at a future meeting.

Mayor Wassmer asked the Council to take this proposal into consideration and stated it will be discussed further at the next City Council Meeting. She sees the following items needing to be addressed: 1) combination of Council Committee of the Whole meeting with the City Council meeting; 2) development of a policy on the process for placement of items under New Business; 3) consideration of action minutes and 4) the specifics of the layout of the agenda.

Ted Odell asked what changes would need to be made from an ordinance standpoint. Tucker Poling stated Section 1-211 of the city's code addresses rules and order of business. He stated the current code is not being followed and would recommend that it be removed.

## **Village Square**

Jori Nelson stated that she would like to add a 4<sup>th</sup> option to the options being considered for Village Square to do nothing and continue with the existing CIP program for Harmon Park. Mayor Wassmer replied Village Square would be discussed in conjunction with the 2019 budget discussion. Available funds will play a significant role in what action is pursued relative to the Village Square concept. This is part of a larger budget discussion and approval.

Jori Nelson asked what funding was already in the CIP for Harmon Park. Lisa Santa Maria replied \$1.2M is included in the CIP from economic development funds for North Park. Keith Bredehoeft added the skate park is funded in the 2018 budget with construction in 2019. Harmon Park Playground equipment is included in the proposed 2019 CIP. Mayor Wassmer noted park amenities are acted upon annually in the CIP. Ron Nelson stated the options for Village Square are not necessarily A, B or C, but the determination of what amenities are desired.

## **NEW BUSINESS**

Wes Jordan confirmed new council committee assignments are effective immediately. During the transition new chairs should meet with existing chairs to set agendas and discuss committee member reappointments/appointments. Committee reappointments and new committee appointments will be made at the March 19<sup>th</sup> meeting.

## **ANNOUNCEMENTS**

### **Committee meetings scheduled for the next two weeks include:**

VillageFest Committee	02/22/2018	5:30 p.m.
Environment/Recycle Committee	02/28/2018	5:30 p.m.

Council Committee of the Whole  
City Council

03/05/2018  
03/05/2018

6:00 p.m.  
7:30 p.m.

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The Prairie Village Arts Council is pleased to feature a mixed media exhibit in the R.G. Endres Gallery featuring Lorrie Engles, Kim Taggart, Gloria Gale and Chris Langseth during the month of February.

Republic does not observe the Presidents Day holiday. Trash services **will not** be delayed.

Mark your calendar for the 2018 NLC Congressional City Conference in Washington, D.C. March 11-14, 2018.

Mark your calendar for the 2018 State of the County Address on Tuesday, March 27<sup>th</sup>. Let Meghan know if you will be attending.

The 2018 Annual Large Item Pick up has been scheduled for Saturday, April 14<sup>th</sup> for homes on 75<sup>th</sup> Street and north of 75<sup>th</sup> Street; homes south of 75<sup>th</sup> Street will be collected on Saturday, April 21<sup>st</sup>.

### ADJOURNMENT

Ted Odell moved that the City Council meeting be adjourned. The motion was seconded by Jori Nelson and passed unanimously. With no further business to come before the City Council, the meeting was adjourned at 8:45 p.m.

Joyce Hagen Mundy  
City Clerk