



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
OCTOBER 21, 2019**

The City Council of Prairie Village, Kansas, met in regular session on Monday, October 21, 2019, at 6:00 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas. Mayor Mikkelson presided.

ROLL CALL

Roll was called by the City Clerk with the following Council Members in attendance: Chad Herring, Jori Nelson, Serena Schermoly, Ron Nelson, Tucker Poling, Andrew Wang, Sheila Myers, Brooke Morehead (by phone), Dan Runion, Courtney McFadden, and Terrence Gallagher. Staff present: Tim Schwartzkopf, Chief of Police; Major Byron Roberson; Keith Bredehoeft, Director of Public Works; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Lisa Santa Maria, Finance Director; Ashley Freburg, Public Information Officer/Deputy City Clerk; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Gallagher made a motion to approve the agenda for October 21, 2019. Mrs. Schermoly seconded the motion, which passed 11-0.

INTRODUCTION OF STUDENTS & SCOUTS

No students or scouts were in attendance.

PRESENTATIONS

Introduction of Teen Council - Ms. Nelson introduced three new Teen Council members, along with returning member Wenhan Sun:

- Elizabeth Mikkelson, a resident of Ward 3, student at Shawnee Mission East High School
- Harper Molin, a resident of Ward 4, student at Rockhurst High School
- Sawyer Shutts, a resident of Ward 5, student at Bishop Miege High School

KC Rising presentation - Sheri Gonzales, Director of KC Rising, and Steering Committee Co-chair John Murphy spoke about the initiative to improve economic prosperity in the Kansas City region.



PUBLIC PARTICIPATION

With no one present to address the Council, public participation was closed at 6:28 p.m.

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 - October 7, 2019
2. Website agreement with Granicus

Mr. Poling made a motion to approve the consent agenda as presented.

A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Schermoly, R. Nelson, Poling, Wang, Myers, Morehead, Runion, McFadden, Gallagher.

COMMITTEE REPORTS

- Mrs. Myers reported that she attended her first meeting as a member of the MARC Solid Waste Management District Management Council. She provided an update on current challenges in the recycling market.
- Mr. Herring stated that the Parks and Recreation Committee met on Wednesday, October 16, and noted that the Wassmer Park dedication ceremony would take place on October 26.

MAYOR'S REPORT

Mayor Mikkelson reported the following:

- The Mayor and Mr. Jordan met with Kansas City Mayor Quinton Lucas on October 16 to discuss regional cooperation opportunities.
- The Mayor and Mrs. Robichaud attended a meeting regarding the need and potential construction of a homeless shelter in Johnson County.
- The Mayor met with State Representative Rui Xu, adding that the 2020 Legislative Agenda would be presented to Council in November.
- Northeast Johnson County Mayors were contacted by a lobbyist who is proposing to represent cities in the northeast that do not have a lobbyist of their own. The Mayors will consider the need at a future meeting.
- The Mayor and Mrs. McFadden helped judge a chili cook-off at Briarwood Elementary School.
- The Mayor and Mr. Jordan attended the annual League of Kansas Municipalities conference in Overland Park.
- On November 6, a delegation from Ukraine will be in the City to discuss the role of women in elected office. The Mayor encourage Councilmembers to attend if available.
- A pedestal for a new art installation is being constructed at 71st and Mission.



- The Mayor will meet with Representative Stephanie Clayton, Commissioner Becky Fast and Representative Jerry Stogsdill in the next two weeks.

STAFF REPORTS

Public Safety

- Chief Schwartzkopf said that officers would hand out candy at the Prairie Village Shops on Halloween from 4:00 - 6:00 p.m.

Public Works

- Keith Bredehoeft stated that the road construction on Roe Avenue between 63rd Street and 67th Street had been completed. Additionally, Somerset Drive south of 83rd Street would reopen by the end of the week.

Administration

- Lisa Santa Maria noted that third quarter financial information was included in the packet. She added that sales tax revenues were slightly lower, while use taxes and franchise fees were down more significantly. Fine and fee revenue was lower as well, but remained on budget.

OLD BUSINESS

There was no old business to come before the Council.

NEW BUSINESS

COU2019-46

Consider approval of agreement and draft survey questions with Wiese Research Group to conduct a market sustainability study for consideration of a Prairie Village civic center with community, aquatic and wellness facilities operated by the YMCA and a new Johnson County Library branch.

John Mikos, President and CEO of the YMCA of Greater Kansas City, stated that the organization was fully supportive of collaborating with the City and the Johnson County Library on this project. He added that the YMCA had been a part of the regional community for nearly 160 years, and that the existing YMCA facility in Prairie Village had been open for 55 years.

Cathy Morrissey, representing Wiese Research Group, said that the market sustainability study would include both a phone survey of 400 residents in the surrounding area that would potentially be served by the civic center, as well as an online survey for Prairie Village residents only. Phone participants will be determined by zip code, and both versions of the survey will take approximately 15 minutes to complete.

Ms. Nelson asked how the phone number list would be obtained, and Ms. Morrissey said it would be provided by Marketing Systems Group, a common source for this data. Both landline and cellphone users will be contacted. She added that sending a postcard to



Prairie Village residents informing them of the survey would increase response rates. Mrs. Myers shared concerns that the survey might take more than fifteen minutes to complete due to its length. Ms. Morrissey stated that pilot testing would be done before the survey goes live to determine how long it actually takes to finish.

Mr. Gallagher asked how zip codes were determined for the study. Mr. Mikos said that memberships from individuals that live outside of the City would be necessary to make the YMCA facility viable. Mr. Gallagher also asked how the online portion would be limited to Prairie Village residents. Ms. Morrissey said that postcards would include an invitation, and that only one response would be allowed per IP address.

Mr. Poling made a motion to approve the agreement and draft survey questions as presented, which was seconded by Mr. Herring.

Mr. Herring asked how large a statistically valid sample size would be for the City. Mrs. Morrissey stated that population did not really matter for the stability of the sample, noting that a sample of 400 people has a 4.9% margin of error, regardless of total population size. Ms. Nelson shared concerns about the phone survey, and asked when calls would be made. Ms. Morrissey stated calls would typically be made during the evening and on Saturdays, as response rates are best during these times.

With no further discussion, the motion passed 11-0.

COU2019-44 Consider approval of Ordinance #2408 to issue industrial revenue bonds (Silvercrest and Meadowbrook Senior Housing)

Kevin Wempe, representing Gilmore and Bell, the City's bond counsel, stated that industrial revenue bonds to finance the Silvercrest senior living facility would not exceed \$35 million. He added that industrial revenue bonds are not truly a financing vehicle, but rather used to obtain an incentive. In this case, the incentive is a sales tax exemption on construction materials as well furniture, fixtures and equipment purchased for the project. The developer purchases some of the bond and privately finances improvements, then remits the sales tax savings to the City to finance public park improvements. The City is not at risk for repayment of the bond, and the developer pays all costs of issuance of the bonds. With Council approval, closing would take place in mid-November.

Mr. Poling made a motion to approve the Ordinance authorizing the City to issue Industrial Revenue Bonds in an amount not to exceed \$35,000,000 to finance the costs of acquiring, constructing and equipping the facility for the benefit of Silvercrest at Meadowbrook, LLC, and certain documents and actions in connection with the issuance of said bonds. The motion was seconded by Mr. Gallagher, and passed 11-0.



COU2019-47 Consider approval of Resolution 2019-14 authorizing project (Public Works facility)

Consider approval of Bond Sale Resolution 2019-15 (Public Works facility)

Mr. Bredehoeft stated that both Resolutions were related to the previously approved plan to construct a new Public Works facility. The total bond amount would be up to \$10 million, but may end up being less, pending further research by Public Works staff.

Mr. Wempe stated that Resolution 2019-14, authorizing the project, was required by state law, and that Resolution 2019-15 authorized the public sale of bonds. Bids will be presented to Council at its December 2, 2019 meeting, with the actual closing later in December. In contrast to industrial revenue bonds, general obligation bonds would be used for this project, meaning that the City is liable for repayment.

Mrs. Myers asked about the length of the bond term, and Mr. Wempe stated it would be a 30-year repayment term. Mrs. Myers shared concern with issuing bonds for that length of time, and asked to see other options as well, such as a 20-year repayment schedule. She noted that the Council never voted on repayment terms. Mr. Runion added that the Finance Committee discussed both 20 and 30-year terms, but did not vote either.

Adam Pope from Columbia Capital, the City's financial advisor, said that the term of the bonds will need to be determined before bidding begins. Mayor Mikkelson suggested that the Resolutions could be passed now, and that a discussion of term options could be held at the following meeting.

Mr. Poling made a motion to approve Resolution 2019-14 authorizing the City to design and construct a new Public Works facility infrastructure project and the issuance of general obligation bonds to finance such costs. The motion was seconded by Mr. Nelson, and passed 11-0.

Mrs. Nelson made a motion to adopt Resolution 2019-15 authorizing the City to issue General Obligation Bonds in an amount not to exceed \$10,000,000 to finance the costs of constructing and equipping the Public Works facility, and certain documents and actions in connection with the issuance of said bonds, pending the presentation of a 20-year and 30-year term comparison.

Mr. Runion made a motion to amend the motion to decrease the maximum amount of bonds issuable from \$10 million to \$9,570,000, and to use the funds in excess of the City's 25% fund balance included in the 2020 budget toward the project. The motion was seconded by Mr. Gallagher.

Mr. Runion stated that when the 2020 budget was approved, staff recommended using the excess funds toward the Public Works facility project. Mr. Gallagher suggested that a more



formal discussion needed to be held by Council to determine what to do with the funds, noting that staff provided multiple options for use during the budget presentation.

The motion failed by a vote of 4-7, with Mr. Herring, Ms. Nelson, Mrs. Schermoly, Mr. Nelson, Mr. Poling, Mr. Wang and Mrs. McFadden in opposition.

The original motion made by Mrs. Myers was seconded by Mr. Nelson, and passed 10-2, with Mr. Runion and Mr. Gallagher in opposition.

COU2019-48 Consider approval agreement with McCown Gordon Construction for construction management services for the new Public Works facility

Mr. Bredehoeft stated that an RFP process had been held to select a construction management firm for the project. On October 16, McCown Gordon was selected from the five proposals received. The first part of the contract comprises pre-construction services, for a fee of \$24,000. The second part includes a construction management fee to help build the project through the end of construction at a rate of 3.5% of the final total construction cost.

Mr. Runion asked if Council was being asked to approve a commitment to pay the 3.5% construction management fee. Mr. Bredehoeft stated the City would only be committed to \$24,000 at this time, and that the fee would be brought back to Council for approval once the final construction cost is determined.

Ms. Nelson made a motion to approve the agreement with McCown Gordon Construction for construction management services for the new Public Works Facility in the amount of \$24,000. The motion was seconded by Mr. Nelson.

Mr. Herring made a motion to amend the motion, striking the words “in the amount of \$24,000”. The motion was seconded by Mrs. Myers, and passed 10-1, with Mr. Gallagher in opposition.

The amended motion passed 10-1, with Mr. Gallagher in opposition.

Mrs. Myers made a motion that the City Council move to the Council Committee of the Whole portion of the meeting. The motion was seconded by Mrs. Schermoly and passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE **Village Voice redesign**

At its October 7, 2019 meeting, the Committee directed staff to proceed with a plan to redesign the Village Voice newsletter, but to first determine whether future issues could be



printed on recycled paper that was also recyclable. Adam Geffert shared samples of newsletters printed on recycled paper with Councilmembers, adding that making this change would increase the cost of the newsletters approximately \$3,000 - \$6,000 per year. The additional cost would still be within budget.

Mr. Poling moved to direct staff to proceed with the traditional-style newsletter designed by City staff and printed on recycled paper. Mrs. Myers seconded the motion, which passed 10-0.

New Business

Mr. Runion shared his concern with the funds in excess of the 25% reserve in the 2020 budget remaining unallocated. **He moved to direct Public Works to identify roads in disrepair and use the funds in excess of the 25% reserve to repair and maintain them. Mr. Gallagher seconded the motion.**

Mr. Herring suggested that a more thorough discussion about using the funds be held at a future Council Committee of the Whole meeting.

After further discussion, Mr. Runion called the question, which was seconded by Mrs. Myers, and passed 7-3, with Mr. Herring, Mrs. Schermoly and Mrs. McFadden in opposition.

The original motion failed 4-6 with Mr. Herring, Ms. Nelson, Mrs. Schermoly, Mr. Nelson, Mr. Poling and Mr. Wang in opposition.

Mr. Herring moved that a discussion on what to do with funds exceeding the 25% reserve be held at the next Council Committee of the Whole meeting. The motion was seconded by Mrs. Schermoly.

Mr. Poling asked staff for input on the motion. Mr. Jordan stated having a comprehensive discussion of future projects and debt forecasting at the same time would be appropriate. He noted that staff might not be ready to give such a presentation at the November 4 meeting.

Mr. Herring moved to amend his motion to allow staff to work with the Council President and the Mayor to bring forth a discussion with reasonable haste. The motion was seconded by Mr. Gallagher and passed 10-0.

The motion as amended passed 10-0.

(Note: Mr. Waters stated that the votes of Committee members attending remotely could not be counted per Municipal Code. As a result, Mrs. Morehead's votes were not included).



Mr. Nelson moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion passed 10-0.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

With no further business to come before the City Council, Mayor Mikkelson declared the meeting adjourned at 8:55 p.m.

Adam Geffert
City Clerk