



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
MARCH 2, 2020**

The City Council of Prairie Village, Kansas, met in regular session on Monday, March 2, 2020, 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, Inga Selders, Ron Nelson, Tucker Poling, Bonnie Limbird, Sheila Myers, Piper Reimer, Dan Runion, Courtney McFadden, Ian Graves and Terrence Gallagher. Staff present: Tim Schwartzkopf, Chief of Police; Major Byron Roberson; Captain Dan Stewart; Captain Ivan Washington; Keith Bredehoeft, Director of Public Works; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Lisa Santa Maria, Finance Director; Meghan Boom, Assistant City Administrator; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mayor Mikkelson noted that the presentation by Deb Settle, President and CEO of the Northeast Johnson County Chamber of Commerce, would be rescheduled for a later meeting.

Mr. Nelson made a motion to approve the amended agenda for March 2, 2020. Mrs. Myers seconded the motion, which passed unanimously.

INTRODUCTION OF STUDENTS & SCOUTS

No students or scouts were in attendance.

PRESENTATIONS

Chief Schwartzkopf swore in officers Tam Bui and Seth Dittimore, and administered the oath of office. Mayor Mikkelson welcomed the officers and thanked them for joining the department.

PUBLIC PARTICIPATION

With no one present to address the Council, public participation was closed at 6:08 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 - February 18, 2020
2. Consider appointment to Tree Board
3. Consider appointment to Civil Service Commission
4. Consider appointment to Arts Council
5. Consider bid award for pavement marking services

Mrs. Myers 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, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher.

COMMITTEE REPORTS

- Ms. Reimer reported that she attended the February meeting of the United Community Services Drug and Alcoholism Council. The Council reviewed and agreed upon the 2020 funding priorities for the alcohol tax fund.

Ms. Reimer also attended the Shawnee Mission Board of Education Meeting on February 24.

Lastly, she noted that she and Councilmember Myers would hold a meeting with Ward 4 residents on March 23 at City Hall.

- Mrs. Myers stated that she participated in two events as a member of the MARC Solid Waste Management District. The first was a site visit to Urban Lumber, a company that builds furniture, flooring, and other construction materials from trees that have been cut down.

The second was a meeting with Joan Levins, Sustainability Coordinator for the Shawnee Mission School District, to learn how the district’s food composting program was rolled out. She noted that over 800,000 pounds of food was diverted from landfills in 2019 through the program.

- Ms. Limbird said the Arts Council was working on its 2021 budget, and would present it to Council at an upcoming meeting. She also welcomed new members in attendance.
- Ms. Nelson shared that she and Mr. Herring would hold a Ward One coffee event with residents on March 28 at Starbucks.
- Mr. Poling added that a Ward Three meeting with residents would be held on March 6.



Planning Commission:

- **PC2020-101: Consider Ordinance 2414 to rezone 4820 W. 75th Street and the vacant lot directly to the east from R-1A (single-family) to C-0 (office)**

Mr. Waters stated that the Council's role in addressing a rezoning application regarding a specific property was quasi-judicial, and based on the eight "golden factors" outlined in Section 19.52.30 of the City's Zoning Ordinance. He noted that the Mayor would also participate in the vote. The factors to be considered by Council are:

1. The character of the neighborhood
2. The zoning and uses of the property nearby
3. The suitability of the property for the uses to which it has been restricted under its existing zoning
4. The extent that a change will detrimentally affect neighboring property
5. The length of time of any vacancy of the property
6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners
7. City staff recommendations
8. Conformance with the comprehensive plan

Chris Brewster, the City's contract planner with Gould Evans, provided background on the project. He stated that the application regarding a section of property currently owned by Prairie Baptist Church had been heard by the Planning Commission at its January meeting, then continued to the February meeting, at which it was recommended for approval to the Council. The applicant is requesting to rezone two lots from R-1A to C-O, which is designated as a low-intensity commercial office district. Mr. Brewster added that the City's comprehensive plan recommended that the 75th Street corridor be redeveloped with mixed-use development, particularly near intersections. He noted that there were existing mixed use areas further to the west on 75th Street.

The application also included a site plan to build an approximately 10,000 square feet office building and a survey plat to combine the two lots into one lot. The property is immediately west of Prairie Baptist Church, and fronts on the north side of 75th Street west of the Roe Avenue intersection. One lot is vacant and the other lot has a detached single-family home proposed for removal. Two other lots with detached single family houses front on 75th Street immediately to the west. The vicinity is primarily single-family residential, with the exception of the church.

After the January Planning Commission meeting, the applicant submitted a revised plan based on concerns shared by the owner of the residential property directly to the west of the proposed office building. The extent of the west side of the building was reduced in size by approximately 20 feet, and materials, massing and grading were altered to help the design fit in better with the neighborhood. A second story was added to the east side



of the building to compensate for the square footage lost due to the reduction in size of the west side.

Mr. Nelson noted that the Planning Commission had already approved the site plan and lot combination, which are contingent on Council's approval of the rezoning.

Laura Pastine, representing Gastinger Walker Architects, gave a presentation showing the building design and changes that were made after discussion with the property owners to the west. Along with revisions to the west side of the building, the proposed structure will be shorter and set approximately 25' farther back from 75th Street.

Ms. Selders stated that the neighborhood was primarily residential, and the building design was not appropriate for the area. Mr. Nelson said that 75th Street is a transitional neighborhood that is no longer conducive to new residential construction.

Mrs. Myers made a motion to approve Ordinance 2414, rezoning 4820 W. 75th Street and the vacant lot directly to its east from R-1A (single-family) to C-0 (office). The motion was seconded by Mr. Nelson.

Ms. Nelson stated that she did not feel the architecture of the proposed building fit in with the design of surrounding homes and churches.

A roll call vote was taken with the following votes cast: "aye": Herring, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher, Mikkelson. The motion passed 11-2, with Ms. Nelson and Ms. Selders in opposition.

- **PC2020-103: Consider Ordinance 2415 to rezone the Public Works facility from R-1A, R-3, RP-4 to RP-1A**

Mr. Brewster stated the application was associated with the forthcoming reconstruction at the City's Public Works facility. The site is currently composed of three lots with three different zoning districts. In an effort to clean up and simplify property records, it was determined that the property should be rezoned and platted in conjunction with the site plan for the new facility. If approved, the site would be rezoned to RP-1A, the City's least-intensive zoning district.

Mr. Brewster added that the Planning Commission recommended approval of the rezoning at its February 4 meeting. The Commission also approved the site plan and replat, contingent on Council's approval of the rezoning.

Mr. Poling made a motion to approve Ordinance 2415, rezoning the Public Works facility at 3535 Somerset from R-1A, R-3 and RP-4 to RP-1A. The motion was seconded by Mr. Nelson.



A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher, Mikkelson. The motion passed unanimously.

MAYOR'S REPORT

Mayor Mikkelson reported the following:

- The Mayor attended the Northeast Johnson County Mayors Lunch on February 21.
- The Mayor, staff, and some Councilmembers attended the Kansas City Mayor's Prayer Breakfast on February 25.
- The Mayor attended a D.A.R.E. graduation at Belinder Elementary on February 25.
- Mr. Herring, Mr. Jordan, Mrs. Santa Maria and the Mayor met with the new Johnson County Appraiser, David “Beau” Boisvert, to review property valuations. On average, the increase to Prairie Village residents is approximately 8% in 2020.
- The Mayor spoke with Commissioner Becky Fast about a possible community forum with the new Appraiser.
- The Mayor recognized State Representative Jerry Stogsdill, who was in attendance, and shared the following legislative updates:
 - The “tax lid” repeal bill passed the senate 39-0, and will be taken up by the House.
 - A bill prohibiting municipalities' ability to ban plastic bags advanced, as did a bill reducing local authority to regulate video service providers.
- The Mayor will meet with Johnson and Wyandotte County Mayors twice in March.
- On March 6, Fitness 2020 will hold a “soft opening” for its newly expanded facility.
- The Mayor, along with Mrs. Robichaud, Ms. Limbird, Ms. Reimer and Ms. Selders will attend the National League of Cities Conference in Washington D.C. March 8-11.
- The State of the County luncheon will be held on March 24.
- A retirement party for Police Captain Dan Stewart is scheduled for March 27.
- The Mayor will attend a Climate Action KC Advisory Board meeting on April 4.
- The Council meeting scheduled for March 16 was cancelled.

STAFF REPORTS

Public Safety

- Chief Schwartzkopf stated the Police Department would hold a joint Coffee with a Cop event with the Johnson County Sheriff's Office at Starbucks on March 13.

Department staff will attend a Northeast Johnson County Town Hall with the Sheriff's Department, Consolidated Fire District #2 and Johnson County MedAct at Mission Road Bible Church on March 19.

The Department completed its annual intersection accident summary. Accidents on Mission Road between 71st Street and 83rd Street have increased, and as a result, there will be more traffic enforcement along that section of road in 2020.



Chief Schwartzkopf recognized Captain Stewart for his 20 years of service with the Police Department.

Public Works

- Mr. Bredehoeft said that Public Works would present a contract with McCown Gordon for the demolition of three Public Works buildings at the April 6 Council meeting. He added that the construction schedule remained on track.

Mr. Herring thanked Mr. Bredehoeft for the installation of pedestrian-activated traffic beacons on 63rd Street at Delmar.

Administration

- Mrs. Robichaud noted that the exterior grant program application period opened on March 2, and 24 applications were received. Due to increased funding approved for the program, four to five more applications would likely be added.

Staff is preparing a proposal for the sustainability grants that Council requested. The proposal will be taken to the Environmental Committee for feedback, then presented to Council in April.

Gould Evans is drafting a plan for Village Vision 2.0 based on feedback from the Planning Commission and Council. A public meeting is planned for the second week in April, and a joint work session with Planning Commission members and Councilmembers is scheduled for April 21.

- Mr. Waters provided an update on legislation regarding video service providers, noting that Senate Bill 380, prohibiting municipalities from imposing additional requirements on video service providers, passed in the Senate by a vote of 31-8.

Discussion was also held regarding Senate Bill 294, which requires municipalities to give public notice and hold public hearings if a tax levy is considered for an increase. A hearing in the House Taxation Subcommittee is scheduled for March 16.

- Mr. Jordan reminded Council that additional funding was included in the 2020 budget for ward meetings.

City staff attended a webinar presented by Johnson County Emergency Management regarding the Coronavirus. A fact sheet from the Center for Disease Control was provided to Councilmembers.

Mr. Herring asked how the City's employee sick leave policy could be impacted by the virus. Mr. Jordan stated that City Administrators in Johnson County were coordinating efforts to develop a consistent policy across cities.



OLD BUSINESS

There was no old business to come before the Council.

NEW BUSINESS

COU2020-05 Consider contract amendment #1 with New Line Skate Parks FL, Inc., for the final design of the Harmon Park skate park, Project BG390001

Mr. Bredehoeft reminded Council that New Line Skate Parks was currently under contract for the preliminary design and public outreach for the new skate park at Harmon Park. Amendment #1 to the existing contract would allow New Line Skate Parks to prepare final design documents so the project can be bid out to contractors. The final design is based on what was developed in conjunction with the skating community at three public meetings. It is expected that the final project would be able to be bid in early summer 2020, and built in 2021.

Mr. Bredehoeft added that the total cost of the contract amendment was \$36,000, equal to the amount anticipated at the beginning of the project, and that no additional funding was being requested. Due to delays in the initial timeline, New Line Skate Parks is unable to construct the new park, so the City will seek out alternate contractors.

Ms. Limbird asked why a memorial was included in the design. Mr. Bredehoeft stated that the memorial recognized Jake Shepherd, a resident who organized support for the construction of the original skate park but succumbed to cancer prior to its completion.

Mrs. Myers made a motion to approve contract amendment #1 with New Line Skate Parks FL, Inc., as presented. Mr. Nelson seconded the motion, which passed unanimously

COU2020-06 Consider agreement with Municode for online code hosting services

Mr. Geffert provided background on the project, stating that the current Municipal Code was posted on the City website as a single, 500 page PDF document which was cumbersome to update and difficult to search. Further, formatting is inconsistent throughout the document, making certain sections difficult to read.

As part of the 2020 budget, Council authorized staff to research online code hosting providers to simplify the code updating process, as well as to make the City's code easier to search. Staff contacted three vendors, and selected Municode as the best option based on price and features offered. Municode is the primary code-hosting vendor in the region, and serves several municipalities in Johnson County.

Mr. Geffert stated that initial costs include a \$2,400.00 conversion and republication fee, along with a \$6,000.00 legal review of the City's existing code. Ongoing yearly costs for the feature package selected by staff is \$1,295.00. Updates made to the code run \$19.00 per page; staff was advised by the vendor to budget approximately \$1,200.00 per year for



updates. It was estimated that the initial conversion and republication could be completed in 3-4 months.

Ms. Limbird asked if Google Translate would be an available feature. After communicating with Municode, staff was told that the application would be included free of charge.

Mr. Herring asked why one section of the proposal indicated there were costs to download part or all of the code, when other sections stated it could be downloaded at no cost. After communicating with Municode, it was determined that the code could be downloaded free of charge; costs would only be incurred if the City chose to host the code on its own website.

Mr. Graves asked whether accessibility features would be available. After communicating with Municode, it was determined that hosted content would be ADA compliant.

Mr. Poling made a motion to approve an agreement between the City of Prairie Village and Municode as presented. Mr. Nelson seconded the motion, which passed unanimously.

Ms. Limbird made a motion that the City Council move to the Council Committee of the Whole portion of the meeting. The motion was seconded by Mr. Nelson and passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE **2021 Budget Goals and objectives**

Mrs. Santa Maria gave a presentation noting Council goals and objectives related to the budget, as well as property tax and mill levy data. Mr. Jordan added that this was the time during the budget process in which Council would direct staff to meet its preferred objectives, and that the budget is built based on that information.

Mr. Poling made a motion to add “environmental sustainability” to the list of Council priorities for 2021. The motion was seconded by Mr. Nelson.

Mrs. McFadden asked for clarity regarding the meaning of environmental sustainability. Ms. Nelson stated it would include goals such as reducing emissions, and making environmentally focused decisions on vehicle purchases and construction methods.

With no further discussion, the motion to approve the 2021 budget goals and objectives passed 10-2, with Mr. Runion and Mrs. McFadden in opposition.

Mrs. Santa Maria then provided a list of decision packages for Council to consider, such as funding the exterior grant program, food composting, and glass recycling. She asked Councilmembers to send ideas and responses by April 3.



Discuss using future transient guest taxes from the Meadowbrook Inn to fund a fireworks display in coordination with VanTrust at Meadowbrook Park

Mr. Jordan reminded Councilmembers that at the February 18, 2020 Council Meeting, Mrs. McFadden reported that Justin Duff of VanTrust had suggested collaborating with the City for a Fourth of July fireworks display at Meadowbrook Park. When the Inn at Meadowbrook opens in April, a 9% transient guest tax will begin to be collected. To date, the City has not discussed or determined how those funds would be used. The Governing Body previously passed a Charter Ordinance that specified the first \$25,000 could be used for economic and community development, cultural activities and tourism.

Mrs. McFadden shared research that noted fireworks displays in other cities had been shown to provide positive economic results with minimal negative impacts to the environment. She also noted that the former country club at the site put on fireworks displays each July 4th, and that nearby residents had shared that they would like to have a professional fireworks display there again.

Ms. Reimer and Ms. Nelson stated that they were opposed to the display primarily for environmental reasons, and for the impact it would have on animals and PTSD-sensitive residents.

Mayor Mikkelson stated that he was in support of the display, and said that Council needed to make a decision at the current meeting due to the short time frame to plan the event.

Mrs. Limbird asked if the Johnson County Parks and Recreation District Board would be likely to approve the display if the Council were to pass it. Mr. Jordan said the City would need the Board's approval, and that it had been envisioned that Meadowbrook Park would be used for large gatherings.

Mrs. Myers asked how much staff involvement would be required to support the event. Mr. Jordan noted that the proposed date of the event, July 3, is the observed Independence Day holiday, but that staff would be present to work the event.

Ms. Limbird made a motion to authorize the use of future transient guest taxes from the Inn at Meadowbrook to fund a fireworks display in coordination with VanTrust at Meadowbrook Park. Mr. Runion seconded the motion, which passed 7-6, with Ms. Nelson, Ms. Selders, Mr. Nelson, Mr. Poling, Ms. Reimer and Mr. Graves in opposition, and Mayor Mikkelson providing the tie-breaking vote.

Mrs. McFadden moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion passed unanimously.

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 8:52 p.m.

Adam Geffert
City Clerk