

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
JANUARY 4, 2021**

The City Council of Prairie Village, Kansas, met in regular session on Monday, January 4, 2021, at 6:00 p.m. Due to the COVID-19 pandemic, Councilmembers attended a virtual meeting via the Zoom software platform. Mayor Mikkelson presided.

ROLL CALL

Roll was called by the City Clerk with the following Councilmembers in attendance remotely via Zoom: 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 via Zoom: Tim Schwartzkopf, Chief of Police; Major Byron Roberson; Keith Bredehoeft, Director of Public Works; City Attorney David Waters, attorney with Lathrop & Gage; Chris Brewster, Gould Evans; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Meghan Buom, Assistant City Administrator; Lisa Santa Maria, retiring Finance Director; Nickie Lee, incoming Finance Director; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Nelson made a motion to approve the agenda for January 4, 2021. Mrs. Myers seconded the motion, which passed unanimously.

PUBLIC PARTICIPATION

Walter Vernon, husband of former City Administrator Barbara Vernon, told the Governing Body that Barbara had passed away in 2020 and requested they consider naming a permanent structure in her honor to recognize her service and dedication during her 30 years of service to the City.

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 - December 21, 2020
2. Consider the renewal of information technology services between Johnson County DTI and the City of Prairie Village
3. Consider purchase request of police vehicle
4. Consider approval of design agreement with BBN Architects, Inc. for the design of the park projects at Taliaferro Park



5. Consider Project BG3900001: Harmon Park skate park construction contract and transfer of \$50,000 from park reserve to project

Ms. Limbird stated that she felt the design of the shelters and restroom structures at Porter Park and Wassmer Park were underwhelming, and asked that more thought be given to the design of the structures that will be built at Taliaferro Park in 2021.

Mr. Nelson 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. The motion passed unanimously.

COMMITTEE REPORTS

- **Diversity Task Force**

Task force members Jameelah Lang and Dennis Solis presented a list of prioritized recommendations for Council that were identified at the group’s three meetings in 2020. Two items were recommended for immediate action:

1. Continue the Prairie Village Diversity Task Force as a standing committee with regular periodic meetings.
2. Finalize the process and take action to remove racist deed restrictions and covenants.

Additionally, the task force recommended several future actions, including but not limited to:

1. Host one or more town hall meetings around the topic of social justice and race
2. Put people of color in influential roles throughout the community - the face of Prairie Village should change with intentionality.
3. Prioritize affordable/attainable housing as a top City priority
4. Decriminalize marijuana and/or reduce fines
5. Plan cultural festivals and partner with other communities in Northeast Johnson County to plan events that celebrate diversity.
6. Host an “Artists of Color” art show in the City art gallery every year (in partnership with the Prairie Village Arts Council).

Mr. Poling moved to direct staff to move forward with a presentation to be given to the Council Committee of the Whole regarding the establishment of a permanent diversity committee. Ms. Limbird seconded the motion.



After further discussion, A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Reimer, Graves, Gallagher; “nay”: Myers, Runion, McFadden. The motion passed 9-3.

Mr. Poling moved to direct staff to research whether anything else could be done by the City to eliminate exclusionary covenants and deed restrictions, and report back to the Council Committee of the Whole. The motion was seconded by Ms. 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. The motion passed unanimously.

MAYOR’S REPORT

- Mayor Mikkelson thanked those who made donations to the Prairie Village Foundation.
- The Mayor provided an update on the COVID-19 pandemic, noting that vaccination rollouts continued. In Johnson County, the moving 14-day percent positive rate was down from two weeks ago, at 11.1%. New cases, hospitalizations and deaths were all trending downward, though a resurgence was possible due to holiday gatherings.
- The Mayor introduced new Finance Director Nickie Lee, who will replace retiring director Lisa Santa Maria.
- The Mayor noted that Shawnee Mission School District bond ballots would be mailed later in the week.
- The Mayor stated that 2021 committee appointments would be sent to Councilmembers after the conclusion of the meeting.
- The Mayor thanked Public Works staff for their work clearing streets during the recent snowstorm.
- The Mayor noted that the Planning Commission would hold a public hearing to review the Village Vision 2.0 comprehensive plan on January 5.
- The Mayor said that he had received information from Ripple Glass indicating that glass recycling in Prairie Village had diverted over 7000 tons of glass from landfills over the past decade.
- The Mayor stated that the spring council retreat would be cancelled due to the inability to gather as a group as a result of the pandemic.
- A Johnson County/Wyandotte County Mayors meeting was scheduled later in the week, at which affordable housing would be discussed.
- The Mayor and staff would begin meeting with Northeast Johnson County legislators to present the City’s legislative priorities in the coming weeks.
- The Mid-America Regional Council would hold a First Suburbs meeting on January 15.
- A Northeast Johnson County “State of the Cities” remote event was scheduled for January 21.
- The Mayor said that the Blue Moose would remain open in the Prairie Village shops, and that both Cedar Street Toffee and the Va Bene Italian restaurant both opened recently.



STAFF REPORTS

- Mr. Jordan stated that Johnson County had not yet shared its vaccination distribution plan with cities. He said that he would share information with Council once it had been received.

OLD BUSINESS

There was no old business to come before the Council.

NEW BUSINESS

COU2021-01 Consider appointment of Chief of Police

Mayor Mikkelson requested Council ratification of the appointment of Major Byron Roberson to serve as seventh Chief of Police for the City of Prairie Village, with a starting date of January 4, 2021. Major Roberson has been with the Police Department for 25 years, most recently serving as Deputy Chief of Police.

Mr. Herring made a motion to ratify Mayor Mikkelson's appointment of Major Byron Roberson as Chief of Police. Mr. Poling seconded the motion, which passed unanimously.

Mayor Mikkelson swore in Major Roberson as the new Chief of Police of Prairie Village.

COU2021-02 Consider election of 2021 Council President

Mayor Mikkelson stated that Prairie Village Municipal Code stipulated that City Council should elect one Council Member to serve as President of the Council annually. Current practice had been to elect the longest serving Council Member who had not yet served as Council President. Mrs. McFadden, a member of the Council since April 2016, was next in line to serve as president.

Mrs. Myers made a motion to ratify the election of Courtney McFadden as the new Council President. Ms. Limbird seconded the motion, which passed unanimously.

COU2021-03 Consider ratification of 2021 legislative platform

Ms. Robichaud noted that at its December 21, 2020 meeting, the Council Committee of the Whole (CCoW) voted to change the City's 2021 legislative platform by endorsing the League of Kansas Municipalities 2021 Statement of Municipal Policy and identifying the top seven legislative priorities for the City in 2021. The identified priorities were as follows:

1. Non-Discrimination
2. Repeal of the Tax Lid
3. Dark Store Theory



4. Addressing the Climate Crisis as a Public Policy Priority
5. State Funding of Public Education
6. Internet Sales Tax Collection
7. Local Control

The CCoW directed staff to put together a revised platform that reflected these priorities, which was included in the meeting packet.

Mr. Nelson made a motion to ratify the 2021 Legislative Platform as presented. Ms. Limbird seconded the motion.

Ms. Limbird made a motion to amend the motion and include a revision of the language of the climate crisis priority to the following:

“We believe that climate change poses a global economic, social, and public safety crisis. We support policy makers at all levels of government elevating sustainability, carbon emission reduction, and carbon capture to be included among the top line of policy priorities.”

Mrs. McFadden seconded the motion. After further discussion, the motion was approved 9-3, with Mr. Herring, Ms. Nelson and Ms. Selders in opposition.

A roll call vote on the original motion as amended was taken with the following votes cast: “aye”: Herring, R. Nelson, Poling, Limbird, Reimer, McFadden, Graves, Gallagher; “nay”: J. Nelson, Selders, Myers, Runion. The motion passed 8-4.

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 Mr. Gallagher and passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE

COU2021-04 Discuss proposed changes to annual bulk item pickup for 2021

Ms. Robichaud said that the City’s contract with Republic Services included the collection of unlimited large bulky items once per calendar year at all houses in Prairie Village. The collection had normally been scheduled over two weekends: one weekend for homes north of 75th Street and/or east of Belinder, and another for homes south of 75th Street. In recent years, Republic had struggled to complete the routes in two weekends due to the large volume of items being placed out for collection. To address the problem, staff worked with Republic to consider how the process could be improved.

Republic provided the City with three different options for consideration:



1. Split the City into four weekends instead of two
2. Split the City into three weekends and limit the service to five items per house. This option would also include one additional bulk service anytime the resident would request throughout the year with an additional limit of five items by scheduling directly with Republic.
3. Allow residents to have two bulk pickups throughout the year limited to five items to be scheduled directly with Republic.

Staff recommended Option 1, which would split the City into the following four collection weekends:

- Week 1 - April 10: all homes west of Roe and north of 79th Street
- Week 2 - April 17: all homes west of Roe and south of 79th Street
- Week 3 - April 24: all homes east of Roe and north of 75th Street
- Week 4 - May 1: all homes east of Roe and south of 75th Street

Two mailers would be sent to residents to inform them of the change, and provide information on how to recycle many household items rather than sending them to the landfill through bulk item pickup. Residents would also be asked not to place items at the curb that could be collected as part of the normal weekly recycling and trash pickup. The information would also be included in the March edition of the Village Voice and on the City's website and social media pages. The Environmental Committee had also considered hosting a recycling event prior to bulk item pickup in 2021.

Mr. Gallagher made a motion to move forward with option #1. Mr. Poling seconded the motion, which passed unanimously.

2020 exterior grant report and 2021 program changes

Ms. Robichaud stated that each year, City staff prepared an annual report for the Governing Body outlining how Exterior Grant Program funds were utilized. In 2020, the City allocated \$68,000 from the Economic Development Fund to the grant program.

The following eligibility criteria were approved as part of the 2020 program:

- The appraised value of the home must be \$250,000 or less and must be located in Prairie Village.
- The home must be zoned R-1A, R-1B, or R-2.
- A building permit might be required depending on the type of improvements.
- The improvements must be in conformance with the Prairie Village Municipal Code.



- The property must be owner-occupied or a rental license must have been in place for the prior 365 days in order to be eligible.
- Each property could only receive one grant in a 10-year period.

Ms. Robichaud provided a summary of the 2020 program results, noting that 30 exterior grants were awarded, totaling \$46,240. She asked the Council to consider three questions:

- Should the appraised value threshold for 2021 be increased? Staff recommended increasing the appraised value threshold from \$250,000 to \$275,000 (encompassing 3,804 homes in the City)
- Should leftover funds from the 2020 program be carried over to the 2021 Exterior Grant program?
- In 2020, Council directed staff to put together a proposed environmental grant program separate from the exterior grant program that would provide reimbursement to residents for energy efficiency improvements in their home. This project was tabled due to COVID-19 and uncertainty of funding sources and was not earmarked in the 2021 budget. Should the leftover funds from the 2020 Exterior Grant program be allocated to fund this program instead?

Ms. Nelson made a motion to change the program name to the “home grant program”, which would include applications for interior needs of residents. Additionally, she made a motion to increase the appraised value threshold to \$275,000, and roll over the 2020 unspent funds into the 2021 program budget. Ms. Selders seconded the motion.

Ms. Reimer asked how the proposed changes would impact City staff. Ms. Robichaud stated the expanded program would require more coordination with residents to complete interior inspections. She added that a number of changes would need to be made prior to opening the program on March 1.

Ms. Selders stated that she would prefer to exclude rental properties from participating in the program. Ms. Robichaud said that original intent of the program was to address code violations, which are often found at rental properties. Further, addressing issues at rental properties still generally benefitted the entire neighborhood.

Ms. Limbird suggested focusing on environmental grants rather than interior grants would be more appropriate.

After further discussion, Mr. Graves moved to divide the question of the interior grant portion of the motion from the increased valuation and rollover of 2020 funds. Mr. Nelson seconded the motion, which passed 8-4, with Ms. Nelson, Ms. Selders, Mr. Poling and Mr. Runion in opposition.

The motion to rename the program as the “home grant program” and allow applications for interior improvements tied 6-6, with Mr. Herring, Mr. Poling, Ms. Limbird, Ms. Reimer,

Mrs. McFadden and Mr. Gallagher in opposition. Mayor Mikkelson broke the tie by voting against the motion, which failed 7-6.

Mr. Herring made a motion to amend the motion to remove the funding rollover component and only consider the appraisal value threshold. Ms. Limbird seconded the motion, which passed 8-4, with Ms. Nelson, Ms. Selders, Mr. Runion and Mrs. McFadden in opposition.

The motion to increase the appraised value threshold to \$275,000 passed 11-1, with Mr. Runion in opposition.

Mr. Herring moved to roll over the remaining funds from the 2020 exterior grant program and apply them to a proposed environmental sustainability grant program that would be proposed by staff pursuant to a prior directive by Council. The motion passed 9-3, with Mrs. Myers, Mr. Runion and Mr. Gallagher in opposition.

Ms. Selders made a motion to make the grant program available only to owner-occupied properties. There was no second to the motion.

Mr. Herring moved to direct staff to begin development of a home grant project to be developed by Council and brought forward for future consideration at the Council Committee of the Whole. Mr. Graves seconded the motion, which tied 6-6, with Mr. Poling, Ms. Limbird, Mrs. Myers, Mr. Runion, Mrs. McFadden and Mr. Gallagher in opposition. Mayor Mikkelson broke the tie by voting against the motion, which failed 7-6.

COU2021-05 Consider proposed tree protection regulations

Tree Board member Frank Riott shared his support of the proposed regulations, and thanked Council for considering them.

Mr. Brewster reviewed the draft plan and shared specific protection details for various types of trees and their location on a property. He noted that the Tree Board gave a presentation at the August 17, 2020 City Council meeting requesting that the Council consider adopting an ordinance to provide greater protection for trees in Prairie Village. The Council directed staff to review the proposed ordinance by the Tree Board and draft a final ordinance for further review and consideration. Planning, Codes, and Public Works staff met several times to refine and finalize an ordinance for the Council's review.

The proposed ordinance would be a part of Chapter 19.47 of the City's zoning regulations, requiring public notice, a public hearing, and a recommendation from the Planning Commission prior to final adoption by the Governing Body. The draft was presented to the Tree Board in November and the Planning Commission and Environmental Committee in December for further review and input.

Mrs. McFadden made a motion to proceed with the proposed plan and set a date for a public hearing at an upcoming Planning Commission meeting. Mr. Nelson seconded the motion, which passed 11-0, with Mr. Gallagher no longer in attendance.

Mr. Herring moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Mr. Poling and passed 11-0.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mr. Poling made a made a motion to adjourn the meeting. The motion was seconded by Mr. Herring, and passed 11-0.

Mayor Mikkelsen declared the meeting adjourned at 9:36 p.m.

Adam Geffert
City Clerk