

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
MARCH 1, 2021**

The City Council of Prairie Village, Kansas, met in regular session on Monday, March 1, 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: Byron Roberson, Chief of Police; Keith Bredehoeft, Director of Public Works; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Tim Schwartzkopf, Assistant City Administrator; Nickie Lee, Finance Director; Mitch Dringman, Building Official; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mrs. McFadden made a motion to approve the agenda for March 1, 2021. Mrs. Myers seconded the motion, which passed 12-0.

PRESENTATIONS

Mayor Mikkelson read a proclamation declaring March 7 through 13, 2021 as COVID Heroes Week. A moment of silence was held for those who lost their lives to the pandemic.

PUBLIC PARTICIPATION

Mary English, 4402 W. 77th Terrace, requested that Council consider adopting the ICC 2021 Building Codes rather than the 2018 version.

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 16, 2021
2. Consider appointment of committee members



Mrs. McFadden 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 12-0.

COMMITTEE REPORTS

- Ms. Selders stated that the Diversity Committee held its first meeting on February 17, at which Julie Brewer from United Community Services of Johnson County gave a presentation on racial equity in cities. Ms. Brewer will give a presentation to Council at its meeting on March 15. She added that the committee would continue pursuing options to remove racially restrictive language from the Prairie Village Homes Association deed restrictions. Lastly, the committee would be requesting budgetary funds for 2021 at a future Council meeting, and would set a 2022 budget as well.

Ms. Selders also provided an update on JazzFest, noting that committee members met to discuss whether it was possible to hold the event in 2021 due to the pandemic. A decision on how to proceed will be made in April based on infection rates.

- Mrs. McFadden said that the VillageFest Committee met the prior week. The committee decided to move forward with something similar to the “drive through” event held in 2020 due to the pandemic. She added that additional efforts would be made to recognize VillageFest’s 25th anniversary.

Mrs. McFadden added that First Washington, owners of the Prairie Village and Corinth shopping centers, had agreed to pay for all businesses at both locations to become members of the Northeast Johnson County Chamber of Commerce.

- Ms. Reimer reported that she had attended the February UCS Drug and Alcohol Council meeting. The council had begun updating its application for the upcoming grant cycle. A presentation was given by Lisa Carter of the Mid-America Addiction Technology Transfer Center.

Additionally, Ms. Reimer stated that Teen Council members would give a presentation to Council before their terms ended on April 19. They were also working to attend three committee meetings each, as a requirement of their council membership.

- Mr. Runion noted that the Police Pension Committee would meet on March 18.
- Ms. Nelson stated that the Shawnee Mission School Board had approved Michelle Hubbard as the new superintendent. In addition, middle school and high school students would return to in-person learning full time beginning March 22.



MAYOR'S REPORT

- The Mayor provided an update on the COVID-19 pandemic, noting that 63,000 vaccines had been given in Johnson County as of Friday, February 26. The Johnson County Commission recently voted to lift the curfew on bars and restaurants, but mask-wearing and social distancing requirements remained in place through at least March 31. The percent positive rate in the county dropped to 4.3%, and hospitalizations and deaths had both fallen. All residents over the age of 65 would be eligible to receive vaccines beginning March 3.
- The Mayor stated that a proclamation recognizing long-time Prairie Village resident Ginger Powers' 90th birthday was included in the meeting packet.
- The Mayor said that the final version of the Climate Action KC climate action plan was available for review, and would be presented to Council at an upcoming meeting.
- The Johnson County Charter Commission, which was formed to review the structure of the Johnson County government, held its first meeting earlier in the day. The Mayor noted that he was a member of the commission, which must be convened every 10 years by law.
- A virtual Black History Month celebration was held the prior week by Stand Up for Black Lives+ of Prairie Village in collaboration with the Johnson County NAACP. Chief Roberson received an award at the event.
- The Mayor, staff and Finance Committee Chair Herring met with the Johnson County Appraiser the prior the week. In Prairie Village, residential appraised values increased 6.4%. Commercial appraisals dropped in the City.
- The COVID-relief bill being considered in Congress was expected to include direct aid to cities. Prairie Village could potentially receive \$3.1 million if the bill passed in its current form. The Mayor noted there might be limits on how the funds could be used.
- The Mayor recognized 2021 Arbor Day poster contest winner Leah Norris, a 5th grader at Highlands Elementary. Her poster would now be entered in a state competition. He also recognized the 2020 winners of the contest, Adelyn Newman and Ishita Senkumar, also from Highlands Elementary.
- The Mayor stated that he would meet with First Washington later in the week with staff.
- The Mayor recognized Teen Council member Macy Cherra, who was in attendance.

STAFF REPORTS

- Mr. Jordan stated that the March Plan of Action was included in the meeting packet.

Ms. Nelson asked for information about the proposed Events Coordinator position. Mr. Jordan stated that the position was previously held by Meghan Buum prior to



her promotion to Assistant City Administrator. The part-time position was previously approved by Council and would not include benefits.

- Mr. Schwartzkopf mentioned that Severe Weather Preparedness Week was underway. A statewide tornado drill was scheduled for March 2.

OLD BUSINESS

There was no old business to come before the Council.

NEW BUSINESS

COU2021-26

Consider approval of short-term special use permit for classic car show at Meadowbrook Park on April 10, 2021

Mr. Geffert stated that the Kansas City Automotive Museum had been working with the Johnson County Parks and Recreation District and Prairie Village Police Department for several months to plan a classic car show on Saturday, April 10 at Meadowbrook Park. The event would be a joint fundraiser for the Kansas City Auto Museum and the Johnson County Parks and Recreation District's arts program. Due to gathering restrictions related to the pandemic, museum staff submitted a mass gathering plan to the Johnson County Health Department, and received approval. Mr. Geffert added that short-term special use permits for these types of events were typically placed on the consent agenda, but because of the pandemic, staff felt it was appropriate for the applicant to present information to Council directly.

Jan Huckleberry from the Kansas City Auto Museum gave a presentation describing the plans for the event. She noted that food trucks would be present, but that alcohol would not be served. Additionally, approximately 60 museum staff members and volunteers would be on site to ensure mask wearing, hand out masks if needed, and reinforce social distancing. Signage would also be posted to remind visitors of COVID-19 safety precautions and expectations. Ms. Huckleberry also stated that Meadowbrook Park typically drew 2,000 to 3,000 visitors on a Saturday, and that the car show would not increase that number dramatically over the course of its five scheduled hours.

Several Councilmembers shared their concern over holding a mass gathering event based on the current state of the pandemic, but felt that it had been planned in a way that emphasized safety.

Mrs. Myers made a motion to approve the short-term special use permit authorizing a classic car show at Meadowbrook Park on April 10, 2021. Ms. Limbird seconded the motion.

After further discussion, a roll call vote was taken with the following votes cast: "aye": Herring, R. Nelson, Poling, Limbird, Myers, McFadden, Graves, Gallagher; "nay": Runion, J. Nelson, Selders, Reimer. The motion passed 8-4.

COU2021-22 Consider addendum to the Renewables Direct participation agreement with Evergy

Rebecca Galati and Kevin Brannan from Evergy were present to provide information to Council about the addendum. Ms. Galati said that the City of Prairie Village entered into an agreement with Evergy for renewable wind generated energy in March 2019. The Ponderosa Wind Farm, which was selected to provide this energy, went online in December 2020. Since that time, the energy price point had been lower than the “do not exceed” price in the agreement, and the capacity factor of the wind farm was greater than expected. As a result, Evergy recommended reducing the City’s subscription to better align with these factors.

Mrs. Myers asked why the City’s wind was generated in Oklahoma rather than Kansas. Mr. Brannan stated that to keep costs down, the Ponderosa Wind Farm was selected. He added that energy from the wind farm did not travel directly to city buildings, but was instead added to the electrical grid in the amount used by participants.

Ms. Nelson made a motion to approve the addendum to Renewables Direct participation agreement with Evergy. Mr. Nelson seconded the motion.

Mr. Herring asked if the wind farm were to experience a temporary outage, how it would affect the City financially. Mr. Brannan stated that there would be no additional fees or penalties charged to City if power had to be drawn from the grid in such a situation.

After further discussion, the motion passed 12-0.

COU2021-25 Approve adoption of the ICC 2018 Building Codes

Ms. Robichaud stated that at the February 15 Council meeting, the Council Committee of the Whole voted to advance the 2018 building codes for final adoption at its March 1 meeting. She noted that the International Codes Council (ICC) published updated editions of model building codes and standards every three years for consideration and adoption by local jurisdictions. Historically, the City considered updates to building codes on a six-year adoption cycle, using the ICC model codes.

Ms. Robichaud added that the Council Committee of the Whole also directed staff to begin research on the 2021 International Energy Conservation Code and bring in an expert at a future Council meeting to explain the differences between the 2018 and 2021 codes in relation to energy conservation. She said that a presentation would be scheduled for an upcoming meeting.

The recommended effective date for the new building code would be June 1, 2021, in order to provide adequate time to communicate the new code changes and make the necessary internal changes required for implementation.



Mrs. Myers asked why an addition was made that required a homeowner who is not a licensed contractor to reside in their house for three months before they can pull a construction permit. Ms. Robichaud stated the language was included to address investors who purchase homes with the intention of repairing and “flipping” them, but were not licensed contractors. She added that the Building Official would be given the authority to waive the requirement in certain cases.

Mrs. McFadden made a motion to approve Ordinance 2434 - Adoption of the 2018 International Building Code. Mr. Graves 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, Myers, Reimer, Runion, McFadden, Graves, Gallagher. The motion passed 12-0.

Mrs. McFadden made a motion to approve Ordinance 2435 - Adoption of the 2018 International Residential Code. Ms. Reimer seconded the motion. A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Selders, R. Nelson, Poling, Limbird, Reimer, Runion, McFadden, Graves, Gallagher; “nay”: Myers. The motion passed 11-1.

Mrs. McFadden made a motion to approve Ordinance 2436 - Adoption of the 2018 International Plumbing Code. Mr. Nelson seconded the motion. 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 12-0.

Mrs. McFadden made a motion to approve Ordinance 2437 - Adoption of the 2018 International Mechanical Code. Mr. Graves seconded the motion. 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 12-0.

Mrs. McFadden made a motion to approve Ordinance 2438 - Adoption of the International Fuel Gas Code. Mr. Graves seconded the motion. 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 12-0.

Mrs. McFadden made a motion to approve Ordinance 2439 - Adoption of the 2018 International Energy Conservation Code. Mr. Gallagher seconded the motion. 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 12-0.

Mrs. McFadden made a motion to approve Ordinance 2440 - Adoption of the 2017 National Electric Code. Mr. Graves seconded the motion. 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 12-0.



Mrs. McFadden made a motion to approve Ordinance 2441 - Adoption of the 2018 International Existing Building Code. Mr. Graves seconded the motion. 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 12-0.

Mrs. McFadden made a motion to approve Ordinance 2442 - Adoption of the 2018 International Swimming Pool and Spa Code. Mr. Graves seconded the motion. 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 12-0.

Mrs. McFadden made a motion to approve Ordinance 2443 - Construction Site Screening and Project Sign Requirements. Mr. Graves seconded the motion. 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 12-0.

Mrs. McFadden made a motion to approve Ordinance 2444 - Adoption of the 2018 International Property Maintenance Code. Mr. Graves seconded the motion. 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 12-0.

Mrs. McFadden made a motion to approve Ordinance 2445 - Adoption of the 2018 International Fire Code. Mr. Nelson seconded the motion. 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 12-0.

Mr. Nelson 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. Herring and passed 12-0.

COUNCIL COMMITTEE OF THE WHOLE 2022 Budget - goals and objectives

Ms. Lee stated that the next steps in the budget process were to discuss goals and objectives for 2022. The following were identified as priorities by the Council in 2020:

- Quality of Life
- Superior Services
- Community Safety
- Be Mindful of Tax Burden
- Invest in Public Realm
- Environmental Stability

Mr. Runion asked that the phrase “maximize utilization of resources” in the presentation be changed to “maximize the *efficient* utilization of resources.”

Mr. Runion made a motion to change the phrase “maximize utilization of resources” to “maximize the efficient utilization of resources” in the 2022 budget goals and objectives. The motion was seconded by Mrs. Myers and passed 11-1, with Mr. Nelson in opposition.

Mrs. Myers made a motion to approve the 2022 budget goals and objectives. Ms. Nelson seconded the motion, which passed 12-0.

Ms. Lee asked the Council to begin considering “decision packages”, which were budget items that go above and beyond the existing or core services of the City. She requested that recommendations be sent to staff by April 1 so that they could be discussed at the April 5 City Council meeting.

COU2021-27 Consider the contract agreement with Lexipol for Police Department policy manual management

Chief Roberson stated that the Prairie Village Police Department had used the Commission on Accreditation for Law Enforcement Agencies (CALEA) to conduct policy manual review and accreditation for many years. The Department ceased using the service in 2007 when it became too cost prohibitive and labor intensive to maintain files and proofs as part of CALEA’s business format. Due to many factors, the Police Department recently determined it needed a new service, such as Lexipol, that could provide real time legislative updates and ongoing training, along with expert policy modifications and recommendations based on industry standards for the Department’s policy manual.

Chief Roberson added that staff recommended approval of the contract with Lexipol Services for the management, development and updating of processes in the Department’s policy manual. Due to the pandemic, few training opportunities were available in 2021, leaving enough funds to purchase and immediately begin using Lexipol products. The cost of the Lexipol services would total \$14,322.50 per year; if approved by Council, fees for Lexipol services would renew annually until terminated by the Police Department.

Ms. Nelson made a motion to approve the agreement with Lexipol as presented. Ms. Selders seconded the motion, which passed 12-0.

Ms. Limbird moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Ms. Nelson and passed 12-0.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mr. Nelson made a motion to adjourn the meeting. The motion was seconded by Ms. Selders, and passed 12-0.

Mayor Mikkelsen declared the meeting adjourned at 8:59 p.m.

Adam Geffert
City Clerk