

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
MARCH 15, 2021**

The City Council of Prairie Village, Kansas, met in regular session on Monday, March 15, 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, and Ian Graves. Staff present via Zoom: Byron Roberson, Chief of Police; Melissa Prenger, Public Works; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Tim Schwartzkopf, Assistant City Administrator; Meghan Boom, Assistant City Administrator; Nickie Lee, Finance Director; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Ms. Reimer made a motion to approve the agenda for March 15, 2021. Mr. Nelson seconded the motion, which passed 11-0.

PRESENTATIONS

Jeremy Knoll, architect with BNIM, gave a presentation on the 2021 International Energy Conservation Code, highlighting differences between it and the 2018 version of the code.

Stuart Little and Mallory Lutz of Little Government Relations provided an update on recent activity in the Kansas Legislature.

Mayor Mikkelson read a proclamation declaring March 2021 Women's History Month, and recognized the many women who had made contributions to the City.

PUBLIC PARTICIPATION

No requests to address the Council were received.

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 - March 1, 2021
2. Approval of Expenditure Ordinance #3000
3. Approval of committee appointments

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. The motion passed 11-0.

COMMITTEE REPORTS

- **Planning Commission**

PC2020-104 Consider Ordinance 2446 to adopt the Tree Protection Ordinance

Mr. Brewster provided background on the ordinance, noting the Tree Board had initially requested that the City Council consider adopting an ordinance to protect trees in August 2020. The Council directed staff to review the proposed ordinance developed by the Tree Board and draft a final version for consideration. After further revisions by staff, the updated draft ordinance was presented to the Tree Board and Environmental Committee in late 2020 for further review and input. Finally, a public hearing was held at the March 2021 Planning Commission meeting, at which the Commission recommended the ordinance for approval. If approved by Council, the new regulations would be incorporated into the recently adopted landscape standards and go into effect on June 1, 2021.

Mrs. McFadden made a motion to approve Ordinance 2446 adopting the tree protection standards as presented. Mr. Poling seconded the motion.

Mr. Runion asked what the budget impact of the ordinance would be. Mayor Mikkelson stated that Public Works was already considering hiring another maintenance worker due to the increase in grounds keeping duties with the opening of Wassmer Park. If Council approved the addition of another position, the City’s part-time arborist, who also performed maintenance tasks, would become a full-time arborist to handle the additional responsibilities brought about by the ordinance.

Ms. Nelson asked if there was a size requirement for replacement trees that were planted when an existing tree was removed. Mr. Brewster said that there was, and that when very large trees were removed, multiple trees would be required to be planted.

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, McFadden, Graves, Mikkelson; “nay”: Runion. The motion passed 10-1.



- **Parks and Recreation Committee**

Consider approval of a change to pool hours for the 2021 pool season

Ms. Buum stated that the Parks and Recreation Committee discussed options to address the shortage of lifeguards available for the 2021 pool season. Staff proposed a change in age requirements for lifeguards, allowing 15 year-olds to serve as lifeguards as is done in many surrounding communities. In order to make this change, the pool hours would need to be reduced because the Kansas Department of Labor prohibited children under 16 to work more than eight hours in one day. The new proposed hours would be noon to 8:00 p.m. daily, rather than 11:00 a.m. to 8:00 p.m. Ms. Buum added that the American Red Cross allowed 15 year-olds to be certified as lifeguards.

Mrs. McFadden made a motion to approve the proposed change to the 2021 swimming pool hours of operation. Mrs. Myers seconded the motion.

Some Councilmembers shared concerns with having 15 year-olds serve as lifeguards due to the responsibility required, as well as whether the pool should be opened at all due to the ongoing pandemic. Ms. Buum said a presentation would be given at the April 5 Council meeting to discuss how the pool would open, but that the motion being considered was only related to the change in pool hours and hiring 15 year-old lifeguards.

After further discussion, a roll call vote was taken with the following votes cast: "aye": Selders, R. Nelson, Poling, Limbird, Myers, Reimer, McFadden, Graves; "nay": Herring, J. Nelson, Runion. The motion passed 8-3.

- Ms. Reimer said that she and Teen Council members took a tour of City Hall and the Police Department the previous week. The Teen Council would make a presentation on the experiences that small businesses in the City had during the pandemic at the April 5 City Council meeting.
- Mr. Poling stated that the Parks and Recreation Committee met on March 10 to discuss the new shelter and restrooms and Taliaferro Park as well as the conversion of a tennis court at Windsor Park to a pickleball court. The Committee was also working with the Diversity Committee and Arts Council to install mural artwork on an existing wall at the pool complex.
- Mr. Runion said the Police Pension Committee would meet on Thursday, March 18 at 2:00 p.m.



MAYOR'S REPORT

- The Mayor provided an update on the COVID-19 pandemic, noting that Governor Kelly stated Kansas would move to stages 3 and 4 of its COVID vaccination plan on March 22. As of March 12, over 104,000 residents of Johnson County had received at least one dose of the vaccine, with approximately 60,000 having received two doses. The percent positive rate in Johnson County had fallen to 3.2%, though hospitalizations and deaths had seen minor increases.
- The Mayor said that the United States Congress had passed the third economic stimulus and recovery plan, and that money had been allocated for cities. Specific details would be made available at a later date.
- The Mayor stated that Prairie Village had a very high participation rate in the 2020 census, with a response rate of 83.3%.
- The Mayor and Public Works staff met with Village Presbyterian Church to discuss the forthcoming drainage project at 68th and Mission Road.
- The Mayor noted that the fourth quarter budget report was included in the packet. Revenues were down due to a lack of pool revenue, but expenses were far lower than anticipated.
- The Mayor reported that the Brighton Gardens senior living facility was being purchased by the Tintera Group. An expansion of the facility was planned.
- The Mayor said that the new Corinth Quarter shopping center was expected to open in the late summer or fall. The development already had lease agreements in place for over 50% of the available space. He added that two new restaurants were planned for the former Standees location at the Village Shops, and the U.S. Bank building was anticipated to undergo significant renovations to add additional tenants.
- The Mayor said that he would host an Environmental, Social and Governance webinar within the next month, sponsored by Climate Action KC. The date and time of the meeting was yet to be determined.

STAFF REPORTS

- Ms. Robichaud reported that 24 applications for the exterior grant program had been received and approved, and that up to ten more could still be accepted.
- Ms. Prenger provided an update on the conceptual study for remodeling City Hall, which was included in the 2021 capital improvement plan (CIP). She noted that the building was constructed in 1971 and expanded in 1984, and that the Police Department building was added in 1996. She shared issues with the current layout of the building, including the lack of private restroom facilities for staff and limited office space, particularly in light of the COVID pandemic. Further, an energy audit report was nearly completed, which would include a recommendation to install solar panels and lighting retrofits in City Hall and the Police Department buildings.

A contract with a local architect totaling \$30,000 would be brought before Council at a later meeting for review and approval. Ms. Prenger added that funding could also be available through the COVID relief bill.



- Mr. Schwartzkopf noted that a tornado had touched down in southern Johnson County earlier in the day, and explained that some portions of the City heard tornado sirens because they were part of a zone that also covered areas farther to the south.

OLD BUSINESS

Ms. Nelson made a motion to have staff begin working on updating the 2018 energy code to the 2021 energy codes within the next 90 days. The motion was seconded by Mr. Poling.

Ms. Robichaud stated that she and the Building Official had already purchased the 2021 codebooks and planned to give a report to Council at a later date.

After further discussion, Mr. Herring made a motion to amend the motion to request that staff give a report on progress toward implementing the 2021 energy portion of the building code in 90 days. Mr. Nelson seconded the motion. A roll call vote was taken with the following votes cast: “aye”: Herring, R. Nelson, Reimer, Runion; “nay”: J. Nelson, Selders, Poling, Limbird, Myers, McFadden, Graves. The motion failed 7-4.

A roll call vote on the original motion was taken with the following votes cast: “aye”: J. Nelson, Poling, Reimer, Runion; “nay”: Herring, Selders, R. Nelson; Limbird, Myers, McFadden, Graves. The motion failed 7-4.

NEW BUSINESS

COU2021-29

Consider an Ordinance approving a private outdoor event at the Meadowbrook Inn as a special event and authoring the sale, consumption and possession of alcoholic liquor and cereal malt beverages within a defined temporary extension of premise

Mr. Geffert stated that the applicant was seeking to hold a private event at Meadowbrook Inn on April 9, which would include an Airstream trailer parked on Meadowbrook Parkway that would serve alcohol to guests. Kansas state statues required City approval for events with a premise extension to serve alcohol on a public street or sidewalk. The event was related to the auto show that Council had approved at the previous meeting, and would take place the prior evening.

Due to gathering restrictions related to the pandemic, a mass gathering plan was submitted 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 Council to have the opportunity to discuss the proposal.

Mr. Herring made a motion to approve Ordinance 2447, approving a private outdoor event at Meadowbrook Inn on Friday, April 9, and authorizing the sale, consumption and

possession of alcoholic liquor and cereal malt beverages within the boundaries of a barricaded area of the event. Mrs. Myers seconded the motion.

Ms. Reimer and Ms. Nelson shared their objections to holding large gatherings during the COVID pandemic.

After further discussion, a roll call vote was taken with the following votes cast: “aye”: Herring, R. Nelson, Poling, Myers, McFadden, Graves; “nay”: J. Nelson, Selders, Limbird, Reimer, Runion. The motion passed 7-5, with Mayor Mikkelson providing the required seventh vote.

COU2021-30 Consider design agreement with Affinis Corporation for the design of the 2021 residential street program

Ms. Prenger said that Public Works requested proposals from firms to provide engineering services for Prairie Village from 2021 through 2023 in November 2020. The Affinis Corporation was selected as the City’s design consultant from the three firms interviewed. Affinis had provided services for the City for the past several years and performed well. This agreement was for the design of the 2021 Residential Street Program. Ms. Prenger stated that construction was anticipated to begin in the spring of 2021, and that funding for the project was included in the 2021 CIP.

Mr. Nelson made a motion to approve the design agreement with Affinis Corporation for the design of the 2021 Paving Program in the amount of \$120,870. Ms. Reimer seconded the motion, which passed 11-0.

COU2021-31 Consider approval of design agreement with BBN Architects, Inc. for the design of park improvements at Harmon Park

Ms. Prenger said that in January 2021, Council directed staff to proceed with the design of an inclusive playset at Harmon Park in a location consistent with the 2009 Master Plan. The current CIP funding of \$575,000 for the project included design and construction of the playset; the project would also incorporate the relocation of the practice tennis courts, parking stalls, and new internal sidewalk connectivity when removing the old playground. The additional scope would be fully funded in the 2022 CIP.

Mrs. Myers made a motion to approve the design agreement with BBN Architects, Inc., for the design of park improvements associated with the construction of the Harmon Park inclusive playset in the amount of \$77,910. Ms. Selders seconded the motion, which passed 11-0.

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 Ms. Nelson and passed 11-0.

COUNCIL COMMITTEE OF THE WHOLE

COU2021-32 Consider participating in the United Community Services Racial Equity in Cities pilot program

Mr. Schwartzkopf said that at the February 17, 2021 Diversity Committee meeting, Julie Brewer from United Community Services of Johnson County (UCS) gave a presentation on the Racial Equity in Cities pilot program, scheduled to launch in 2021. After discussion, a formal motion was made for the Council to consider joining the pilot program, which passed unanimously. The estimated cost in 2021 for Prairie Village to join would range between \$7,000 - 9,000; future costs were not yet known.

Julie Brewer gave a presentation about the pilot program, noting that UCS would provide planning support and technical assistance to local jurisdictions as they pursued racial equity, diversity and inclusion initiatives. Additionally, investments would be made in anti-racism/equity education, and to develop a public policy framework for racial equity. Funding would primarily come from jurisdictions and private foundation grants.

Mr. Runion made a motion to recommend approval of the expenditure to join the program to Council. Mr. Herring seconded the motion, which passed 11-0.

Mrs. Myers 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 11-0.

Mr. Poling moved that the Council approve the expenditure to join the Racial Equity and Cities pilot program. The motion was seconded by Mr. Runion.

Mr. Runion made a motion to amend the motion to cap the expenditure at \$9,000 for 2021. The motion was seconded by Ms. Nelson, and passed 10-1, with Mr. Poling in opposition.

The original motion as amended passed 11-0.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mr. Runion made a motion to adjourn the meeting. The motion was seconded by Ms. Nelson, and passed 11-0.

Mayor Mikkelsen declared the meeting adjourned at 9:58 p.m.

Adam Geffert



City Clerk