



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

The City Council of Prairie Village, Kansas, met in regular session on Monday, October 4, 2021, at 6:00 p.m. Mayor Mikkelson presided.

ROLL CALL

Roll was called by the City Clerk with the following Councilmembers in attendance: Chad Herring, Jori Nelson (via Zoom), Inga Selders, Ron Nelson, Tucker Poling, Bonnie Limbird (via Zoom), Sheila Myers, Piper Reimer (via Zoom), Dan Runion (via Zoom), Courtney McFadden, Ian Graves (via Zoom) and Terrence Gallagher. Staff present: Captain Brady Sullivan, Prairie Village Police Department; Keith Bredehoeft, Public Works Director; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Tim Schwartzkopf, Assistant City Administrator; Nickie Lee, Finance Director; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Herring made a motion to approve the agenda for October 4, 2021. Ms. Limbird seconded the motion, which passed unanimously.

PRESENTATIONS

Representative Rui Xu provided a legislative update to the Council.

PUBLIC PARTICIPATION

None

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 - September 20, 2021
2. Consider the renewal of information technology services between Johnson County DTI and the City of Prairie Village

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. The motion passed unanimously.

COMMITTEE REPORTS

- Ms. Reimer stated that five new Teen Council members had been chosen for the 2021-22 school year, and would be in attendance at the October 18 meeting:
 - Ayla Ozkan, Shawnee Mission East
 - Michael Newbold, Shawnee Mission East
 - Kate Winfield, Shawnee Mission East
 - Amalia Millard, Notre Dame de Sion
 - Emma Jones, Whitefield Academy

Ms. Reimer also noted that the United Community Services' Drug and Alcohol Council held grant applicant interviews on September 21. Municipalities will be notified in early November of which recipients are selected.

- Ms. Limbird said that the Arts Council's annual State of the Arts juried competition was live on www.artspv.org. 355 submissions were received, and eight award-winning pieces were on display at City Hall.
- Ms. Selders stated that the Racial Equity in Communities pilot program held its first workshop with representatives from United Community Services and several area cities. The next workshop was scheduled for October 20.
- Mr. Nelson said that the Johnson County Parks and Recreation District put together an art selection committee for Meadowbrook Park. Over 140 submissions from around the country were received, and three finalists had been selected. The committee will seek public comment before making a final decision.
- Mr. Graves noted that the Environmental Committee met on September 22, but did not have a quorum.

MAYOR'S REPORT

- The Mayor provided an update on the COVID-19 pandemic, stating that the vaccination rate of Johnson County residents 12 and over had increased to 62.7% per the county health department. CDC data, which included Johnson County residents who received vaccinations outside of the county, rose to 75.6%. The CDC still considered Johnson County a "high transmission area", though the percent positive rate, hospitalization rate and death rate had all declined. Booster shots of the Pfizer vaccine had also been made available for individuals in certain categories.



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- A ribbon-cutting event was held at Club Pilates in the Corinth Quarter shopping center on September 21. Additionally, Kitch, a meal prep business, opened in September, and CYL, which offers infrared saunas, will open in November.
- The Mayor's Holiday Tree-Lighting committee met the prior week.
- The Mayor attended two Prairie Village Police Department events: a food truck lunch provided by the City of Mission Hills, and a retirees lunch, at which all four current and previous police chiefs were in attendance.
- The Mayor attended a Shawnee Mission East virtual fundraiser on September 28.
- An altitude marker has been placed at the top of "Mount Meadowbrook" at Meadowbrook Park.
- An historical marker recognizing the former Woolford Farms barn located on the land now occupied by Corinth Quarter was recently installed. A Kentucky Derby winning horse named Lawrin was raised on the farm, and is buried in Prairie Village.
- The Planning Commission will consider renovation plans for the former Macy's building in the Village Shopping Center on October 5.
- The MARC First Suburbs Coalition will meet on October 11.
- The Johnson County Charter Commission will meet on October 11 to hear public comment.
- The Prairie Village Foundation will meet on October 13.
- The Mayor noted two proclamations included in the packet: one acknowledging "Home Rule Day" on October 11 and the other recognizing October as "National Arts and Humanities Month". The Mayor added that it was Dyslexia Awareness Week, and that National Hispanic Heritage Month ran from September 15 to October 15.

STAFF REPORTS

- Jeff White, with the City's financial advisor Columbia Capital, said that at its September 7, 2021 meeting, the City Council approved a resolution authorizing the offering for sale of special obligation tax increment revenue refunding bonds for the Meadowbrook TIF project. He noted that a first draft of the bond documents and official statement would be available later in the week, and all documents would be ready for final approval by the October 18 Council meeting. Bonds would likely be on the market at the end of the month.

Mrs. Myers asked if bond rates had increased, and if they would continue to do so. Mr. White said rates had risen in recent weeks, but he could not predict what they would be when the bonds go to market.

Mr. Runion asked if there was a "break-even" rate at which the decision to refund the bonds would no longer be valuable for the City. Mr. White stated that the transaction would deliver two benefits: financial savings due to lower interest rates, and a reduction in the City's credit exposure. He added that rates would have to rise dramatically in a very short time for these benefits to not be realized.



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- Captain Sullivan said that the Police Department had two upcoming events: National Coffee with a Cop Day on October 6 at Starbucks in the Village shops, and a “Faith and Blue” volleyball challenge on October 9 at the Church of the Nazarene.

OLD BUSINESS

Mrs. Myers stated that Councilmembers had received a letter signed by multiple local business owners sharing their concern over how the City’s mask mandate had affected them negatively. **She made a motion to end the mask mandate, effective upon publication. There was no second to the motion.**

NEW BUSINESS

There was no new business to come before the Council.

Mr. Herring moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Mrs. Myers and passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE

COU2021-70 Consider an ordinance banning conversion therapy of minors

Mr. Waters stated that at its September 20, 2021 meeting, Council directed him to draft an ordinance banning conversion therapy of minors in Prairie Village, and to model it based on an existing ordinance in the City of Roeland Park. Three options were presented for a penalty provision:

1. Incorporate by reference the general penalty section of the Prairie Village City Code at Section 1-116 (a fine of not more than \$1,000.00, or imprisonment in jail for not more than 170 days, or both). This is the equivalent of a Class B misdemeanor (though it would not have that classification).
2. Incorporate by reference the general penalty section of the Prairie Village City Code at Section 1-116 (a fine of not more than \$1,000.00), but similar to Roeland Park’s ordinance, eliminate the possibility of jail time.
3. Establish a \$500.00 criminal fine (no provision for jail time). This is penalty established by the City of Lawrence, Kansas, under its conversion therapy ban ordinance.

Mr. Waters added that two Federal Courts of Appeals had upheld conversion therapy ban ordinances, while a third determined that they violate the First Amendment. He noted that none of the three courts had jurisdiction over Kansas.



Mr. Gallagher asked if the existing Non-Discrimination Ordinance (NDO) would also cover conversion therapy. Mr. Waters said it would not, as the NDO focused on discrimination in employment and refusal to provide services based on sexual orientation or gender identity.

Ms. Selders made a motion to approve the ordinance banning the conversion therapy of minors and incorporating penalty option #2 (a fine of up to \$1,000.00 with no possibility of jail time). Mr. Poling seconded the motion.

After further discussion, the motion passed 11-1, with Mrs. Myers in opposition.

COU2021-71 Consider committing to the “Cities Race to Zero” climate initiative

Mr. Graves stated that since the Environmental Committee did not have a quorum at its most recent meeting, he chose to bring the issue directly to the Council Committee of the Whole due to its time-sensitive nature. Commitment to the initiative is due by the end of October. This commitment provides additional formalization, targeting, and reporting components to meet its existing commitments and the commitments outlined in the Race to Zero campaign.

The Race to Zero is a United Nations-backed campaign targeting a 50% reduction in carbon emissions by 2030. This campaign aligns efforts from various private and public sectors to move forward efforts to meet the necessary climate targets to hold the Earth at 1.5°C warming. The Cities Race to Zero is the city-specific campaign in which municipalities commit to carbon targets that align with the specific aspects of their communities. The climate pledge is a non-binding commitment with the following components:

1. Publicly endorse the following principles:
 - a. We recognize the global climate emergency.
 - b. We are committed to keeping global heating below the 1.5°Celsius goal of the Paris Agreement.
 - c. We are committed to putting inclusive climate action at the center of all urban decision-making, to create thriving and equitable communities for everyone.
 - d. We invite our partners - political leaders, CEOs, trade unions, investors, and civil society - to join us in recognizing the global climate emergency and help us deliver on science-based action to overcome it.
2. Pledge to reach net-zero in the 2040s or sooner, or by mid-century at the latest, in line with global efforts to limit warming to 1.5°Celsius.
3. Explain what steps will be taken toward achieving net zero, especially in the short-to medium-term. Set an interim target to achieve in the next decade, which reflects a fair share of the 50% global reduction in CO2 by 2030 identified in the IPCC Special Report on Global Warming of 1.5°Celsius.



4. Immediately proceed to planning at least one inclusive and equitable climate action, as listed below, that will help to place your city on a resilient pathway consistent with the 1.5°Celsius objective of the Paris Agreement and begin implementation no later than 2022.
5. Report progress annually, beginning no later than 2022 to your usual or the recommended reporting platform. Your 1.5°Celsius target and action commitment(s) should be shared through your regular channels of reporting. If you have not reported before, you will be contacted by partners for support.

The pledge also requires the selection of at least one initiative by each city. Mr. Graves proposed the following:

- **Develop zero-carbon buildings**
Develop a roadmap to achieve net-zero carbon municipal buildings by 2030 and policy approval by 2025 to deliver a commitment to own, occupy and develop net-zero carbon municipal assets by 2030.
- **Move Towards Resilient & Sustainable Energy Systems**
Develop financial support programs to incentivize deployment of building-scale renewables and mandate the use of renewables through building codes, while engaging residents and other stakeholders in the process.

Mrs. Myers asked if the City would be financially obligated to meet all the requirements by 2030. Mr. Graves said it would not.

Mr. Graves made a motion to recommend Council approve commitment to the Cities Race to Zero climate initiative. Mr. Herring seconded the motion.

Mr. Runion moved to amend the motion to include language in the initiative with a consideration of cost and cost-effectiveness. The motion to amend was seconded by Mrs. Myers.

After further discussion, the motion to amend passed 8-4, with Mr. Herring, Ms. Selders, Mr. Nelson, and Mr. Poling in opposition.

The original motion as amended passed unanimously.

Mrs. Myers moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Mr. Nelson and passed unanimously.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.



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EXECUTIVE SESSION

At 7:48, Mrs. McFadden made a motion for the City Council to recess into executive session for a period of 20 minutes for the purpose of discussing, with legal counsel representing the City, a legal claim, pursuant to the exception for consultation with an attorney which would be deemed privileged in the attorney-client relationship, K.S.A. 75-4319(b)(2). The Governing Body, City Administrator, Chief of Police, Deputy City Administrator, Assistant City Administrator, outside legal counsel, and City Attorney would be present, either in-person or via video conference. The motion was seconded by Mr. Gallagher and passed unanimously.

The open meeting resumed at 8:08 p.m.

ADJOURNMENT

Mr. Nelson made a motion to adjourn the meeting. Mrs. McFadden seconded the motion, which passed unanimously.

Mayor Mikkelsen declared the meeting adjourned at 8:09 p.m.

Adam Geffert
City Clerk