



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
DECEMBER 20, 2021**

The City Council of Prairie Village, Kansas, met in regular session on Monday, December 20, 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, Cole Robinson, Inga Selders, Ron Nelson, Lauren Wolf, Bonnie Limbird (via Zoom), Dave Robinson, Piper Reimer (via Zoom), Greg Shelton, Courtney McFadden, Ian Graves (via Zoom), and Terrence Gallagher. Staff present: Byron Roberson, Chief of Police; Keith Bredehoeft, Director of Public Works; Chris Brewster, City Planning Consultant with Gould Evans; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Tim Schwartzkopf, Assistant City Administrator; Meghan Buum, Assistant City Administrator; Nickie Lee, Finance Director; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mrs. McFadden made a motion to approve the agenda for December 20, 2021. Ms. Reimer seconded the motion, which passed unanimously.

PRESENTATIONS

- Gregg Zike and Michelle Pitsenberger with First Washington Realty provided an update on the Prairie Village, Corinth Square and Corinth Quarter shopping centers.

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 - December 6, 2021
2. Approve of expenditure ordinance #3009



PRAIRIE VILLAGE KANSAS

3. Consider reappointment of City Municipal Judges and Prosecutor; approve Pro Tem City Prosecutor

Ms. Reimer made a motion to approve the consent agenda as presented. A roll call vote was taken with the following votes cast: “aye”: Herring, C. Robinson, Selders, Nelson, Wolf, Limbird, D. Robinson, Reimer, Shelton, McFadden, Graves, Gallagher. The motion passed unanimously.

COMMITTEE REPORTS

- **Planning Commission**

PC2021-123: Consider accepting the Planning Commission’s recommendation and approving Ordinance 2464 by amending the zoning regulations related to site plan applicability, fences and walls, and sign standards for multi-tenant buildings)

Mr. Brewster said that the proposed changes addressed items that require a site plan, specifically in relation to buffers and significant visual impacts to adjacent properties. Changes to sign standards would allow staff to review and approve sign proposals to ensure they meet design standards in the municipal code, reducing the need for site-specific sign plans to require Planning Commission approval each time a sign is to be replaced. Additionally, requirements for fence exceptions would be relaxed, so fewer applications would need to be reviewed by the Planning Commission. The specific changes are as follows:

- Updates the site plan applicability requirements in Section 19.32.010 to include situations when buffers or screening from adjacent property is impacted
- Updates the sign regulations in Section 19.48.070 to clean up the approval process for sign plans on multi-tenant buildings
- Updates the fence regulations in Section 19.44.025 to clarify fence placement on corner lots

Mr. Brewster noted that the Planning Commission had recommended approval of the amendments at its meeting on December 7.

Mr. Gallagher made a motion to approve . The motion was seconded by Mr. Nelson. A roll call vote was taken with the following votes cast: “aye”: Herring, C. Robinson, Selders, Nelson, Wolf, Limbird, D. Robinson, Reimer, Shelton, McFadden, Graves, Gallagher, Mikkelsen. The motion passed unanimously 13-0.



PRAIRIE VILLAGE KANSAS

- Ms. Reimer stated that Teen Councilmembers took a tour of City Hall and the Police Department on December 14.
- Mr. Graves said that the Ad Hoc Affordable Housing Committee met on December 8 to discuss and prioritize goals for 2022.
- Ms. Selders noted that the Diversity Committee met on December 15. Discussions were held on a proposed Martin Luther King, Jr. Day event, as well as other 2022 goals.

MAYOR'S REPORT

- The Mayor stated the refunding of the Meadowbrook bonds had closed, with a savings to Prairie Village taxpayers of over \$1.4 million.
- The Mayor provided an update on the COVID-19 pandemic, noting that the vaccination rate of eligible residents in Prairie Village zip code 66208 had increased to 91.4%. Case numbers and percent positive rates in Johnson County remained in the "high" category.
- The Mayor said that a party for committee volunteers was held at the Meadowbrook clubhouse on December 11.
- Past and present Northeast Johnson County Mayors participated in a holiday lunch at Westwood City Hall the prior week.
- The Mayor and several Councilmembers attended the Northeast Johnson County Chamber of Commerce legislative breakfast on December 10.
- The Mayor attended a DARE graduation at St. Ann's elementary school on December 13.
- A holiday lunch for City staff was held on December 15 at the Meadowbrook clubhouse.
- The City of Mission Hills held a "thank you" lunch for Police Department and Court staff on December 16.
- The Johnson County Charter Commission's next meeting would take place on December 22.

STAFF REPORTS

- Jeff White from Columbia Capital, the City's financial advisor, stated that the City closed its refinancing of the bonds originally issued to support the acquisition and construction of Meadowbrook Park and the development of public infrastructure supporting the park and the surrounding private development the previous week. The transaction yielded four benefits:
 - Eliminating the City's general obligation pledge on approximately \$11 million of bonds



PRAIRIE VILLAGE KANSAS

- Producing debt service savings resulting from the refinancing of higher-cost debt into lower-cost debt, improving the efficiency of the financing and increasing the odds that the bonds will pay-off early
- Eliminating the City's direction of the majority of its expected transient guest tax (TGT) revenues from the project to the bonds, allowing the City to use all future TGT revenues for any purpose permitted by state law
- Eliminating the pledge of increment from the commercial portion of the Meadowbrook TIF District, permitting the City to use incremental revenues from that portion of the district for a future TIF project plan, if desired

The City was able to issue the refunding bonds as unrated, special obligation bonds secured solely from TIF revenues generated by the project. Debt service savings are estimated at approximately \$1.4 million (in 2021 dollars) over the life of the bonds, should they remain outstanding to maturity; and, the pledge of revenues to the bondholders includes neither TGT receipts nor TIF increment from the commercial portion of the district. Mr. White added that the market's response to the City's offering was very good: interested investors placed \$184 million in orders for the \$18 million in bonds offered. The City was able to convert the overwhelming investor demand into materially improved pricing, reducing borrowing costs and improving savings.

OLD BUSINESS

There was no old business to come before the Council.

NEW BUSINESS

COU2021-90 Consider approval of the 2022 legislative agenda

Ms. Robichaud said that she had incorporated the suggested changes made at the December 6 Council Committee of the Whole meeting to the legislative agenda, and was seeking final approval of the document from the Council.

Mr. Gallagher made a motion to remove the "Legalization of Marijuana" section from the 2022 legislative priorities. There was no second to the motion.

Ms. Limbird made a motion to change the language in the "Legalization of Marijuana" section to the following:

"We support the legalization of medical marijuana and its derivatives."

The motion was seconded by Mr. Gallagher.



After further discussion, a roll call vote was taken with the following votes cast: “aye”: Limbird, D. Robinson, Reimer, Gallagher; “nay”: Herring, C. Robinson, Selders, Nelson, Wolf, Shelton, McFadden, Graves. The motion failed 8-4.

Mrs. McFadden made a motion to approve the 2022 legislative platform as presented, with an amendment to rename the “Tax Lid” section to “Tax Law”. Mr. Nelson seconded the motion. A roll call vote was taken with the following votes cast: “aye”: Herring, C. Robinson, Selders, Nelson, Wolf, Limbird, D. Robinson, Reimer, Shelton, McFadden, Graves; “nay”: Gallagher. The motion passed 11-1.

COU2021-91 Consideration of Resolution approving the execution and delivery of an agreement to release and assign the City’s opioid claims to the Kansas Attorney General and certifying costs attributable to substance abuse and addiction mitigation in excess of \$500

Mr. Schwartzkopf said that in 2021, the Kansas Legislature enacted the Kansas Fights Addiction Act (HB 2079), which set aside some of the funds received by the State related to the national opioid addiction crisis for cities. HB 2079 established the Municipalities Fight Addiction Fund that would be used for projects and activities that prevent, reduce, treat, or mitigate the effects of substance abuse and addiction, or to reimburse a municipality for previous expenses related to substance abuse mitigation or arising from the opioid crisis.

To be eligible to receive the funds, the City must, prior to January 1, 2022, certify by resolution that it has had or will have at least \$500 in costs related to the opioid abuse or addiction mitigation, and that it is able to utilize any settlement funds for lawful purposes. The City must also enter into an agreement with the Kansas Attorney General releasing to the Attorney General all legal claims arising from the conduct that resulted in a payment of money to the State, and assigning to the Attorney General any future claims. The City must also enter into various agreements waiving future claims that the City may have against various producers and distributors arising from conduct covered by the State settlement.

Mr. Schwartzkopf noted that the Police Department had determined that the minimum cost threshold of \$500 had been met, but that it was unclear how much funding the City would receive.

Mrs. McFadden made a motion to adopt the Resolution approving the execution and delivery of an agreement to release and assign the City’s opioid claims to the Kansas Attorney General and certifying costs attributable to substance abuse and addiction mitigation in excess of \$500. Mr. Herring seconded the motion, which passed unanimously.



Ms. Limbird noted the recent rise in COVID-19 cases in the county, and made a motion to direct staff to draft an ordinance reinstituting a mask mandate in Prairie Village. Ms. Wolf seconded the motion.

Mr. Herring stated that rather than a mandate, a letter from the Council expressing concerns to the County Health Department could be a better course of action. Ms. Wolf added that communication with other Northeast Johnson County cities about masking would also be valuable. Mayor Mikkelson noted that unlike the last time the mask mandate was in effect, neither Kansas City, Missouri nor Wyandotte and Jackson Counties currently had mandates.

After further discussion, a roll call vote on the motion was taken with the following votes cast: “aye”: Nelson, Wolf, Limbird, Reimer, Graves; “nay”: Herring, C. Robinson, Selders, D. Robinson, Shelton, McFadden, Gallagher. The motion failed 7-5.

Mrs. McFadden 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 unanimously.

COUNCIL COMMITTEE OF THE WHOLE

COU2021-92 Consider service agreement for Public Works project management software

Mr. Bredehoeft stated that the Public Works Department had been searching for a project management software solution for several years, but had only recently discovered Virtual Project Manager, which was specifically designed for public works processes. The software will help the department’s project managers develop a project from beginning to end, including budgeting, scheduling, document management, inspections and contractor payment. Mr. Bredehoeft added that project managers and other staff were currently using multiple spreadsheets to track and monitor projects, agreements and payments. City contractors would also have limited access to the application so that they can review project progress and pay estimates, and send documents for contractor payments.

Mr. Bredehoeft noted that Virtual Project Manager was web-based, so no data would be housed on the City’s network until archived. Being web-based would also allow the application to work on several platforms, including phones, tablets, and computers. The initial setup and training fee is \$5,000.00, with an ongoing fee of \$15,000.00 per year.

The software will directly assist the management of between \$6,000,000 and \$8,000,000 of CIP projects every year. Given this, staff proposes to utilize CIP funds for the software fee in 2022. Future funding will be included in the yearly budgeting process.



PRAIRIE VILLAGE
KANSAS

Mr. Nelson made a motion to approve the service agreement with Virtual Project Manager, LLC for \$20,000 for Public Works project management software to be paid from CIP funds. Mr. Cole Robinson seconded the motion, which passed unanimously.

Mr. Shelton moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Mr. Cole Robinson, and passed unanimously.

EXECUTIVE SESSION

At 7:48 p.m., Mrs. McFadden made a motion for the City Council to recess into executive session for a period of 30 minutes for the purpose of discussing, with legal counsel representing the City, legal claims related to land use, storm drainage, and property damage 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, Deputy City Administrator, Public Works Director, outside legal counsel, and City Attorney will be present, either in person or via video conference. The motion was seconded by Mr. Herring, and passed unanimously.

The open meeting resumed at 8:18 p.m.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mayor Mikkelsen declared the meeting adjourned at 8:20.

Adam Geffert
City Clerk