



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
SEPTEMBER 6, 2022**

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

ROLL CALL

Roll was called by the Assistant City Administrator with the following Councilmembers in attendance: Chad Herring, Cole Robinson, Inga Selders, Ron Nelson, Lauren Wolf, Bonnie Limbird, Dave Robinson, Piper Reimer, Greg Shelton, Courtney McFadden, Ian Graves, and Terrence Gallagher. Staff present: Byron Roberson, Chief of Police; Keith Bredehoeft, Director of Public Works; Cliff Speegle, Public Works; City Attorney David Waters, attorney with Spencer Fane LLP; Wes Jordan, City Administrator; Nickie Lee, Deputy City Administrator; Meghan Buum, Assistant City Administrator; Tim Schwartzkopf, Assistant City Administrator; Jason Hannaman, Finance Director.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Nelson made a motion to approve the agenda for September 6, 2022. Ms. Reimer seconded the motion, which passed unanimously.

INTRODUCTION OF STUDENTS AND SCOUTS

There were no students or scouts present at the meeting.

PRESENTATIONS

The Mayor read proclamations recognizing September 9, 2022 as Fetal Alcohol Spectrum Disorders Awareness Day, and September 8, 2022 as Lilian McCune Day, in honor of the longtime Prairie Village resident's 100th birthday.

Chief Roberson recognized Dispatcher Taylor Mendenhall, Officers John Unruh, Alex DeGuire, Jeremy Schull, and Sarah Magin, Sergeants Josh Bernal and Eric Mieske and Captain Eric McCullough for their efforts on a call received May 31, 2022. The officers were able to deescalate a situation involving a suicidal party possessing multiple weapons and rescue a potential victim. The suspect was apprehended without issue.



PUBLIC PARTICIPATION

The following residents voiced concerns regarding certain proposals recommended by the Ad Hoc Housing Committee.

- Chet Hanson, 4620 W. 72nd Street
- Mike Shields, 3629 Somerset Drive
- Todd Bleakley, 8621 Delmar Street
- Mark Johnson, 4905 Somerset Drive
- Dan Schoepf, 8941 Linden Lane
- Bari Freiden, 4901 W. 85th Street
- Patricia Uhlmann, 8221 Nall Avenue
- Sheila Myers, 4505 W. 82nd Street
- Alex Brown, 8807 Linden Drive
- Lori Sharp, 3604 W. 71st Street
- Whitney Kerr, Jr., 4020 W. 86th Street
- Trent Schairer, 3927 W. 72nd Terrace
- Nick Schulze, 8740 Rosewood Drive
- Michelle Alcanter, 6022 W. 75th Terrace
- Michelle Vianello, 5209 W. 83rd Terrace
- Scott Goodger, 7404 Fontana Street
- Jeanne Taylor, 7403 Birch Street
- Gary Showalter, 3518 W. 73rd Terrace
- Nick Garcia, 7427 Village Drive
- Jessica Priestland, 8008 Fontana Street
- Marcia Lipsky, 8224 Rosewood Lane
- Marc Vianello, 5209 W. 83rd Terrace
- Janice Hamill, 47 Compton Court
- Caroline Pruett, 12 Le Mans Court
- Tom Clough, 8510 Delmar Lane
- Randy Hartman, 3601 W. 73rd Street
- Kathy Hartman, 3601 W. 73rd Street
- Kathy Waller, 3703 Somerset Drive
- Mary-Michael Sterchi, 8401 Linden Lane
- Jori Nelson, 4802 W. 69th Terrace
- Bill Webster, no address given
- Barbara Cantrell, 8236 Nall Avenue
- Steve Snitz, 4310 W. 70th Terrace
- Anna Gepson, 5313 W. 70th Terrace

The following individuals spoke in support of the Ad Hoc Housing Committee's recommendations:



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- Daniel Terreros, 7463 Village Drive
- Lauren Martin, 8411 Somerset Drive
- Lora Garrison, 4303 Homestead Drive
- Devin Scrogum, 4301 W. 74th Terrace

Resident John Anderson, 4402 W. 63rd Terrace, spoke in opposition to some of the goals and objectives of the Diversity Committee.

Resident Dawn Olney, 8936 Cedar Lane, shared her concern with a reported issue with a former City police officer.

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 - August 1, 2022
2. Consider approval of debris management agreement with AshBritt
3. Consider change order #1 for inclusion of WaterOne improvements in the 2022 residential street program
4. Consider approval of 2023 Mission Hills contact and 2023 Mission Hills budget

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, C. Robinson, Selders, Nelson, Wolf, Limbird, D. Robinson, Reimer, Shelton, McFadden, Graves, Gallagher. The motion passed unanimously.

COMMITTEE REPORTS

- Ms. Limbird noted that the Arts Council’s “State of the Arts 2022” artist reception event would be held on Friday, September 9 at City Hall.
- Mr. Dave Robinson stated that JazzFest would be held at Harmon Park on Saturday, September 10, after a two-year hiatus due to the pandemic.
- Ms. Reimer said that applications were being accepted for the 2022-23 Teen Council. She added that the United Community Services’ Drug and Alcoholism Council was beginning to review grant applications funded by the state liquor-by-the-drink tax. Lastly, she noted that the Environmental Committee met on August 24, at which a discussion on sustainable lawns was held.
- Mr. Cole Robinson said the Diversity Committee held a town hall meeting to discuss early childhood education in August. The meeting featured a panel of individuals involved in education from the Shawnee Mission School District, the State of



Kansas, and the Greater Kansas City Chamber of Commerce. Mr. Robinson also stated that the Police Pension Fund Committee met in July to review the performance of the fund.

MAYOR'S REPORT

- Mayor Mikkelson said that he had attended the following events since the previous Council meeting:
 - Police Night Out at the Corinth Shops
 - Back to School with a Firefighter sponsored by the Prairie Village Foundation
 - The KU Kickoff event at the Corinth Shops
 - The MARC Board and UCS Board meetings
- The Mayor stated that he had met with several small groups of residents to discuss housing initiatives.
- The Mayor and staff met with the new director of the Johnson County Library and discussed a potential civic center partnership.
- The Mayor noted that he had attended a Women in Public Finance event, hosted by chapter member Deputy City Administrator Nickie Lee at the Verbena restaurant. She and Councilmember Courtney McFadden gave a presentation on the Meadowbrook development project.
- The Mayor mentioned that the Arts Council held a Ukrainian Art Auction in conjunction with Global Ties. Over 90 artists contributed original artwork which were auctioned off. Proceeds from sales went to a Ukrainian refugee fund.
- Mayor Mikkelson stated he would be attending several upcoming events including:
 - A Johnson County / Wyandotte County Mayors dinner on September 7, at which Westwood Mayor David Waters would be named the new Chair.
 - The Johnson County Department of Health and Environment's health summit on September 9.
 - A ribbon-cutting and open house event for the Public Works facility on Tuesday, September 13.
 - The Lancer Day parade on Friday, September 16.
 - A "Green Fair" co-sponsored by the Environmental Committee on Saturday, September 17.
 - The third annual "Doggie Dash 3K" at Harmon Park on Saturday, September 17.
 - A "Library Lets Loose" fundraiser on Saturday, September 17.

STAFF REPORTS

- Mr. Jordan said that the September plan of action and plan of action update were included in the agenda packet. He also provided an update on current employee recruitment efforts.



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- Chief Roberson stated that eleven students had enrolled in the Citizens' Police Academy, which would begin the following week.
- Mr. Bredehoeft noted that State Line Road between 75th Street and 79th Street had been repaved the prior week in conjunction with the City of Kansas City, Missouri. He also said the open house for the new Public Works facility would run from 5:00 p.m. to 7:00 p.m. on Tuesday, September 13th.

OLD BUSINESS

There was no old business to come before the Council.

NEW BUSINESS

COU2022-61

Public hearing to receive comments regarding the City exceeding the revenue neutral rate

Consider Resolution 2022-14 approving a tax rate of mill levy rate in excess of the revenue neutral rate for the 2023 budget year

Ms. Lee said that the Governing Body had approved the preliminary budget at its June 21 meeting and approved the notice to exceed the revenue neutral rate on July 18. The proposed 2023 budget would maintain the same level of services as the 2022 budget and include approved decision package items. Funding the budget with existing services and the decision packages would allow for a one-mill decrease of the mill levy rate but would still exceed the revenue neutral rate due to revenue generated from increased property valuations. Ms. Lee noted that the revenue neutral rate was defined as the tax rate in mills that would generate the same property tax in dollars as the previous tax year using the current tax year's total assessed valuation. The 2023 recommended budget was based on a total mill rate of 18.322, one mill lower than the 2022 rate of 19.322.

Ms. Lee added that per Senate Bill 13, the recommended budget required a public hearing to exceed the revenue neutral rate provided by the County Clerk, which in Prairie Village would be 17.247 mills in 2023. Notice of intent to exceed the revenue neutral rate was provided to the County Clerk prior to July 20th and the public hearing notice was published on July 26, 2022.

At 8:50 p.m., Mayor Mikkelson opened the public hearing to receive comments regarding the City exceeding the revenue neutral rate. With no one present to speak, Mayor Mikkelson closed the public hearing at 8:51.

Mrs. McFadden made a motion to approve Resolution 2022-14, approving a tax rate or mill levy rate in excess of the revenue neutral rate for the 2023 budget year. Ms. Selders 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, Gallagher. The motion passed unanimously.

**COU2022-62 Public hearing for the 2023 budget
Consider 2023 budget adoption**

Ms. Lee stated that the “all in number” for expenditures in the budget represented an 8.5% increase over 2022, totaling \$27,286,443. Proposed increases included 5% for contract services, 12% for personnel, 12% for commodities, and 15% for capital outlay.

Once submitted to the County Clerk, the budget would set the budget authority for each fund. Ms. Lee noted that the City was authorized by K.S.A. 79-2929(a) to amend the budget before December 31 to spend money not in the original budget. The additional expenditures must be made from existing revenue and cannot require additional tax levies.

At 8:52 p.m., Mayor Mikkelson opened the public hearing to receive comments regarding the proposed 2023 budget. With no one present to speak, Mayor Mikkelson closed the public hearing at 8:53.

Mrs. McFadden made a motion for the City Council to adopt the 2023 budget as presented. Mr. Graves 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, Gallagher, Mikkelson. The motion passed unanimously.

**COU2022-63 Consider storm drainage repair program construction contract with
Infrastructure Solutions LLC**

Mr. Speegle said that bids for the project were opened on August 5, 2022. One bid was received for \$402,800, which was 10% higher than the engineer’s estimate. As a result, the scope of items that exceeded estimated costs, such channel handrail replacements, were removed. A quote for the items was received utilizing the City’s open contract with Superior Bowen to bring them within budget.

Storm pipe replacements would be made at the following locations:

- Outlook Lane north of 83rd Street: storm sewer replacement in rear yards
- 7430 Village Drive: storm sewer replacement between properties
- Canterbury Street south of Somerset: storm sewer replacement between properties

The reduced bid as presented from Infrastructure Solutions LLC totaled \$306,400, lower than the engineer’s estimate of \$328,770. Mr. Speegle noted that Infrastructure Solutions had successfully completed two recent drainage projects for Prairie Village and performed well. Funding would come from the CIP under the drainage repair program in DRAIN-21X



and DRAIN-22X. The Village Drive and Canterbury Street project locations would also receive system renewal funding from the Johnson County Stormwater Management Program, commonly referred to as SMAC funding:

• Johnson County SMP Funding	\$ 72,000
• DRAIN-21X	\$ 45,000 (transferred to DRAIN-22X)
• <u>DRAIN-22X</u>	<u>\$ 190,000</u>
Total	\$ 307,000

The improvements removed from the contract would be brought to the Governing Body in the form of a change order to the City's current Superior Bowen contract at a future meeting.

Mr. Herring made a motion to approve the construction contract with Infrastructure Solutions LLC in the amount of \$306,400.00 for the storm drainage repair program. The motion was seconded by Ms. Limbird and passed unanimously.

COU2022-64 Consider professional services agreement with Clark & Enersen for the City Hall remodel through schematic design phase

Ms. Prenger stated that the City Hall remodel project had been funded in the CIP for preliminary design. The current phase would include the following:

- Facility assessment: analyze current condition of viability of existing site, building and systems for future renovation/expansion
- Programming: determine space needs, adjacency requirements of staff and plan for growth needs
- Concept development: utilize programming phase to develop conceptual options
- Schematic design: utilize the selected concept to take a deep dive into the layout, including structural analysis, code compliance and mechanical needs for the chosen concept

The facility assessment and programming would include all structures on the municipal campus (City Hall, the Police Department, and the community center).

Ms. Prenger said that five firms were notified of the project and four submitted proposals with their qualifications for design of municipal facilities and noting qualified LEED projects. The selection committee included Councilmembers Greg Shelton and Cole Robinson, along with six staff members. The committee reviewed and scored the proposals leading to the interview of two firms on August 19, 2022.

Clark & Enersen was chosen by the selection committee based on related experience with municipal structures and experience achieving LEED accreditation for projects.



Clark & Enersen was the architect of record for the LEED Platinum Public Works Facility. Ms. Prenger added that funding is available in the CIP for this phase.

Ms. Reimer asked what the next steps would be once the design process was completed. Ms. Prenger stated that the results of the design phase would be presented to Council along with cost estimates after completion.

Mr. Shelton made a motion to approve the professional services agreement with Clark & Enersen for the City Hall remodel (BG510003) through schematic design in the amount of \$130,000.00 The motion was seconded by Ms. Reimer and passed unanimously.

Mrs. McFadden made a motion for the City Council to move to the Council Committee of the Whole portion of the meeting. The motion was seconded by Mr. Nelson and passed unanimously

COUNCIL COMMITTEE OF THE WHOLE

COU2022-65 Consider approval of Resolution 2022-15 declaring it to be the intent of the Governing Body to vacate the right-of-way adjacent to 4401 Somerset Drive

Mr. Bredehoeft said that the owners of the property at 4401 Somerset Drive requested that the excess right-of-way located adjacent to their property be vacated by the City. The owners recently became aware that they did not own this specific area of land; after review, it was determined that this situation has existed since the property was originally platted in the 1950s. Property owners of the residence had always maintained this area, even though it technically belonged to the City.

Mr. Bredehoeft noted that the City's subdivision regulations did not address the process by which to vacate public property. City Attorney David Waters determined that the City must therefore follow state statute requirements and take the following steps:

- 1) The Governing Body must adopt a resolution to set the date for a public hearing in consideration of the easement vacation
- 2) Staff must issue public notice to the Legal Record and notify all public utilities of the date of the public hearing at least 20 days in advance
- 3) The Governing Body must hold a public hearing and adopt an ordinance authorizing the vacation of the easement
- 4) Staff must publish the ordinance summary and send copies of the ordinance to the County for recording

Mr. Bredehoeft added that City staff did not have concerns about vacating the public right-of-way pending concerns from any utilities affected.



Mr. Shelton made a motion to recommend approval, setting the date for a public hearing and resolution adoption to vacate the public right-of-way located adjacent to 4401 Somerset Drive for Monday, November 7, 2022. Ms. Reimer seconded the motion, which passed unanimously.

Discuss MIRD0007 - Mission Road at 68th Street flood control project and budget

Mr. Speegle said that the project would address roadway and home flooding along Mission Road north of Tomahawk Road that occurred during periods of very heavy rain that caused Brush Creek to overflow. A preliminary engineering study was completed in 2018 to secure Johnson County Stormwater Management Program (SMAC) funding for 50% of the project costs. Preliminary design began in the spring of 2021, and construction is anticipated to start in the spring of 2023.

The project will raise Mission Road between 68th Terrace and 67th Terrace to keep Brush Creek flow east of Mission Road. Additionally, the storm sewer system would be expanded along Mission Road and to the west as part of the flood reduction design. The project would also allow for an improved park setting at Schliffke Park. Utilities, including WaterOne and Johnson County Wastewater will upgrade their facilities in conjunction with the project.

Mr. Speegle said that the project was previously budgeted at \$3,650,000 for construction, but that current cost estimates had increased the overall construction estimate to \$3,950,000. The estimate included increases for additional channel modifications and miscellaneous construction cost increases.

The Johnson County Stormwater SMAC Program has agreed to adjust the overall project budget to account for the project cost increase in their budget. City stormwater funds would be needed to account for the remaining 50% of the increase. The project is anticipated to be bid for construction in early 2023. At that time, the final bid cost will be used to determine the funding transfer amount required from the drainage program to MIRD0007. Mr. Speegle noted that there were funds available in the 2023 drainage program for the transfer, and only the amount necessary for construction would be transferred at the time of bid award.

Several Councilmembers shared their support for the proposed removal of the existing parking lot at the site and replacing it with green space. Mr. Nelson suggested that consideration be given to burying the power lines at the park.

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



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ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mayor Mikkelsen declared the meeting adjourned at 9:57 p.m.

Adam Geffert
City Clerk