CITY COUNCIL
CITY OF PRAIRIE VILLAGE
MAY 1, 2023

The City Council of Prairie Village, Kansas, met in regular session on Monday, May 1 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, Dave Robinson, Piper Reimer, Greg Shelton, Courtney McFadden, Ian Graves and Terrence Gallagher. Staff present: Captain Ivan Washington, Police Department; Keith Bredehoeft, Director of Public Works; Melissa Prenger, Public Works; City Attorney David Waters, attorney with Spencer Fane LLP; Wes Jordan, City Administrator; Nickie Lee, Deputy City Administrator; Tim Schwartzkopf, Assistant City Administrator; Meghan Buum, Assistant City Administrator; Jason Hannaman, Finance Director; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Ms. Reimer made a motion to approve the agenda as presented. Mr. Herring seconded the motion, which passed unanimously.

INTRODUCTION OF STUDENTS AND SCOUTS

No students or scouts were present at the meeting.

PRESENTATIONS

- Ms. Reimer read a proclamation declaring May 6, 2023 as "Start Seeing Monarchs Day" in Prairie Village.

- Deedee Cooper, representing Moms Demand Action, spoke about gun violence issues in America, and noted that a gun violence awareness walk would take place on June 3 at Meadowbrook Park. Mayor Mikkelson read a proclamation declaring June 2, 2023 as Gun Violence Awareness Day in Prairie Village.

- Mr. Cole Robinson read a proclamation declaring May as Asian American and Pacific Islander Heritage Month in Prairie Village.

PUBLIC PARTICIPATION

- The following residents voiced concerns about certain proposals recommended by the Ad Hoc Housing Committee:

    - Pat Phillips, 7864 Howe Drive
    - Pam Justus, Ward 6
    - Julianne Lagerstrom, Ward 1
    - Leon Patton, Ward 5
    - Jan Lane, 4100 W. 63rd Street

Mr. Dave Robinson noted that many of the housing-related concerns expressed by residents had been evaluated by the Council, and that modifications had been made based on that input.

CONSENT AGENDA

Mayor Mikkelson asked if there were any items to remove from the consent agenda for discussion:

1. Consider approval of regular City Council meeting minutes – April 17, 2023
2. Consider approval of expenditure ordinance #3025
3. Consider appointment to the Tree Board
4. Consider approval of Prairie Village Foundation donation policies
5. Consider approval of short-term special use permit for the Prairie Village Art Fair at the Prairie Village Shops

Mr. Gallagher asked to remove item #4 for further discussion.

Mr. Herring made a motion to approve the consent agenda excluding item #4. 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.

Mr. Gallagher stated that he felt the increased minimum donation of $15,000 for plaque commemoration for a tree or bench included in the updated Foundation donation policies was too large and should be reduced.

After further discussion, the Prairie Village Foundation donation policies item was approved 10-2, with Ms. Selders and Mr. Gallagher in opposition.

COMMITTEE REPORTS

- **PC2023-105 Consider Ordinance 2483 to approve an amendment of a special use permit for Highlawn Montessori School**

Ms. Lee stated that Highlawn Montessori School was requesting an amendment to its existing special use permit to add an additional property to the east of the school, located at 3401 Somerset Drive, for open space and playground expansion. She noted that the lot currently featured a single-family house which would be demolished. The application initially included a proposed vehicle drive lane, which was removed.

The Planning Commission held a public hearing on April 4. Comments submitted beforehand and during the meeting noted concerns pertaining to runoff from the proposed synthetic turf as well as issues with the proposed driveway. Ms. Lee said runoff concerns would be addressed at the time of permitting through drainage review and construction specifications. She added that the proposed driveway was removed from the application and could only be reconsidered through a future amendment to the special use permit. The Planning Commission voted to recommend approval of amendment to the City Council without the driveway, subject to the following conditions:

1. The use continues to comply with all conditions of the original special use permit and renewals from application 2014-08 noted above, and all other applicable standards of the zoning ordinance
2. The plant specifications (species, size, quantity) for the landscape along the front fence and any associated shade trees is subject to the City's landscape standards and shall be approved by the City's landscape architect at the time of permitting
3. Replacement of street trees is subject to the City's tree preservation requirements, and subject to review and approval by Public Works
4. The proposed monument sign is conceptual; the specific location and design shall be subject to City standards and reviewed at the time of a specific sign permit
5. This special use permit is associated with the current owner and accessory to the operation at 3531 Somerset drive, and if the property is sold to a different owner the special use permit and authorizations of this application applied to 3401 Somerset Drive shall be void

Ms. Lee said that a special use permit application required the City Council to act in its quasi-judicial role. When acting in this capacity, rather than a legislative capacity, the governing body must set aside personal opinions and, like a judge, apply the law to facts presented in the public record, taking into consideration the following criteria, commonly referred to as the "Golden" factors:

1. The character of the neighborhood
2. The zoning and uses of property nearby
3. The suitability of the property for the uses to which it has been restricted under its existing zoning
4. The extent that a change will detrimentally affect neighboring property

5. The length of time of any vacancy of the property
6. The relative gain to public health, safety, and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners
7. City staff recommendations
8. Conformance with the comprehensive plan

She added that according to Section 19.52.040 of the City's zoning regulations, the Governing Body could take the following actions on a special use permit recommendation from the Planning Commission:

1. Adopt the Planning Commission's recommendation by a simple majority of members present.
2. Override the Planning Commission's recommendation by a 2/3 majority vote of the entire Governing Body (nine votes including the Mayor)
3. Return the recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove by a simple majority. The Planning Commission can then resubmit the original recommendation or submit a new and amended recommendation. The Governing Body then can adopt or amend the recommendation by a simple majority (7 votes) or take no further action.

Mrs. McFadden asked for more information about drainage from the proposed synthetic turf area, and whether there would be additional exterior lighting installed. She also asked if the turf area would be used for commercial purposes. Kathy Morrison, Executive Director of Highlawn Montessori was present to respond to questions. She stated that the turf area was a future project that would only be installed when funding became available. She added that there would be no additional lighting installed, and that the turf would only be used by students.

Mr. Gallagher made a motion to approve the amendment to the special use permit with the exception of the synthetic turf field. Mr. Dave Robinson seconded the motion.

Mr. Waters noted that the proposed amendment to the special use permit did not specifically approve the installation of the synthetic turf area; instead, it simply addressed the extension of the school property. Mr. Bredehoeft added that the turf area would require a drainage study and permit from Public Works before it could be installed.

After further discussion, Mr. Gallagher withdrew his motion.

Mr. Graves made a motion to approve the amendment to the existing special use permit as presented. Mr. Cole Robinson 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.

- Mrs. McFadden said that the VillageFest Committee met the prior week to continue planning for the Independence Day event.

- Ms. Limbird reported that the Arts Council's next exhibit, the Art of Photography, would be installed at City Hall the following weekend, and a reception would be held on May 10. She also noted that the Prairie Village Art Fair would be held June 2-4 at the Prairie Village Shops.

- Mr. Cole Robinson said that a Juneteenth Freedom Celebration planning meeting was held the prior weekend. This year's event includes a children's poster contest and an essay contest.

- Ms. Reimer stated the UCS Drug and Alcoholism Council met on April 21, at which a presentation was given on the Johnson County Co-responder program. Because opioid settlement funds were now included in the group's funding, it was renamed the "substance use continuum of care fund".

  Ms. Reimer also said that the Environmental Committee met the prior week to discuss the new food waste collection kiosk in Olathe, which aims to reduce food waste that is generally sent to landfills.

  Finally, she noted that Shawnee Mission East High School would hold its graduation ceremony on May 16, and the last day of school would be May 23.

- Mr. Dave Robinson said that the JazzFest Committee continued event planning, which would be held September 9.

MAYOR'S REPORT

- The Mayor stated he had participated in the following events since the prior Council meeting:
  - A grand opening celebration at the Meadowbrook Dial senior living center
  - The Tree Board's Arbor Day event at Porter Park
- The Mayor noted the following upcoming events:
  - A Good Faith Network discussion on homelessness in Johnson County
  - A ribbon-cutting event for additional offices and offered services at the CareNow facility in the Prairie Village Shops
  - A Johnson County / Wyandotte County Mayors meeting
  - A United Community Services board meeting
  - A MARC Board meeting

- A Shawnee Mission Education Foundation meeting
  - A Consolidated Fire District #2 pancake breakfast event on May 13
  - The Prairie Village Police Department's Peace Officer ceremony on May 15
- The Mayor said he would also be participating in a Northeast Johnson County Chamber of Commerce leadership panel

STAFF REPORTS

- Mr. Jordan reported the following:
  - Stuart Little, the City's lobbyist, would provide a summary of the legislative session that had just ended at the May 15 Council meeting.
  - The Finance Committee would meet May 9 to begin review of the 2024 budget.
  - Staff was currently working on memorandums of understanding with the Johnson County Library and YMCA as well as a request for qualifications for an owner's representative for the proposed community center project.
  - Staff was also working on concepts for the neighborhood design guidelines based on the request made at the Council work session on April 24, which would be presented at the May 15 Council meeting.
  - Several responses were received from the RFP for a new internal phone system for the City.

- Mr. Bredehoeft said that the pool repair project was nearly completed, and that pools would be filled and opened on schedule. He also shared that one bid had been received for the Mission Road and 68th Street flood control project, which was currently under review.

- Ms. Prenger shared renderings of new signage that would be placed at City parks.

OLD BUSINESS

None

NEW BUSINESS

COU2023-28 Consider approval of second addendum to contract for planning advisory services

Ms. Lee stated that in 2015, the City issued an RFP for city planning consultant services. City staff and council members interviewed the firms that responded and recommended entering into an agreement with Gould Evans (now Multistudio). The agreement was crafted to automatically renew for successive one-year terms unless either party chose to terminate or amend it. In June 2020, the Council approved contract addendum #1 which raised rates above the contracted annual 3% maximum increase to match higher staff costs.

Ms. Lee noted that the hourly rate in the current contract for city planning services was $127.91 for Chris Brewster, $100.79 for Abby Kinney and Yu Jia, and a blended rate of $141.44 for additional associates. She said that Multistudio had again requested an addendum to the contract to increase rates to the following:

Revised Fee Schedule	
Principal	$244
Associate Principal (Graham Smith)	$205
Senior Planner (Chris Brewster)	$154
Planner (Abby Kinney & Yu Jia)	$108
Landscape Architect (Robert Whitman)	$165
Architect	$133

Ms. Lee stated that the City budgeted $50,000 per year for city planning services, and would be able to absorb the requested rate increase. The budgeted amount was expected to be raised to $60,000 in 2024.

Mrs. McFadden made a motion to approve the second addendum to the contract with Multistudio. The motion was seconded by Ms. Reimer and passed unanimously.

2024 Capital Infrastructure Program budget presentation

Ms. Prenger and Mr. Bredehoeft gave a presentation on the following items:

- Infrastructure condition
- Park funding
- Drainage funding
- Street funding
- Building funding
- Sidewalk and curb funding

Ms. Limbird asked what cost increase was anticipated for upcoming years due to inflation. Ms. Prenger said she typically used a rate of between 3% - 7% each year.

Mr. Gallagher asked how much additional funding would be required to reduce fair and poor streets by half in the 2024 budget. Ms. Prenger stated it would cost approximately $12 million.

Mr. Bredehoeft noted that allocating a consistent level of funding to street repairs each year had minimized the percentage of “fair” and “poor” streets in the City. In 2024, $3.5 million would be allocated to street rehabilitation.

COU2023-33 Consider 2024-2028 County Assistance Road System (CARS) program

Ms. Prenger said that in order to receive CARS funding, the City must annually submit an application containing a list of proposed street repairs and estimated costs. The Public Works Department compiled the list of possible projects including full depth pavement repair, curb and gutter replacement, sidewalk repair, new sidewalks, new ADA ramps, milling/overlaying pavement and UBAS. For 2024, the City submitted projects to repair Mission Road from 63rd Street to 67th Street and Nall Avenue for 75th Street to 79th Street. Ms. Prenger noted that cities were generally guaranteed to have their first priority project funded but could have multiple projects approved if funds were available.

Ms. Limbird made a motion to approve the 2024-2028 CARS program as presented. The motion was seconded by Mr. Nelson and passed unanimously.

COU2023-29 Consider approval of the Harmon Park inclusive playset package

Ms. Prenger said that the Harmon Park playset package included a complete inclusive playset experience with both playsets and play surfaces. Two public surveys were performed with significant engagement from the community to select the type of play equipment and theme of the play area. The survey results provided direction for playset vendors during their design process. City staff and Parks and Recreation Committee Chairs reviewed the submissions and selected two vendors based on the overall inclusive nature of the equipment. The second public survey received over 400 responses to renderings of the two respective designs. The majority of respondents selected the All-Inclusive Rec playset.

Ms. Prenger stated that the cost of the playset totaled $562,927.07, and that the remaining funds would pay for the play surface.

Mrs. McFadden made a motion to approve the agreement with Ail Inclusive Rec for the Harmon Park inclusive playset in the amount of $735,841.82. The motion was seconded by Mr. Gallagher and passed unanimously.

COU2023-34 Consider construction contract for Harmon Park inclusive playset improvements

Ms. Prenger said that the proposed agreement included construction of a new play area, new parking lot and the relocation of the practice tennis courts in Harmon Park. The project would also remove some of the existing internal sidewalk sections that would no longer be needed.

Bids were originally opened on February 22, 2023; however, the only bid received was substantially higher than the consultant's estimate. The project plans were re-bid on March 15, 2023, with some adjustments for budgeting purposes. The following three bids were received:

Bidder	Amount
Combes	$ 859,708.86
Gunter	$ 919,173.00
Mega KC	$ 1,049,700.00
Consultant's Est.	$ 872,783.00

Ms. Prenger said that staff reviewed bids and recommended awarding the project to the lowest responsible bidder, Combes Construction, in the amount of $859,708.86.

Mrs. McFadden made a motion to approve the construction contract with Combes Construction, LLC for the Harmon Park inclusive playground improvements. The motion was seconded by Mr. Gallagher and passed unanimously.

COU2023-30 Consider approval of design agreement with BBN Architects, Inc. for the design of park improvements at Harmon Park

Ms. Prenger noted that costs for the project were included in CIP funding for 2023, and that the proposed CIP for 2024 would add additional dollars in anticipation of increased construction costs. She stated that BBN had initially been selected for park project design in 2018 and had done excellent work.

Mr. Dave Robinson made a motion to approve the design agreement with BBN Architects, Inc. for the design of park improvements associated with the construction of pavilions and restrooms in the amount of $99,280. The motion was seconded by Mr. Gallagher and passed unanimously.

COU2023-31 Consider agreement with Black and McDonald for streetlight maintenance services

Mr. Bredehoeft stated that the agreement would provide maintenance to the City's streetlight system which consisted of approximately 2,140 streetlights. The City originally purchased the streetlight system from Kansas City Power and Light in 2016. The only bid received for the project was from Black and McDonald, who had provided services since the purchase:

Year 1	Year 2	Year 3
$36.00 per pole	$37.44 per pole	$39.60 per Pole

$77,040.00 Yearly Total	$80,121.60 Yearly Total	$84,744.00 Yearly Total

Mr. Bredehoeft noted that the current average cost per pole was $29.40, or $62,916.00 per year.

Mr. Gallagher asked if the City's streetlight system would be upgraded to use solar power. Mr. Bredehoeft stated that streetlights had been upgraded to LED bulbs, so there were no immediate plans to upgrade to solar power, but that it could be considered in the future.

Mr. Gallagher made a motion to approve the agreement with Black and McDonald for maintenance of the streetlight system. The motion was seconded by Mr. Nelson and passed unanimously.

COU2023-32 Consider agreement with Integrity Locating Services for underground line location services related to the streetlight system

Mr. Bredehoeft reported that since the City owned the streetlight system, it was required to locate underground wires and conduits for excavations that took place near streetlights. The following two bids were received from two locating service companies:

Company	Cost per locate		
	YEAR 1	YEAR 2	YEAR 3
Integrity	$ 11.00	$ 12.10	$ 13.31
USIC	$ 15.00	$ 16.05	$ 17.17

Mr. Bredehoeft said that the City had used Integrity Locating Services for the last three years and that they had performed well. The annual cost would total approximately $50,000 per year, and the agreement would automatically renew for two one-year periods.

Ms. Reimer made a motion to approve the agreement with Integrity Line Location Services for underground line location services related to the streetlight system. The motion was seconded by Mrs. McFadden 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 Ms. Reimer and passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE

Council meeting recording / livestreaming discussion

Mr. Schwartzkopf said that at its February 2023 work session, the City Council asked staff to research and provide feedback on the current Council meeting recording and livestream operations. He noted that both Council meetings and Planning Commission meetings were recorded via Zoom and livestreamed to Facebook, which was a cumbersome process for staff. Further, staff cannot troubleshoot problems with a third party when they arise, which creates downtime and has occasionally caused delays in starting meetings. Finally, staff members must have a personal Facebook account in order to livestream to the platform.

Mr. Schwartzkopf suggested that an alternate option would be for staff to start meetings in Zoom, then use an internal application called Boxcast to stream meetings to the City website, where they could be viewed live by the public, as well as after the meeting. Doing so would reduce staff time required to troubleshoot technical glitches and process recordings and would not require the use of personal social media accounts. Mr. Schwartzkopf noted that most cities in the region did not livestream meetings to Facebook, instead opting to either not livestream at all, or use other applications, such as YouTube.

Mrs. McFadden made a motion to approve the option of livestreaming meetings to the City website rather than Facebook. Ms. Wolf seconded the motion.

Several Councilmembers expressed interest in exploring the use of YouTube. Mr. Schwartzkopf suggested that meetings could be livestreamed to the City website for a trial period, and that at a future meeting, a decision to consider YouTube could be made.

Ms. Selders made a motion to amend the motion by including a request for staff to research using YouTube for livestreaming. There was no second to the motion.

After further discussion, the original motion 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 Ms. Wolf and passed unanimously.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mayor Mikkelson declared the meeting adjourned at 9:25 p.m.

Adam Geffert
City Clerk