



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
DECEMBER 4, 2023**

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

ROLL CALL

Roll was called by the City Clerk with the following Councilmembers in attendance: Cole Robinson, Chad Herring, Inga Selders, Ron Nelson, Bonnie Limbird, Lauren Wolf, 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; City Attorney David Waters, Spencer Fane LLP; Wes Jordan, City Administrator; Nickie Lee, Deputy City Administrator; Tim Schwartzkopf, Assistant City Administrator; Meghan Buom, Assistant City Administrator; Jason Hannaman, Finance Director; Adam Geffert, City Clerk.

Youth Council members present: Brynn Bettenhausen, Robbie Lashmet, Isabelle Zschoche.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Ms. Selders made a motion to approve the agenda as presented. Mr. Dave Robinson seconded the motion, which passed unanimously.

INTRODUCTION OF STUDENTS AND SCOUTS

No students or scouts were present at the meeting.

PRESENTATIONS

- Mayor Mikkelson read proclamations recognizing the accomplishments of outgoing Councilmembers Chad Herring, Bonnie Limbird, Piper Reimer, and Courtney McFadden.
- Mayor Mikkelson swore in new Councilmembers Terry O'Toole, Lori Sharp (via Zoom), Tyler Agniel and Nick Reddell, as well as re-elected Councilmembers Inga Selders and Ian Graves.
- 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

- Tom Clough, 8510 Delmar, Tom Ward, 22 Coventry Court, and Pam Justus, Ward 4, shared their opinions on topics and welcomed new Councilmembers to the governing body.
- James Senter, 4707 W. 80th Street, thanked Piper Reimer for her service on the Council.
- Lauren Martin, 8411 Somerset Drive, Dennis Boody, 7639 Chadwick Street, Jerry Stogsdill, 4414 Tomahawk Road, and Paul Gorelick, Ward 6, thanked outgoing Councilmembers.
- Mike Sullinger, 7908 El Monte, shared his thoughts about the ethics complaints considered by the Council at its previous meeting.
- Leon Patton, Ward 5, stated his concern that the meeting agenda had conflicting items on alcohol use.

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 - November 20, 2023
2. Consider Resolution 2023-06, approving the Prairie Village Arts Council artist receptions in 2024 as special events promoting the arts to allow the serving of free alcohol
3. Consider approval of issuance of cereal malt beverage licenses for 2024
4. Consider renewal of Blue Valley Public Safety contract for the City's outdoor warning siren system maintenance for 2024.
5. Submittal of form #1302 to the Kansas Department of Transportation for Windsor Park trail project.

Ms. Sharp asked that item #5 be removed for further discussion.

Mr. Nelson made a motion to approve consent agenda items #1 - #4. A roll call vote was taken with the following votes cast: "aye": C. Robinson, O'Toole, Selders, Nelson, Sharp, Wolf, D. Robinson, Agniel, Shelton, Reddell, Graves, Gallagher. The motion passed unanimously.

Ms. Sharp asked for background on the Windsor Park trail project and whether the proposed trail would be made of concrete or asphalt. Mr. Bredehoeft said the project was a part of the City's capital improvement plan and was scheduled to be completed in 2026. He noted that the existing asphalt trail would be completely replaced with a concrete trail. Ms. Sharp shared concern that concrete was harder on the human body, and that asphalt would be preferable. Mr. Bredehoeft said that he would review whether asphalt could be used instead.



Mr. Nelson made a motion to approve item #5 from the consent agenda. Ms. Wolf seconded the motion, which passed unanimously.

COMMITTEE REPORTS

- Robbie Lashmet spoke about recent events that the Youth Council had participated in, including the Mayor's Christmas tree lighting, the gingerbread house building fundraiser, and an interview with members of the Police Department.
- Mr. Shelton said that he had attended the Mid-America Regional Council's climate action workshop on December 1. He also noted that the Planning Commission would meet on December 5 to further discuss updates to R-3, R-4, commercial, and mixed-use districts in the City.
- Mr. Dave Robinson provided information about "Candy Cane Lane", a Prairie Village holiday fixture at 79th Street and Outlook Lane since 1958.

MAYOR'S REPORT

- The Mayor shared information about events that had taken place since the prior Council meeting:
 - A retirement celebration for Lenexa Mayor Michael Boehm, who had served as mayor for 20 years
 - A Mid-America Regional Council Board meeting
 - A virtual meeting regarding a regional housing fund initiative in the Kansas City metro area
 - One-on-one and group meetings with Prairie Village residents
 - The Mayor's holiday tree lighting and gingerbread house building events
- The Mayor noted the following upcoming events:
 - A retirement party for Leawood Mayor Peggy Dunn
 - A Johnson County/Wyandotte County Mayors holiday dinner
 - D.A.R.E. graduations at several elementary schools in the City
 - The City's annual volunteer appreciation dinner
 - A Mission Hills City Council holiday lunch
 - A Northeast Johnson County Chamber of Commerce holiday lunch
 - A Prairie Village staff appreciation lunch
- The Mayor also shared tips for new Councilmembers to improve dialogue during meetings.

STAFF REPORTS



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- Ms. Lee noted that the Codes Department had begun contacting residents about removing temporary yard signs that had been displayed longer than the municipal code allowed.
- Mr. Jordan noted that new Councilmembers had attended an orientation with staff the prior week.
- Mr. Cole Robinson said that residents on Homestead Court had asked if traffic calming measures could be added to the street. Mr. Bredehoeft said that Public Works was currently evaluating the situation and would have more information soon.
- Mr. Nelson noted that Mission Road between 67th Street and Tomahawk Road had reopened after months of construction, and asked when sidewalks would be installed. Mr. Bredehoeft stated that sidewalks and sod work would be completed in the next few weeks.

OLD BUSINESS

None

NEW BUSINESS

At this time, Mayor Mikkelson asked Council President Nelson to lead the meeting.

COU2023-71 Consider 2024 contribution allocation recommended by United Community Services for Human Service Fund grants

Erika Garcia Reyes, Director of Resource Allocation for United Community Services of Johnson County (UCS), gave a presentation describing the core functions of the organization and its focus on education and advocacy, mobilization and planning, and targeted resource allocation. She noted that the allocations, collected from cities within Johnson County, were used to provide services to residents and improve the well-being of the community. Prairie Village had contributed to the fund each year since 1990.

Mr. Hannaman said that the 2024 budget had designated a \$10,500 contribution, an increase of \$500 over both 2023 and 2022. If approved, the City's contribution to UCS would be pooled with funds from other cities in Johnson County and distributed to the agencies listed in the 2024 Human Service Fund Recommendation Report.

Mr. Cole Robinson made a motion to approve the recommendation of the UCS Grant Review Committee contained in the 2024 Human Service Fund Recommendation Report and a contribution to UCS of \$10,500. Ms. Wolf seconded the motion.



Ms. Sharp stated that she felt UCS did good work for the community but did not believe that City tax dollars should be used to support a county organization.

After further discussion, the motion passed 11-1, with Ms. Sharp in opposition.

COU2023-72 Consider 2024 contribution allocation recommended by the Drug and Alcoholism Council of Johnson County for the 2024 alcohol tax funds and 2024 opioid settlement funds

Ms. Piper Reimer, who served as the City's liaison to the Drug and Alcoholism Council of Johnson County, shared her thoughts about the program, noting that state statutes required that one-third of the revenue derived from a state excise tax on liquor sold by the drink be used for alcohol and drug prevention or rehabilitation programs.

Ms. Garcia Reyes said that the Drug and Alcoholism Council of Johnson County formed a grant review process providing a structured and accountable system that allowed organizations, through one application, access to funds from multiple jurisdictions. She added that UCS had been managing the program since 1980.

Mr. Hannaman stated that the City had ultimate authority and responsibility for determining the allocation of the City's portion of the alcohol tax fund (ATF). The 2024 budget included an allocation of \$44,000, the same amount as in 2023. He added that UCS also managed the allocation of statewide opioid settlement funds (OSF) for Prairie Village as well as five other cities and Johnson County. Due to a lack of history to plan for OSF amounts received, staff told UCS that allocations would only be made in the year following receipt of funds. Based off actual 2023 OSF receipts, the 2024 budget allocated \$50,000 to UCS for the program.

Ms. Selders made a motion to approve the recommendation of the Drug and Alcoholism Council of Johnson County contained in the UCS Fund Recommendations Report and approve a contribution to UCS of \$44,000 of alcohol tax funds and \$50,000 of opioid settlement funds from the 2024 community programs budget in the special alcohol fund. Ms. Wolf seconded the motion.

Ms. Sharp said that she felt the program was worthwhile but did not think that City funds should be used.

Mr. O'Toole asked if the City would use general fund dollars to replace opioid settlement funds if they were longer available. Mr. Hannaman said that other than alcohol tax funds, the City would only contribute additional money to the program after opioid settlement funds had already been received.

After further discussion, the motion passed 11-1, with Ms. Sharp in opposition.



At this time, Council President Nelson returned leadership of the meeting to Mayor Mikkelsen.

Mr. Shelton 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. Wolf and passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE **Discuss 2024 legislative platform**

Stuart Little and Mallory Lutz from Little Government Relations provided an overview of items that would likely be considered by the state legislature in 2024.

Ms. Lee stated that each year, the City Council considered and adopted a legislative platform, establishing the City's legislative priorities for the upcoming legislative session. The document is shared and discussed with local, state, and federal elected officials who represent Prairie Village, and is used by staff and the City's lobbyist when determining whether the City should submit testimony on legislation.

In 2021, Council changed the format of the platform, by endorsing the League of Kansas Municipalities' Statement of Municipal Policy and identifying the top priorities of the City in an additional document. Ms. Lee said that staff asked Little Government Relations to make recommendations for changes for the 2023 platform, and Councilmembers to individually send any requested changes to discuss at the meeting. The following suggestions were received:

- From LGR: Consider moving the "local control" section to the top of the document.
- From LGR: Consider whether to amend the tax policy section to address the pending appraisal constitutional amendment. The League of Kansas Municipality 2024 platform already includes: "We support appraisals based on fair-market value as historically used in Kansas. We oppose caps in property valuations and limitations on valuation methods that shift the property tax burden, benefiting one category of property to the detriment of all others, as unconstitutional and inequitable."
- From LGR: Consider changing the term "marijuana" to "cannabis" to be consistent with other potential pending legislation.
- From Lori Sharp: "I am not in support of using tax payer dollars to lobby the statehouse. I also do not support the additional Prairie Village platform. The KS league of municipalities is sufficient."
- From Councilmember Terrence Gallagher: "I would like to amend our statement to revise and eliminate the legislation of marijuana; revising it to legalization of Medical Marijuana."



Mr. Cole Robinson made a motion to move the “local control” section to the top of the document, per the recommendation from Little Government Relations. Mr. Graves seconded the motion, which passed unanimously.

Mr. Shelton made a motion to add the League of Kansas Municipalities’ language regarding property evaluations to the Tax Policy section. The motion was seconded by Ms. Wolf and passed unanimously.

Mr. Gallagher made a motion to remove the language “We support the legalization of marijuana and its derivatives” from the City’s legislative platform and revise it to read “We support the legalization of medical cannabis”. Mr. O’Toole seconded the motion.

After further discussion, the motion failed 8-4, with Mr. O’Toole, Ms. Sharp, Mr. Agniel and Mr. Gallagher in support.

Mr. Cole Robinson made a motion to change the term “marijuana” to “cannabis” in the statement “We support the legalization of marijuana and its derivatives” to be consistent with other potential pending legislation. The motion passed 11-1, with Ms. Sharp in opposition.

Ms. Sharp stated that she was not in support of using taxpayer dollars to lobby the statehouse. She added that she was not supportive of the Prairie Village platform, and that the League of Kansas Municipalities’ platform was sufficient. After discussion, no motion was made.

COU2023-73 2024 Recommended program changes: exterior and sustainability grants

Ms. Lee said that in 2008, the exterior grant program was created to encourage homeowners to invest in their home’s curb appeal. She noted that each year, staff prepared an annual report that outlined how funds were utilized. In 2023, the City allocated \$90,000 from the economic development fund to the program (\$74,000 in new money and \$16,000 from prior year carry over funds), with the following results:

- 32 exterior grants awarded totaling \$59,546 (*as of 11/22/2023*)
- 10 applications abandoned due to various issues including contractor and supply limitations
- Total homeowner investment: \$323,847
- Average grant award for exterior grant: \$1,861
- Average appraised value for homes receiving grants: \$313,750



In 2021, the residential sustainability grant was created to encourage residents to reduce their carbon footprint by improving the energy efficiency of their homes. \$30,000 was set aside for the program in 2023, with the following results:

- 15 sustainability grants awarded totaling \$30,139
- Two applications abandoned
- Total homeowner investment: \$126,970
- Average grant award: \$2,009

Ms. Lee said that staff recommended the following changes for 2024:

- Increase the appraised value maximum for the 2024 exterior grant program from \$375,000 to \$400,000
- Continue to open the program on February 1 and shorten the amount of days to complete the project from 180 to 120, allowing for a second round of grant applications to open in the summer if funds became available
- Reallocate the unused 2023 exterior grant funds (estimated around \$30,000) to the 2024 grant programs, increasing the 2024 exterior grant budget to \$90,000 and sustainability grant budget to \$40,000

Ms. Wolf made a motion to accept staff's recommendations for the 2024 exterior grant and sustainability grant programs, increasing the appraised value maximum for the exterior grant from \$375,000 to \$400,000; reducing the time to complete from 180 to 120 days; opening the program application period on February 1, 2024; and utilizing unspent 2023 funds in 2024. The motion was seconded by Mr. Cole Robinson.

Mr. Shelton asked how many of the properties that received grants were rental homes. Ms. Lee said she believed all grant recipients in 2023 were owner-occupied homes but that she would verify and bring information back.

Ms. Selders made a motion to amend the motion by removing rental homes from the grant eligibility requirements. The motion was seconded by Mr. Shelton.

Mayor Mikkelson noted that the original intent of the program was to address code violations for all homes in the City, including rental properties. Mr. Graves asked Ms. Lee to bring back data at the next meeting showing how many rental property owners had taken advantage of the program. Mr. Reddell stated that he was interested in knowing how many Prairie Village residents also owned rental properties in the City. Ms. Lee said she would bring the information back at the December 18 meeting.

After further discussion, Ms. Selders withdrew her amendment to the motion. The original motion passed unanimously.



COU2023-74 Consider 2024 property tax rebate program recommendations

Mr. Geffert stated that in November 2021, the City Council voted to allocate \$20,000 from the City's 2022 general fund to a property tax rebate program designed to alleviate some of the burden of home ownership due to rising property values. Only Prairie Village residents living in owner-occupied homes, that are current on payment of their property taxes and special assessments and meet the income guidelines are eligible for the program. Applicants must also live in a home that is appraised by the county at or below the previous year's average property value in the City (in 2023, this amount is \$496,424).

Initially, income limits were based on data provided by the U.S. Department of Housing and Urban Development's (HUD) "very low income" guidelines, which represent 50% of the regional median family income for a household of four people. For 2023, income guidelines were increased to 65% of the median family income in an effort to assist a larger number of residents.

In 2022, rebates were issued to 28 households totaling \$14,015.94. In 2023, the response from residents was significantly larger, and staff asked for an additional \$5,000 in funding to accommodate as many applicants as possible. In total, rebates were issued to 53 households, totaling \$29,201.53. Mr. Geffert noted that along with the \$25,000 allocated by Council, an additional \$6,000 in unused funds was rolled over from 2022.

Mr. Geffert said that for 2024, staff was recommending \$25,000 be allocated to the program again, and that income limits remain at 65% of the Kansas City metro area median family income, as shown below. \$1,798.47 currently remains available in the 2023 budget allocation, bringing the total available funding for 2024 to \$26,798.47.

HUD Income Limits - FY 2023

Kansas City Metro Area Median Family Income: \$104,600

Household Size	65% MFI
1	\$46,670
2	\$53,300
3	\$59,995
4	\$67,990
5	\$71,955
6	\$77,285
7	\$82,615
8+	\$87,945

Mr. Cole Robinson stated that he was supportive of the program but noted that the average home value was a very large amount.



Mr. Shelton made a motion to accept staff's recommendations for the 2024 property tax rebate program, allocating \$25,000 to the program from the economic development fund, increasing the maximum property value to \$496,424, and maintaining income limits of 65% of the U.S. Department of Housing and Urban Development's (HUD) regional median family income for a household of four people. Ms. Wolf seconded the motion.

Mr. Shelton said that he would like to consider methods to help households of three or more individuals in 2025 in order to make the program more accessible to families. Mr. Graves suggested that a percentile system could be adopted rather than using a mean-based average for income and home values.

After further discussion, the motion passed unanimously.

COU2023-75 Consider installation of stop signs at the intersection of 69th Street and Fonticello Street

Mr. Bredehoeft said the intersection of 69th Street and Fonticello Street currently had two permanent stop signs located on the Fonticello approaches to the intersection. In previous years, Public Works had received several requests to consider making the intersection a four-way stop. Jeff Wilke, the City's traffic engineering consultant, evaluated the area and intersection and determined it would be acceptable to install the additional two stop signs on 69th Street.

Mr. Bredehoeft stated that he also asked Mr. Wilke to evaluate all stop signs along Fonticello to better understand how the area was operating. He noted that due to recent new home construction at the intersection, additional stop signs were temporarily installed to address safety concerns caused by limited sight lines. After more than a year of the temporary signs being in place, no complaints were received. Mr. Bredehoeft added that the Police Department had reviewed the studies and agreed with the installation of the stop signs.

Mr. Cole Robinson stated that he was supportive of the project but would like to discuss the option of having more east-west stop signs in the area rather than north-south signs on Fonticello.

Mr. Cole Robinson made a motion to approve the installation of stop signs at the intersection of 69th Street and Fonticello Street. The motion was seconded by Ms. Wolf and 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. Graves and passed unanimously.



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ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mayor Mikkelson declared the meeting adjourned at 9:50 p.m.

Adam Geffert
City Clerk