



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
APRIL 15, 2024**

The City Council of Prairie Village, Kansas, met in regular session on Monday, April 15, 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, Terry O'Toole, Inga Selders, Ron Nelson, Lori Sharp, Dave Robinson, Tyler Agniel, Greg Shelton (via Zoom), Ian Graves, and Terrence Gallagher. Staff present: Byron Roberson, Chief of Police; Keith Bredehoeft, Director of Public Works; Melissa Prenger, Public Works; City Attorney Alex Aggen, Hunter Law Group; Wes Jordan, City Administrator; Tim Schwartzkopf, Assistant City Administrator; Meghan Buom, Assistant City Administrator, Jason Hannaman, Finance Director; John Kinney, Special Events Coordinator; Adam Geffert, City Clerk.

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

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. O'Toole made a motion to move the appointment of a new Ward 3 Councilmember after public participation. The motion was seconded by Mr. Agniel, and passed 7-3, with Mr. Nelson, Mr. Shelton, and Mr. Graves in opposition.

Mr. Gallagher made a motion to approve the agenda as amended. The motion was seconded by Mr. Nelson and passed 11-0.

INTRODUCTION OF STUDENTS AND SCOUTS

- Boy Scout Billy Keane was in attendance to attain his communications merit badge.
- High school student Alaina Johnston was present to speak during public participation.

PRESENTATIONS

- Mr. Shelton read two proclamations: the first declaring April 26 as Arbor Day in Prairie Village, and the second declaring April 22 as Earth Day in Prairie Village.



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Environmental Committee Chair Lindsay Voitik recognized Arbor Day honoree Dennis Patton, who served as the Kansas State University Extension's Johnson County Horticultural Agent and Educator and had recently passed away. She noted that a memorial tree-planting event would be held for Mr. Patton at Wassmer Park on April 27.

- Former Councilmember Piper Reimer recognized graduating Youth Council members Brynn Bettenhausen, John Gagen, Robbie Lashmet, Isabelle Zschoche.

PUBLIC PARTICIPATION

- Tom Clough, 8510 Delmar Lane, provided thoughts on leadership and the importance of transparency when responding to KORA requests.
- Tom Ward, 22 Coventry Court, and Chad Herring, Ward 1, shared their thoughts on the appointment of a new Ward 3 Councilmember.
- Pam Justus, Ward 6, and Jan Lane, Ward 1, stated their opposition to the proposed community center.
- Alaina Johnston, 10515 W. 93rd Terrace, Overland Park, provided information about tactile paving, and recommended it be considered in Prairie Village.
- Leon Patton, Ward 5, spoke about the proposed changes to the City's zoning regulations.
- Jessica Keane, Ward 3, shared her opposition to the temporary closure of four pickleball courts at Windsor Park.

APPOINTMENTS

Mayor Mikkelson recommended Chi Nguyen for the Ward 3 Councilmember vacancy, noting her service as co-vice chair on the Diversity Committee. He also explained the process by which a nominee was selected. Of the 24 applications received, eight applicants were interviewed by the Mayor prior to a recommendation being made. The Mayor noted that the same process had been used to fill three prior council vacancies since 2013.

Ms. Sharp made a motion to appoint Chi Nguyen to the vacant Ward 3 Council seat. The motion was seconded by Ms. Selders. After discussion, the motion passed 10-0.

After approval by the Council, Mayor Mikkelson swore in Ms. Nguyen.

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 1, 2024



2. Consider approval of expenditure ordinance #3037
3. Consider agreement with Frank Gilman for public defender services
4. Consider approval of purchase order for picnic tables at Harmon Park pavilion
5. Consider bid award for highway rock salt
6. Consider bid award for purchase of swimming pool chemicals.

Mr. Nelson made a motion to approve the consent agenda as presented. A roll call vote was taken with the following votes cast: “aye”: C. Robinson, O’Toole, Selders, Nelson, Sharp, Nguyen, D. Robinson, Agniel, Shelton, Graves, Gallagher. The motion passed 11-0.

COMMITTEE REPORTS

- **Planning Commission: PC2024-107 - Update regarding the Planning Commission’s upcoming zoning code updates**

Mr. Brewster stated that the Planning Commission held work sessions in August 2023, October 2023, December 2023, February 2024, and March 2024 to discuss potential updates to the City’s zoning regulations. The work sessions were a follow-up to the public forums held in June and July 2023. After presentation to Council, the Planning Commission draft would be prepared for introduction into the public hearing process at its May 7 meeting.

Mr. Brewster noted that the Planning Commission arrived at five strategies based on work session discussions:

1. Hold the status quo in R-2, R-3, and R-4 districts
2. Allow residential uses in C- districts
3. Improve the MXD district (planned district)
4. Revise current planned development standards and procedures
5. Consider MXD for application in a variety of contexts

Mr. Brewster next provided information about recommended amendments in R-2, R-3, R-4, C-0, C-1, and C-2 districts:

1. Add intent sections that establish context and relationship to comprehensive plan for each zone district
2. Reformat development standards
3. Add section to establish parameters for application of planned zoning districts (i.e., RP-2, RP-3, CP-0, etc.)
4. Require planned applications to use the new MXD design standards

Mr. Brewster presented suggested amendments to the following zoning districts:

- R-3 District:



- Add intent section and reformat text to tables
 - Reduce minimum lot area per until from 2,400 s.f. to 1,750 s.f.
 - Clarify conflict in building coverage (20% vs. 30%); use 30%
 - Add impervious coverage standard - 50%
 - Add section targeting planned rezoning applications (RP-3) to moderate or large-scale residential building types
- R-2 and R-4 Districts:
 - No substantive changes (added building coverage for consistency - 30% and 50%)
- C-0, C-1, and C-2 Districts:
 - No substantive changes to development standards
 - Add “Residential - Mixed-Use” to the use table for C-0, C-1, and C-2
 - Add performance criteria in C-1 and C-2 for residential uses on upper story or behind first story commercial
- MXD District:
 - Replace generic development standards (height and setback) with specific “building type standards” for default standards
 - Add mixed-density neighborhood and mixed-use design standards (community design and project design)
 - Remove procedures and defer to improved planned zoning procedures
- P- Planned Zoning District:
 - Simplify and improve intent statement
 - Improve procedures with two specific scales of plans:
 - Community design plan - streets and blocks, streetscape, open space, general land use intensity and transitions
 - Project plans - specific building types, frontages, building design, site/landscape design
 - Based on base district standards (i.e., R-2, R-3, C-1, etc.)
 - Default to base district development standards
 - Specific deviation criteria

Mr. Brewster added that anticipated next steps included a public hearing at the May 7, 2024, Planning Commission meeting, and City Council adoption on June 3, 2024.

Ms. Selders shared concern about treating all C- districts the same way, and asked if overlay districts had been considered. Mr. Brewster said that they had not been considered, but that a planned zoning district functioned in a similar fashion.

Ms. Sharp asked what the maximum building height could be in a mixed-use district; Mr. Brewster stated buildings could be a maximum of four stories. He added that it was possible that a plan exceeding the maximum could be proposed in a planned zoning district, but that it would have to be approved by the council.



Ms. Sharp said that it appeared green space requirements were being reduced in MXD districts. Mr. Brewster said that currently, the MXD district did not have established standards, so it was important to ensure that the “community plan” showed open spaces and common areas and amenities.

Ms. Sharp asked if the recommendations for planned zoning districts would make the rezoning process easier, causing surrounding residents to lose rights and protections. Mr. Brewster said that planned zoning districts existed in the zoning regulations already, and that the process required that all steps of the rezoning process be met for approval, including a public hearing, Planning Commission approval and City Council approval. He added that the proposed criteria would actually give the governing body a greater ability to constrain proposals.

Mr. Gallagher asked if there were currently commercial sites in Prairie Village that would allow residential development, or whether they would all require a new plan. Mr. Brewster said the C-0 districts currently allowed residential development, but that it had to meet R-1, R-2, or R-3 standards. As an example, if a proposal was received to convert the upper floor of an office building to a residential use, it would have to meet both C-0 standards and R-3 standards.

- Mr. Graves said that the Diversity Committee would hold a panel titled “Bridging Faiths: a Model for Civil Discourse” on April 18 at the Meadowbrook clubhouse.
- Mr. O’Toole provided a summary of the Ward 1 meeting held on April 8.
- Mr. Shelton stated that the Overland Park “Recycling Extravaganza” would be held on April 20 at the Black and Veatch headquarters.
- Mr. Gallagher shared that he had seen large numbers of residents viewing the solar eclipse in City parks on April 8.

MAYOR’S REPORT

- The Mayor noted the following events that had taken place since the previous council meeting:
 - A tour of the currently under-construction Panasonic battery plant in DeSoto with other Johnson County and Wyandotte County mayors
 - A MARC Board meeting
 - A United Community Services board meeting
 - A second public feedback session for the proposed community center project
 - Johnson County Chairman Mike Kelly’s State of the County Address
- The Mayor noted the following upcoming events:
 - A Northeast Johnson County Mayors lunch on April 19



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- Large-item trash pickup, occurring in different section of the City on April 20, 27, May 4, and May 11.
- The Mayor held a moment of silence for the passing of Luther Jordan, father of City Administrator Wes Jordan.

STAFF REPORTS

Chief Roberson gave a report on a recent police chase in which Officer Overesch and K-9 Blitz caught a suspect and located a discarded weapon.

OLD BUSINESS

None.

NEW BUSINESS

COU2024-26

Consider design agreement with Trekk Design Group, LLC for the design and construction observation of Nall Avenue, 75th Street to 79th Street (2024 CARS)

Ms. Prenger noted that Public Works had requested proposals from firms to provide engineering services for Prairie Village from 2024 - 2026 in December 2023. The selection process consisted of submitting proposals, ranking to select for interviews, conducting interviews and selecting the consultant for the design work. She stated that engineering services were selected based on qualifications.

The selection committee consisted of councilmembers Dave Robinson and Terry O'Toole, along with staff. Trekk Design Group LLC was selected as the City's design consultant for the CARS Program from the three firms interviewed. Ms. Prenger noted that Trekk had provided construction observation services in the past on the paving and CARS programs to supplement City inspection staff, and had performed well.

The project would consist of a mill and overlay with new pavement markings, and would include reconstruction of the southbound lanes of Nall Avenue that appeared to have subgrade failure. Mr. Prenger said construction was scheduled to be awarded later in the year with a spring 2025 start. Funding would come from CIP project NAAV0007.

Mr. Nelson made a motion to approve the design agreement with Trekk Design Group LLC for the design and construction observation of the 2024 CARS project, Nall Avenue, 75th Street to 79th Street in the amount of \$172,409. The motion was seconded by Mr. Shelton and passed 11-0.

COU2024-32

Consider approval of 2024 waste tire grant project at Taliaferro Park



Ms. Prenger stated that the Kansas Department of Health and Environment (KDHE) operated a waste tire grant program enabling local units of government and private/public schools to apply for grant dollars to incorporate waste tires into projects. Eligible projects included only those in which waste tire derived products were incorporated. She noted that one of the uses for waste tires in a park setting was for “pour-n-play” surfacing which would allow a hard surface to access various play equipment elements. The surfacing would replace engineered wood fiber (EWF), exceeding minimum ADA requirements for play surfacing.

The City applied for the grant for the existing CIP project at Taliaferro Park in January 2024, and was notified of approval in April 2024. Ms. Prenger said the project would be installed in tandem with new inclusive play equipment, and would be funded by grant dollars and the CIP project for Taliaferro playground (BG450004):

KDHE waste tire grant	\$20,715.21
<u>CIP Project dollars</u>	<u>\$25,831.58</u>
Total project cost	\$46,546.79

Mr. Gallagher made a motion to approve the waste tire grant project allowing for accessible hard surfaces at Taliaferro Park as part of the new playground equipment installation. The motion was seconded by Mr. Graves and passed 11-0.

COU2024-33 Consider approval of Taliaferro Park inclusive elements playset package

Ms. Prenger stated that the Taliaferro Park inclusive elements playset package included both new inclusive playset elements and play surface. The project was part of the CIP package recommended to the governing body by the Parks and Recreation Committee and approved as part of the 2023 CIP.

The main playset was replaced approximately seven years ago; however, individual elements, such as swings, were left in place. These play elements would be replaced with similar items that are also inclusive in nature. The project would also add “pour-in-place” surfacing from sidewalk to sidewalk to provide improved accessibility for all mobility types.

Two vendors, Athco and Playscape Recreation, submitted quotes for new swings, a new village for children aged 2 - 5, a new seesaw, and a new spinner. Athco’s quote was \$288,503 before the Greenbush discount. Playscape Recreation’s quote was \$139,604.27 before the Greenbush discount, and \$129,255.27 after the application of the discount.

Ms. Prenger noted that Greenbush was a cooperative purchasing program for schools, non-profits, and municipalities to find vendors and competitive pricing. Additional funding was available in CIP project BG450004.



Mr. Gallagher made a motion to approve the purchase order for the Taliaferro Park inclusive elements playset package with Playscape Recreation in the amount of \$129,255.27. The motion was seconded by Mr. Graves and passed 11-0.

COU2024-34 Consider construction contract with Infrastructure Solutions, LLC for storm drainage repair program

Mr. Speegle said that a failed stormwater structure in the rear yard of the home at 4800 West 66th Terrace necessitated an emergency repair contract. The deteriorated brick structure had failed, causing a hole around the structure. He noted that site access was limited, and the work would require substantial residential landscape restoration including hardscape and fence.

Three bids were requested from contractors that had recently performed storm sewer replacements for the City. Two contractors returned bids, the lowest of which came from Infrastructure Solutions, LLC:

Bids received:

Pfefferkorn Engineering and Environmental, LLC	\$56,500.00
Infrastructure Solutions, LLC	\$44,815.00

Mr. Speegle stated that staff had reviewed the bids and recommended awarding the project to Infrastructure Solutions, LLC, who had successfully completed work during the DRAIN-22X program as well as previous emergency repairs for the City.

Change order authorization up to \$20,000 additional dollars from the unallocated drainage account was included to allow for quick approval of possible changes required to complete the project. Mr. Speegle said funding was available in CIP project DRAIN-24X.

Mr. Cole Robinson made a motion to approve the construction contract with Infrastructure Solutions LLC in the amount of \$44,815.00 along with change order authority up to \$20,000 for the replacement of a storm drainage structure as part of the storm drainage repair program. The motion was seconded by Mr. Nelson and passed 11-0.

Mr. Nelson 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. Agniel and passed 11-0.

COUNCIL COMMITTEE OF THE WHOLE

2025 Budget



- 2025 Decision packages

Mr. Hannaman shared a preliminary list of decision packages that had been received from Councilmembers:

- Hygiene product initiative as proposed by Youth Council
- Increased streets funding in CIP
- Mill levy reduction
- Amend staff compensation program philosophy
- 0% increase for department budgets (not including Police Department)
- Reexamine climate action plan
- Reduce contract expenditures: legal, city planner fees
- Amend tax rebate program to allow more families to qualify

He noted that the requests would next be vetted by the Finance Committee at its May 14 meeting, then returned back to the full Council to be voted on individually.

- 2024 Estimated revenue and 2025 preliminary general fund revenue assumptions

Mr. Hannaman shared the following information about the 2024 City budget:

- Most revenue sources had recovered to, or past, pre-COVID levels
- Inflationary pressures on durable goods and contract services remain
- Approximately \$1.5M in American Rescue Plan (ARPA) funds remained, which were anticipated to be used for planning the municipal complex project
- Property taxes comprised approximately 40% of general fund revenue
- Franchise fees were expected to be flat based on on-going trends
- Sales and use tax collections had leveled off

Mr. Hannaman also shared the following preliminary general fund revenue assumptions for the 2025 budget:

- A projected 4.6% increase in overall general fund revenue (roughly \$1.3 million) over the 2024 budget, and a 3.7% growth over 2023 actuals, assuming the mill levy did not change.
- The Johnson County Appraiser's office had projected a total assessed value increase of 5.7% for 2024. If the mill levy were held flat at 18.325, this would result in a projected 5% increase in 2025 property tax revenue over the 2024 budget.

- Consider 2025 budget requests

Mr. Hannaman noted that most committee budgets were funded by the transient guest tax (TGT), which was applied to room reservations made at the Inn at



Meadowbrook. TGT funds had restricted uses, such as efforts to bring residents to the community and other tourism-related activities.

- COU2024-27: Consider funding for VillageFest in the 2025 budget

Mr. Kinney presented the proposed VillageFest budget, noting that the committee was requesting \$39,000, which was approximately a 5.6% increase over 2024 due to increases in costs.

Mr. Nelson made a motion to approve the 2025 VillageFest budget as presented. Ms. Sharp seconded the motion, which passed 11-0.

- COU2024-28: Consider funding for JazzFest in the 2025 budget

Mr. Dave Robinson presented the proposed JazzFest budget, stating that the committee was requesting \$35,000 to supplement a consistent base on which the festival could operate and grow. The amount requested was equal to the prior year.

Mr. Dave Robinson made a motion to approve the 2025 JazzFest budget as presented. Mr. Nelson seconded the motion, which passed 11-0.

- COU2024-29: Consider funding for Arts Council in the 2025 budget

Mr. Nelson presented the proposed Arts Council budget, and said that the committee was requesting \$10,000 in funding for the council as well as a \$10,000 contribution to the Public Arts Fund. He noted that the remainder of the Arts Council's funds came from cash reserves and revenue from entry fees, donations, and art sales each year.

Mr. Nelson made a motion to approve the 2025 Arts Council budget as presented. Mr. Cole Robinson seconded the motion, which passed 11-0.

- COU2024-30: Consider funding for Diversity Committee in the 2025 budget

Mr. Graves presented the proposed Diversity Committee budget, stating that the committee was requesting a total of \$27,500: \$12,500 for the committee budget and \$15,000 for the Juneteenth Freedom Celebration event.

Mr. Graves made a motion to approve the 2025 Diversity Committee budget as presented. Mr. Nelson seconded the motion, which passed 11-0.



- COU2024-31: Consider funding for Environmental Committee in the 2025 budget

Mr. Shelton presented the proposed Environmental Committee budget, noting that the committee was requesting \$8,000, equivalent to what had been requested over the past several years.

Mr. Shelton made a motion to approve the 2025 Environmental Committee budget as presented. Mr. Gallagher seconded the motion, which passed 11-0.

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

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mayor Mikkelsen declared the meeting adjourned at 9:28 p.m.

Adam Geffert
City Clerk