



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
SEPTEMBER 16, 2024**

The City Council of Prairie Village, Kansas, met in regular session on Monday, September 16, 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, Chi Nguyen, Dave Robinson, Tyler Agniel, Greg Shelton, Nick Reddell, Ian Graves and Terrence Gallagher. Staff present: Byron Roberson, Chief of Police; Keith Bredehoeft, Director of Public Works; City Attorney Alex Aggen, Hunter Law Group; 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

Mr. Nelson made a motion to approve the agenda as presented. The motion was seconded by Mr. Reddell and passed unanimously.

INTRODUCTION OF STUDENTS AND SCOUTS

There were no students or scouts present at the meeting.

PRESENTATIONS

- Chief Roberson acknowledged Jennifer Wright, who was retiring from the police department after 25 years as an executive assistant.
- Chief Roberson presented Officer Alex Flores an award for valor and Officer Spencer Patrick a meritorious service award for their roles apprehending armed suspects in an attempted carjacking.
- Mayor Mikkelson read a proclamation recognizing Diaper Need Awareness Week. Susan Belger-Angulo, Co-Executive Director at Happy Bottoms, shared information about the need for diapers in the community.
- Mr. Graves read a proclamation declaring September 15 - October 15 as National Hispanic Heritage Month.



PUBLIC PARTICIPATION

- The following residents expressed their opposition to short-term rentals in the City:
 - Kate Kouba, 7633 Chadwick Street
 - Kathleen Johnson, 4508 W. 78th Street
 - Jim McGrath, 7178 Buena Vista Street
 - Dena Lasater, 7866 Howe Street
 - Karen Gibbons, 71st Street
 - Mary Cordill, 4904 W. 68th Street
 - Anna Gepson, 5313 W. 70th Street
 - Lynn Jenkins, Ward 4
 - Patrick Cohen, 68th Street
- Barbara Cantrell, 8236 Nall Avenue, shared frustration about signage in her yard being vandalized.
- Pam Justus, Ward 6, noted her concern about spending and the City budget.

CONSENT AGENDA

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

1. Consider approval of regular City Council meeting minutes - September 3, 2024
2. Consider approval of revised city-state agreement with the Kansas Department of Transportation for Windsor Park trail project

Mr. Reddell 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, Reddell, Graves, Gallagher. The motion passed unanimously.

COMMITTEE REPORTS

- Mr. Dave Robinson provided a summary of the annual JazzFest event that had been held September 7, and thanked those who participated in making it successful.
- Mr. Reddell noted that a Ward 5 meeting would be held on September 26.
- Mr. Gallagher said that the Parks and Recreation Committee meeting scheduled later in the week had been cancelled.
- Mr. Graves stated that the Diversity Committee’s Hispanic Heritage Month celebration would be held on September 21. He added that a town hall meeting on voting rights would be held on October 10.



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- Mr. O'Toole shared information about the proposed remodeling of the former Macy's building at the Prairie Village shops that had been presented to the Planning Commission on September 10.
- Mr. Nelson stated that the Insurance Committee had met earlier in the day, and that the Arts Council's State of the Arts event had been held on September 11.

MAYOR'S REPORT

- The Mayor noted following events that had taken place since the September 3 Council meeting:
 - A Johnson County / Wyandotte County Mayors meeting on September 11
 - The annual Shawnee Mission East lancer day parade on September 13
 - An NAACP Freedom Fund dinner on September 15
 - A Prairie Village Foundation tree lighting committee meeting
 - A taco truck at the police department provided by the City of Mission Hills
- The Mayor shared the following upcoming events:
 - A Northeast Johnson County Mayors meeting On September 20
 - A Johnson County Library fundraising event on September 21
 - A Finance Committee meeting on September 23
 - A meeting with residents at Claridge Court
 - A Prairie Village Foundation meeting on September 24
 - A retirement ceremony for Jennifer Wright on October 4.

STAFF REPORTS

Mr. Jordan stated that representatives from Evergy would give a presentation at the October 7 council meeting, and that the police department would make a presentation about electric scooter safety.

OLD BUSINESS

None.

NEW BUSINESS

COU2024-49

Consider traffic calming on 90th Street from Somerset Drive to Roe Avenue

Mr. Bredehoeft said that residents along 90th Street wished to implement traffic calming measures and had met the requirements of the traffic calming program. The final petition indicated 75% of residents on the street supported installing measures, exceeding the 60% required. The proposal would include two speed tables installed between Somerset Drive and Roe Avenue. Mr. Bredehoeft noted that the tables would likely be installed in the fall



of 2024 with an approximate cost of \$20,000, which would be funded by the traffic calming CIP project.

Mr. Shelton made a motion to approve the installation of the traffic calming measures on 90th street from Somerset Drive to Roe Avenue. The motion was seconded by Mr. Reddell and passed unanimously.

COU2024-50 Consider approval of JM Fahey contract for Mission Road, 63rd Street to 67th Street (MIRD0009)

Mr. Bredehoeft stated that the council approved the City’s annual County Assistance Road System (CARS) Program submittal at its May 1, 2023, meeting, which included the joint Mission Road, 63rd Street to 67th Street improvement project which would be co-funded by the City of Mission Hills. The Johnson County Board of Commissioners approved the City’s submittal for funding.

On August 7, 2024, three bids were opened for the project:

- | | |
|------------------------|--------------|
| • JM Fahey | \$307,769.65 |
| • McAnany Construction | \$355,600.00 |
| • Superior Bowen | \$420,322.75 |
| • Engineer’s Estimate | \$402,353.00 |

Mr. Bredehoeft said that the engineer had evaluated the bids for accuracy and recommended awarding the project to JM Fahey Construction Company in the amount of \$307,769.65.

Mr. Nelson made a motion to approve the construction contract with JM Fahey Construction Company in the amount of \$307,769.65. The motion was seconded by Mr. Gallagher and passed unanimously.

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 Mr. Gallagher and passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE

Mr. Gallagher made a motion to move the short-term rental discussion to the top of the agenda. Ms. Selders seconded the motion, which passed unanimously.

Short-term rental transient guest tax discussion



Ms. Lee stated that at its September 3 meeting, the council discussed a potential ban on short-term rentals (STRs). Before deciding, council requested more information on potential transient guest tax collections if the tax were applied to STRs.

Ms. Lee noted that charter ordinance 27 had been passed in November 2015, creating a 9% transient guest tax in anticipation of the opening of the Inn at Meadowbrook hotel. Charter ordinance 29 later replaced charter ordinance 27 to clarify that collections would be done by the City instead of the state. The ordinance also included language about a minimum number of rooms to qualify for the transient guest tax which appeared to have been done to preclude collections from STRs. She added that the ordinance would need to be modified if council sought to begin collecting the tax from STRs.

Ms. Lee said that staff projected the City could receive up to \$130,000 annually based on most recent sales tax collections. Estimates for prior years were closer to \$60,000, however, so the actual amount was somewhat uncertain. Any transient guest tax funds collected would be in addition to those already received from the Inn at Meadowbrook, which in 2023 totaled \$360,387.

Mr. Gallagher asked how transient guest taxes funds could be used by the City. Ms. Lee said that state statute dictated that the funds could be used for tourism and economic development; in the City's case, the funds had been used for committee activities, public art and public parks.

Mr. Graves made a motion to direct staff to develop a plan to restrict rentals to 30 days or greater and return to the committee with a formal recommendation for review. Ms. Selders seconded the motion.

Mr. Reddell stated that he felt current owners of STRs should be allowed to continue operating until their rental licenses expired. Mr. Graves suggested that staff could bring back options to present to council determining how to phase out existing STRs. Mr. Nelson said that he favored a specific date of expiration.

After further discussion, the motion passed unanimously.

COU2024-51 Consider approval of amendments to the municipal property tax rebate program

Mr. Shelton said that he believed the City's existing property tax rebate program, which primarily benefitted households of one to two people, should be modified to instead focus on families with dependent children. He proposed the following amendments to the program:

1. Family is defined as households with at least one dependent age 18 or under.



2. These applicants would be in the first tranche of applications considered for the tax rebate. If there are funds remaining after these households have been served, then households of two or fewer would be served in a second tranche.
 - a. The staggered award model would follow the same construct as the sustainability and exterior grant programs.
3. The program will refund up to 100% of a family's municipal tax bill and payouts will be made on a "least to most" basis to ensure the funds are able to support as many families as possible in our community.
 - a. If the balance of funds for the final qualifying applicant does not cover 100% of that resident's tax bill, then staff shall only disperse the funds if the rebate is equal to or greater than 50% of the resident's tax bill.
 - b. If the balance of funds is insufficient to cover 50% or more of the final qualifying applicant's tax bill, then those funds shall be retained and rolled over to the next fiscal year's fund for the property tax rebate program.
4. Update home valuation limit to be the prior year's average home value in Prairie Village plus 25% to ensure more families throughout the community can benefit from this targeted tax relief.
5. Update income requirements to ensure families with one or two incomes are able to participate. Given the aforementioned financial strain families are facing we should not discount the MFI for households with dependents age 18 and under.
 - a. The area median income (AMI) for our area is the benchmark for all households, and by discounting it we disproportionately exclude families that have a higher incomes and a higher financial burden by supporting dependents in their household.
 - b. Also, by resetting the scale at \$104,400 (current AMI for our area) we need to establish a new increment for each additional household member.
 - c. The simple math is to divide the \$104,400 by three, then add that amount (\$34,800) for each additional household member. This, or something like this, is more in line with the real, incremental impact of raising a family in today's market for household goods and services.

Mr. O'Toole said that he appreciated the simplicity of the existing program, and expressed concern that the addition of the proposed regulations would be burdensome for staff.

Mayor Mikkelson stated that he was not in favor of limiting senior citizens' access to the program.

Mr. Graves and Mr. Gallagher said that a mill levy rate reduction could be more impactful to residents.

After further discussion, no motion was made.

Discuss council president appointment process



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Mr. Dave Robinson noted that the discussion was a continuation from the September 3 council meeting, at which consideration was given to changing the existing council president selection process. Historically, the councilmember with the most seniority that had not yet served as council president would be appointed to the position each year. However, the policy was not followed in 2023, as a vote was taken to elect Mr. Dave Robinson as president instead.

Mr. O'Toole said that he and Mr. Reddell had crafted a motion to elect the council president based on the following criteria:

- A. Has not served as president of the council during their current term
- B. Is not eligible to be president in year one of initial term
- C. Will not be from the same Ward as the current president
- D. Nominated and approved by a simple majority vote of the council
- E. The election will be scheduled for the first meeting held every year in January
- F. Cannot serve as president of the council for two consecutive years

Mr. O'Toole made a motion to direct staff to replace the existing language in the council president policy with the proposed criteria, and bring the policy back to council to consider at its next meeting. Mr. Nelson seconded the motion.

Mr. Cole Robinson asked how a president would be selected if a vote was split 6-6. Mayor Mikkelson said that the mayor would serve as a tiebreaker in such a situation.

Ms. Selders shared concern that the proposed selection process would generate divisiveness among councilmembers.

After further discussion, the motion passed 10-2, with Ms. Selders and Ms. Nguyen in opposition.

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

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mayor Mikkelson declared the meeting adjourned at 9:00 p.m.

Adam Geffert
City Clerk