CITY COUNCIL
CITY OF PRAIRIE VILLAGE
FEBRUARY 18, 2025

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, February 18, 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 (via Zoom), Inga Selders, Ron Nelson, Lori Sharp (via Zoom), Chi Nguyen (via Zoom), Dave Robinson, Tyler Agniel, Greg Shelton, Ian Graves and Terrence Gallagher. Staff present: Eric McCullough, Chief of Police; Keith Bredehoeft, Director of Public Works; City Attorney Alex Aggen, Hunter Law Group; 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

Mayor Mikkelson noted that, due to weather conditions, the agenda had been amended earlier in the day to remove topics that would likely include a significant amount of public participation. The items removed were as follows:

- Recognition of council service
- Discuss traffic and pedestrian safety on 66th Street west of Mission Road
- Discuss proposal of a city ordinance regarding the requirement of helmets for juvenile e-scooter users

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

INTRODUCTION OF STUDENTS AND SCOUTS

Many scouts and their family members were present for the reading of a proclamation recognizing Scouting America (BSA).

PRESENTATIONS

- Mr. Gallagher read a proclamation recognizing the strengths and greatness of Scouting America (BSA), and acknowledged scouts in attendance.

- County Commissioner Becky Fast gave a presentation on activities in Johnson County, and shared concern about the potential loss of federal funding for several projects.
- Mayor Mikkelson read highlights of a proclamation recognizing Engineers Week, and thanked staff engineers Keith Bredehoeft, Melissa Prenger, and Cliff Speegle.

PUBLIC PARTICIPATION

- The following individuals noted their opposition to LEED building practices and environmental efficiency standards for the proposed municipal complex improvements.
    - Rob Kohl, Ward 2
    - Barbara Cantrell, Ward 4
- The following individuals shared their support of LEED building practices and environmental efficiency standards for the proposed municipal complex improvements:
    - Anne Melia, Ward 6
    - Alan Bauman, Ward 5
    - Parker Hall, Ward 3
- Tom Ward, Ward 6, stated that he believed the construction of a new city hall building should be voted on by residents
- Tim Swanson, Ward 3, shared concerns about government efficiency.

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 – February 3, 2025
2. Consider approval of expenditure ordinance #3047
3. Consider purchase request for police vehicles
4. Consider update to Council Policy 216 – Planting, Maintenance, Removal and Replacement of Trees
5. Consider financial donation to Shawnee Mission East PTA for senior after-graduation party
6. Consider appointment of committee members
7. Consider interlocal agreement with the City of Mission for construction of 63rd Street from Roe Avenue to Nall Avenue (63ST0001 2025 CARS)
8. Consider interlocal CARS agreement with Johnson County and the City of Mission for construction of 63rd Street from Roe Avenue to Nall Avenue (63ST0001 2025 CARS)
9. Consider bid award for material testing services

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

- Mr. O'Toole provided a summary of the Planning Commission's February 4 meeting. He noted that the commission had discussed potential changes to R-1B neighborhood design guidelines, but did not have any recommended changes at the present time. Mr. O'Toole encouraged the council to watch the video from the meeting.

MAYOR'S REPORT

- The Mayor noted events that had taken place since the prior council meeting on February 3:
    - A meeting with First Washington Realty prior to the council meeting
    - A meeting with Representative Sharice Davids to discuss the City's legislative agenda
    - A MARC Board meeting
    - A Total Transportation Planning Committee meeting
    - A police department retirement celebration and promotion ceremony
- The Mayor shared the following upcoming events:
    - A rescheduled ribbon-cutting event for the newly opened Penny's in the Village restaurant on February 26
    - A Coffee with a Cop event at Duck Donuts on February 19
    - The annual Mayor's prayer breakfast in Kansas City, Mo., on February 19
    - A Northeast Johnson County Mayors lunch
    - A MARC Board meeting
    - A meeting with the Johnson County Appraiser
- The Mayor also noted the following:
    - Regional planning meetings for the 2026 World Cup continued, and a website had been created to share information about local communities
    - A list of warming centers in Johnson County

STAFF REPORTS

- Chief McCoullough provided information about the promotion ceremony held on February 13, noting the following changes:
    - Sergeant Joel Porter to the rank of Captain
    - Corporal Pat Mahoney to the rank of Sergeant
    - Officer Matt Huber to the rank of Corporal

  He also provided an overview of the asset forfeiture trust fund program and shared details of circumstances in which assets were seized by the police department.

OLD BUSINESS
There was no old business to come before the council.

NEW BUSINESS

COU2025-07 Consider approval of Resolution 2025-03, authorizing a resolution of intent to issue industrial revenue bonds for GRI Prairie Village, LLC (Balls Hen House)

Michelle Pitsenberger, Director of Property Management with First Washington Realty, said that she and a group of councilmembers had met with tenants of the Prairie Village Shops to discuss concerns that arose after the electrical fire that occurred on January 30. She noted that First Washington was working with Evergy to restore permanent power to all areas of the shops, but that all tenants that were affected were continuing to operate on temporary generators.

Kevin Wempe, representing Gilmore and Bell, the City's bond counsel, provided a summary of what had been discussed by the council committee of the whole at its February 3 meeting. He noted that GRI Prairie Village, LLC (the "company"), managed by First Washington Realty and the owner of the Prairie Village Shopping Center, planned to convert the three-story building located at 4000 W. 71st Street into a two-story multi-tenant space and renovate the existing Hen House grocery store facility located at 6950 Mission Road. The company requested the issuance of industrial revenue bonds (IRBs) to provide a sales tax exemption on labor, construction materials, furniture, fixtures, and equipment.

Mr. Wempe said that IRBs were used as economic development incentives and could consist of either a sales tax exemption or property tax abatement. In this case, the request was for a sales tax exemption. The bonds would be purchased by the company (or an affiliate), and the City would have no liability with respect to bond repayment. The company would be obligated to make all debt service payments on the IRBs and pay all related costs. The request was for approximately $23 million in IRBs for construction costs, but the actual amount of sales tax savings would be approximately $2.3 million in total, or roughly $233,000 from the City.

Mr. Shelton noted that he had spoken with Mike Beal, Chief Financial Officer of Ball Foods, about consideration of LEED certification for the new Hen House location. Although Mr. Beal indicated that the project would not be seeking LEED certification, he stated that energy and water consumption data would be shared for the community climate action plan.

Mr. Gallagher said the he felt comfortable approving the resolution due to the robust discussion that was held at the council committee of the whole meeting on February 3. He recommended residents view the recording of the meeting on the City's website for further detail on what was discussed.

Mr. Graves made a motion to approve Resolution 2025-03 authorizing a resolution of intent to issue industrial revenue bonds for GRI Prairie Village, LLC (Balls Hen House). The motion was seconded by Mr. Cole Robinson and passed 11-0.

COU2025-08 Consider approval of construction contract with J.M. Fahey Construction for the 2024 CARS project – Nall Avenue from 75th Street to 79th Street (NAAV0007)

Mr. Bredehoeft stated that the City had received CARS funding for two projects on Nall Avenue. The first, Nall Avenue from 67th Street to 75th Street (NAAV0005), was currently under construction and would be complete in spring 2025. The second, Nall Avenue from 75th Street to 79th Street (NAAV0007), would consist of a mill and overlay with a full reconstruction of the southbound lane. He noted that the roadway would remain two-lane, though bicycle lanes or "sharrows" would be added as roadway width allowed. The additions would complete the bike plan on Nall Avenue between 67th Street and 95th Street.

Mr. Bredehoeft said that staff recommended using J.M. Fahey to complete the work involved in lieu of bidding the project. The company had been the low bidder on two recent CARS projects, had performed satisfactory work on arterial streets, and was currently completing the project directly adjacent to NAAV0007. He noted that J.M. Fahey agreed to match the resurfacing costs from its previous bid in 2024.

J.M. Fahey submitted the following bid for the project:

- J.M. Fahey Construction Co. $657,610.50
- Engineer's Estimate $671,390.50

Mr. Bredehoeft said that the engineer had reviewed the bid and recommended awarding the project to J.M. Fahey for $657,610.50. Change order authorization up to $50,000 additional dollars would be included to allow the public works director to quickly authorize any possible changes required to complete the project. Funding would come from CIP project NAAV0007 with construction related costs reimbursed under interlocal agreements with the Johnson County CARS program.

Mr. Cole Robinson made a motion to approve the construction contract with JM Fahey Construction Company for the 2024 CARS Project Nall Avenue from 75th Street to 79th Street (NAAV0007) for $657,610.50. The motion was seconded by Mr. Nelson and passed 11-0.

Mr. Agniel 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 11-0.

COUNCIL COMMITTEE OF THE WHOLE

Discuss speed limit change on Tomahawk Road from Roe Avenue to Mission Road.

Mr. Bredehoeft stated that Tomahawk Road between Roe Avenue and Mission Road currently had a speed limit of 30 mph. Recently, councilmembers Selders and Nelson asked staff to consider lowering the speed limit and look at ways to improve pedestrian safety. He noted that staff had considered changing speed limits along Tomahawk Road in the past, and had done so on the section between Nall Avenue to Roe Avenue in 2017. At that time, it was decided that lowering the section to 25 mph was logical given the characteristics of Tomahawk Road in the area. The traffic engineering study for that section concluded that either a 25 mph or a 30 mph speed limit was appropriate.

Mr. Bredehoeft said that both public works and the police department believed that a 30 mph speed limit was appropriate for the section of Tomahawk Road between Roe Avenue and Mission Road due to the width of the roadway and the fact that the east side was green space along Brush Creek and Porter Park. He added that based on the traffic study performed by Kimley-Horn, the 85th percentile of driver speed averaged 36 mph, and that lowering the speed limit would probably not change driver behavior on this section of road.

Staff had begun working with councilmembers Selders and Nelson on a traffic calming project and reviewed pedestrian crossings on Tomahawk Road. Mr. Bredehoeft said that speed display signs and road narrowing via pavement markings were both being considered, but that lowering the speed limit was not a traffic calming option. Councilmembers Selders and Nelson requested the council approve a traffic engineering study to further study the speed limit issue.

Jeff Wilke, Traffic Engineer with Kimley-Horn, was present to provide a summary of the traffic study that had been performed. He noted that through the data collected and observations, the segment of Tomahawk Road appeared to be operating safely, as evidenced by the overall low frequency of crashes. As a result, there were no features identified along the study segment that necessitate a lower speed limit, and no changes to the existing speed limit were recommended. Chief McCullough added that though there had been some accidents near the 71st Street and Roe intersection, he did not believe they were speed related.

Mr. Cole Robinson shared concern that enforcing a slower speed limit would divert police officers from other duties around the City.

Ms. Selders noted that all other segments of Tomahawk Road were 25 mph, so it made no sense for the subject segment to be a higher speed. She added that the segment consistently had a significant number of pedestrians as well.

Mr. Bredehoeft stated that traffic calming measures had already been approved and would be installed regardless of the decision to change the speed limit. Mr. Graves and Mr. Dave Robinson said that they felt it would be best to install traffic calming measures first and gather data on their impact prior to making a change to the speed limit.

Ms. Sharp said that impact of the new grocery store that would open in the old Macy's building could further impact traffic on Tomahawk Road, and that a lower speed limit was warranted based on the factors previously shared.

Mr. Gallagher stated that he didn't feel there was enough data to show that reducing the speed limit would increase safety, and that past speed limit changes had always been based on the recommendations of staff and the City's traffic engineer. He said that traffic calming measures should be implemented first prior to changing the speed limit.

Mr. Bredehoeft noted that the traffic calming measures that were being considered included narrowing pavement markings and speed display signs. Proposals would be brought to residents to approve at a future public meeting.

After further discussion, Ms. Selders made a motion to recommend approval of the reduction of the speed limit on the subject section of Tomahawk Road to 25 mph to the city council. The motion was seconded by Mr. Nelson and passed 7-4, with Mr. Cole Robinson, Mr. Dave Robinson, Mr. Graves and Mr. Gallagher in opposition.

COU2025-10 2026 budget calendar

Mr. Hannaman said that staff created a budget planning calendar each year to schedule activities that must be completed to create and develop the annual budget. He noted that the calendar contained some flexibility if needed, but that staff intended for the presented timeline to be followed. The 2026 budget calendar, similar to the 2025 calendar, would allow for the City to meet all statutory deadlines as well as submit the budget for the Government Finance Officers Association (GFOA) award program.

Mr. Hannaman stated that this would be the third year operating under the full requirements of Senate Bill 13, which included a notification to residents from the county clerk in August regarding the revenue neutral rate, if applicable. The calendar included two separate scenarios: one scenario that exceeded the revenue neutral rate and one which did not exceed the rate. Mr. Hannaman added that the revenue neutral rate was equivalent to 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. He noted that Johnson County would provide the City with the revenue neutral rate in June 2025, and that the current 2025 budget did exceed the revenue neutral rate.

Mr. Cole Robinson made a motion to approve the 2026 budget calendar as presented. The motion was seconded by Mr. Graves and passed 11-0.

Mr. Shelton moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Mr. Agniel and passed 11-0.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mayor Mikkelson declared the meeting adjourned at 8:25 p.m.

Adam Geffert
City Clerk