

**GOVERNING BODY WORKSHOP AGENDA
ROELAND PARK**

**Roeland Park City Hall 4600 W 51st Street, Roeland Park, KS 66205
Monday, December 3, 2018 6:00 PM**

- | | | |
|--|---|---|
| <ul style="list-style-type: none">• Mike Kelly, Mayor• Becky Fast, Council Member• Jennifer Hill, Council Member• Tim Janssen, Council Member | <ul style="list-style-type: none">• Jim Kelly, Council Member• Tom Madigan, Council Member• Claudia McCormack, Council Member• Michael Poppa, Council Member• Erin Thompson, Council Member | <ul style="list-style-type: none">• Keith Moody, City Administrator• Jennifer Jones-Lacy, Asst. Admin.• Kelley Bohon, City Clerk• John Morris, Police Chief• Jose Leon, Public Works Director |
|--|---|---|

Admin	Finance	Safety	Public Works
Kelly	Thompson	McCormack	Poppa
Madigan	Fast	Janssen	Hill

I. APPROVAL OF MINUTES

A. November 5, 2018

II. DISCUSSION ITEMS:

1. Update on R Park Phased Development Plan
2. Discuss Filling Council Seat Vacancy- Request to Table
3. Update on Unfit Structure
4. Discuss Shirts for Elected Officials
5. Police Motorcycle
6. Electronic Voting

III. NON-ACTION ITEMS:

IV. ADJOURN

Welcome to this meeting of the Committee of the Whole of Roeland Park.

Below are the Procedural Rules of the Committee

The governing body encourages citizen participation in local governance processes. To that end, and in compliance with the Kansas Open meetings Act (KSA 45-215), you are invited to participate in this meeting. The following rules have been established to facilitate the transaction of business during the meeting. Please take a moment to review these rules

before the meeting begins.

- A. **Audience Decorum.** Members of the audience shall not engage in disorderly or boisterous conduct, including but not limited to; the utterance of loud, obnoxious, threatening, or abusive language; clapping; cheering; whistling; stomping; or any other acts that disrupt, impede, or otherwise render the orderly conduct of the Committee of the Whole meeting unfeasible. Any member(s) of the audience engaging in such conduct shall, at the discretion of the City Council President (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or removal from that meeting. **Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.**
- B. **Public Comment Request to Speak Form.** The request form's purpose is to have a record for the City Clerk. Members of the public may address the Committee of the Whole during Public Comments and/or before consideration of any agenda item; however, no person shall address the Committee of the Whole without first being recognized by the Chair or Committee Chair. Any person wishing to speak at the beginning of an agenda topic, shall first complete a Request to Speak form and submit this form to the City Clerk before discussion begins on that topic.
- C. **Purpose.** The purpose of addressing the Committee of the Whole is to communicate formally with the governing body with a question or comment regarding matters that are on the Committee's agenda.
- D. **Speaker Decorum.** Each person addressing the Committee of the Whole, shall do so in an orderly, respectful, dignified manner and shall not engage in conduct or language that disturbs, or otherwise impedes the orderly conduct of the committee meeting. Any person, who so disrupts the meeting shall, at the discretion of the City Council President (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or be subject to removal from that meeting.
- E. **Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the Committee of the Whole, each speaker shall limit comments to two minutes per agenda item. If a large number of people wish to speak, this time may be shortened by the Chair so that the number of persons wishing to speak may be accommodated within the time available.
- F. **Speak Only Once Per Agenda Item.** Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law. No speaker will be allowed to yield part or all of his/her time to another, and no speaker will be credited with time

requested but not used by another.

- G. **Addressing the Committee of the Whole.** Comment and testimony are to be directed to the Chair. Dialogue between and inquiries from citizens and individual Committee Members, members of staff, or the seated audience is not permitted. Only one speaker shall have the floor at one time. Before addressing Committee speakers shall state their full name, address and/or resident/non-resident group affiliation, if any, before delivering any remarks.
- H. **Agendas and minutes** can be accessed at www.roelandpark.org or by contacting the City Clerk

The governing body welcomes your participation and appreciates your cooperation. If you would like additional information about the Committee of the Whole or its proceedings, please contact the City Clerk at (913) 722.2600.

Item Number: **APPROVAL OF MINUTES- I.-A.**
Committee **12/3/2018**
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **November 5, 2018**
Item Type:

Recommendation:

Details:

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
▢ November 5, 2018	Cover Memo

GOVERNING BODY WORKSHOP
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Tuesday, November 5, 2018 6:00 P.M.

- Mike Kelly, Mayor
- Becky Fast, Council Member
- Jennifer Hill, Council Member
- Tim Janssen, Council Member

- Jim Kelly, Council Member
- Tom Madigan, Council Member
- Claudia McCormack, Council Member
- Michael Poppa, Council Member
- Erin Thompson, Council Member

- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. Admin.
- Kelley Bohon, City Clerk
- John Morris, Police Chief
- Jose Leon, Public Works Director

Admin

Kelly
Madigan

Finance

Thompson
Fast

Safety

McCormack
Janssen

Public Works

Poppa
Hill

CMBR Poppa called the meeting to order. CMBR Thompson was absent.

I. APPROVAL OF MINUTES

1. October 1, 2018

The minutes were approved as submitted.

II. DISCUSSION ITEMS:

1. Governing Body Photos

Governing Body group photos with staff have been temporarily postponed.

2. Review Citizen and Business Survey

City Administrator Moody said conducting a citizen satisfaction and business survey is an objective for 2019 and is planned for the first of the year.

Ryan Murray with ETC presented to the Governing Body samples of surveys his company has conducted. He was looking for direction on what areas and types of special questions they would like to see on the citizen satisfaction and business surveys. From that he will put together questions that will yield unbiased answers.

Some of the questions for the business survey would include a satisfaction with the services of Roeland Park and what is Roeland Park doing well to help business. It would also garner information on what an owner plans to do with their business and where their labor pool comes from. It was noted that 25 percent of the businesses in Roeland Park are home-based and should be contacted. Mr. Murray felt that the response would not be strong from that sector of the survey.

The citizen satisfaction survey should also include questions to get feedback on universal design, parks and recreation, events and sustainability.

CMBR Fast requested that sample surveys be created and the Council liaisons could take them to their committees for review and feedback.

CMBR Poppa said he would like to see the business survey mirror the citizen survey. Mayor Kelly, CMBR Hill, CMBR Janssen and CMBR Madigan agreed that similar surveys would be a starting point.

CMBR Kelly said he would like to see the business survey to be more pertinent to them and not the same as the survey for residents. CMBR McCormack said the two surveys represent different needs.

CMBR Fast said she would like to see some individualization between the two surveys.

There was a general consensus to make tweaks to each survey to focus on their topics.

The liaison from each committee will take the surveys and bring their feedback to their next Workshop meeting.

Mr. Murray added that ETC is creating a dashboard that will be operating January 1. From there the City can import their community data as well as past data and view it by cross-sections such as demographics, questions, age. He said it will be a user-friendly interactive tool.

3. Committee Appointment and Reappointments

There was full consensus to move the committee appointments and reappointments to Consent Agenda on the November 19 Council meeting.

4. Roeland Park City-Wide Photography Contest

Mayor Kelly said as a result of their past discussions about a lack of Roeland Park specific photography on their website and in print media they have created a proposal to allow individuals to submit photographs of Roeland Park people, places and things. There will be an online poll to vote for citizen favorites as well as a committee made up of City staff, members of the Governing Body and Arts Committee. There would also be an annual reception for the photographs chosen to be displayed as well as recognition of the photographers. To start, the contest will be held twice a year.

It was agreed that first prize would be a monetary prize not to exceed \$50 and a gift card while second and third places would receive Roeland Park schwag.

It was agreed that City Attorney Mauer would review the language and answer questions about subjects in the photos as well as removing references to the city of Santa Clarita.

5. 2018 CDBG - Birch Street Project Update

Public Works Director Leon said they are wrapping up the Birch Street project. It was discovered, however, that after the initial two inches were milled off the street the subsurface was not in an ideal condition. It is anticipated to need subsurface repairs on both sides. The worst part is south of 57th Street. Additionally, the weather has forced them to leave the area exposed longer than they had wanted to. The repairs will result in a change order, but it is within the City Administrator's approval authority. Mr. Leon showed the Governing Body photographs of the condition of the subsurface.

6. Ad-Hoc Development Committee Update

City Administrator Moody submitted the minutes from the last meeting. He added that they did not receive any responses to their RFQ. The Ad-Hoc Development Committee has provided direction on next steps which are reflected in those meeting minutes.

7. Art Restoration and Relocation Plan

CMBR Poppa provided background on this project being undertaken by the Arts Committee. The Governing Body had approved the committee's objectives totaling \$15,000 for removal, restoration, and acquisition of public art. The Arts Committee has been inventorying the art in the City, having certain pieces repaired and working with the Smithsonian as the City's art collection is being archived in the Smithsonian. They are continuing evaluation of the remaining pieces in preparation for Roe 2020.

There was consensus on the next phase to begin having the art collection appraised, coordinating restoration if appropriate, and determining which items will be relocated either permanently or temporarily to storage.

8. Leaf program

Public Works Director Leon gave an update on the leaf pick up program, which started today. He said in spite of the rain things went fairly well. He will try to put out information so the residents can see what areas have been completed and where they plan to pick up next.

City Administrator Moody added the truck has GPS and Mr. Leon is monitoring the progress and can see what has been done. The hope is to provide more detail than the two-week window.

III. ADJOURN

City Administrator Moody said they have ordered t-shirts with the new City logo for the Councilmembers. Public Works will wear them while out picking up leaves in an effort to raise logo raise awareness and be a conversation starter. Also if anyone on the Council is interested in doing a ride-along in the new leaf vac Mr. Leon would love to make those arrangements.

CMBR Poppa adjourned the meeting.

(City of Roeland Governing Body Workshop Adjourned)

Item Number: DISCUSSION ITEMS- II.-1.
Committee 12/3/2018
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 11/30/2018
Submitted By: Keith Moody
Committee/Department:
Title: Update on R Park Phased Development Plan
Item Type: Presentation

Recommendation:

No action is anticipated, the presentation is intended to bring the Council up to date with progress on the project and to start the Council thinking about the relationship between pool and park improvement funding decisions that are on the horizon.

Details:

The attached phased development plan for R Park is a 2018 Objective. Sheet 1 shows improvements for all phases. Sheet 2 is the proposed 1st Phase. Sheet 3 is the proposed 2nd Phase. Sheet 4 is the proposed 3rd phased. A phased approach is anticipated in order to complete improvements without the need to borrow. The draft plan as depicted anticipates roughly \$1.7 million total for the 3 phases. Currently the CIP reflects \$200,000 allocated in 2020 for a pavilion at R Park and \$200,000 in 2021 for a permanent restroom. With the addition of a pavilion (gathering structure) city regulations would call for additional restroom facilities. Currently the park is served by one accessible porta-potty. The phase 1 concept plan (sheet 2) reflects accessibility improvements along with the construction of these two main structures, this is anticipated to cost \$1 million. A concept for the 2nd phase (sheet 3) consists of additional parking, modifications to Juniper, storm drainage, sanitary sewer modifications and soccer fields, with a total cost of \$400,000. The 3rd and final phase (sheet 4) concept consists of paving the remaining granular paths, at a cost of \$300,000.

The City funds parks/recreation improvements out of the 300- Special Infrastructure Fund and the 100- General Fund. Street/Storm Sewer/Curb/Sidewalk improvements are also funded from both of these funds. These same resources will compete with anticipated improvements at the aquatic center (keep in mind one of the options for the pool amounts to more than a \$4 million investment and the pool when built in 1996 only required \$3 million in funding) . The 2019 adopted budget includes budget projections for 2020 and 2021 (including the CIP amounts for the

restroom and pavilion referenced above), at the end of 2021 the 300- Special Infrastructure Fund anticipates a fund balance of \$670,000. Resources in the 300- Special Infrastructure Fund would be sufficient to complete phase 1 in 2021, but if these resources are allocated to complete phase 1 improvement at the park this will prevent being able to complete improvements at the pool until after 2021 unless revenues come in higher than anticipated or barrowing is employed.

Design of the phase 1 improvements should consider value engineering approaches in order to keep costs lower. These facilities will substantially add to the City's maintenance liability; durable cost effective options should be considered as part of the design process (next step)

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Additional Information

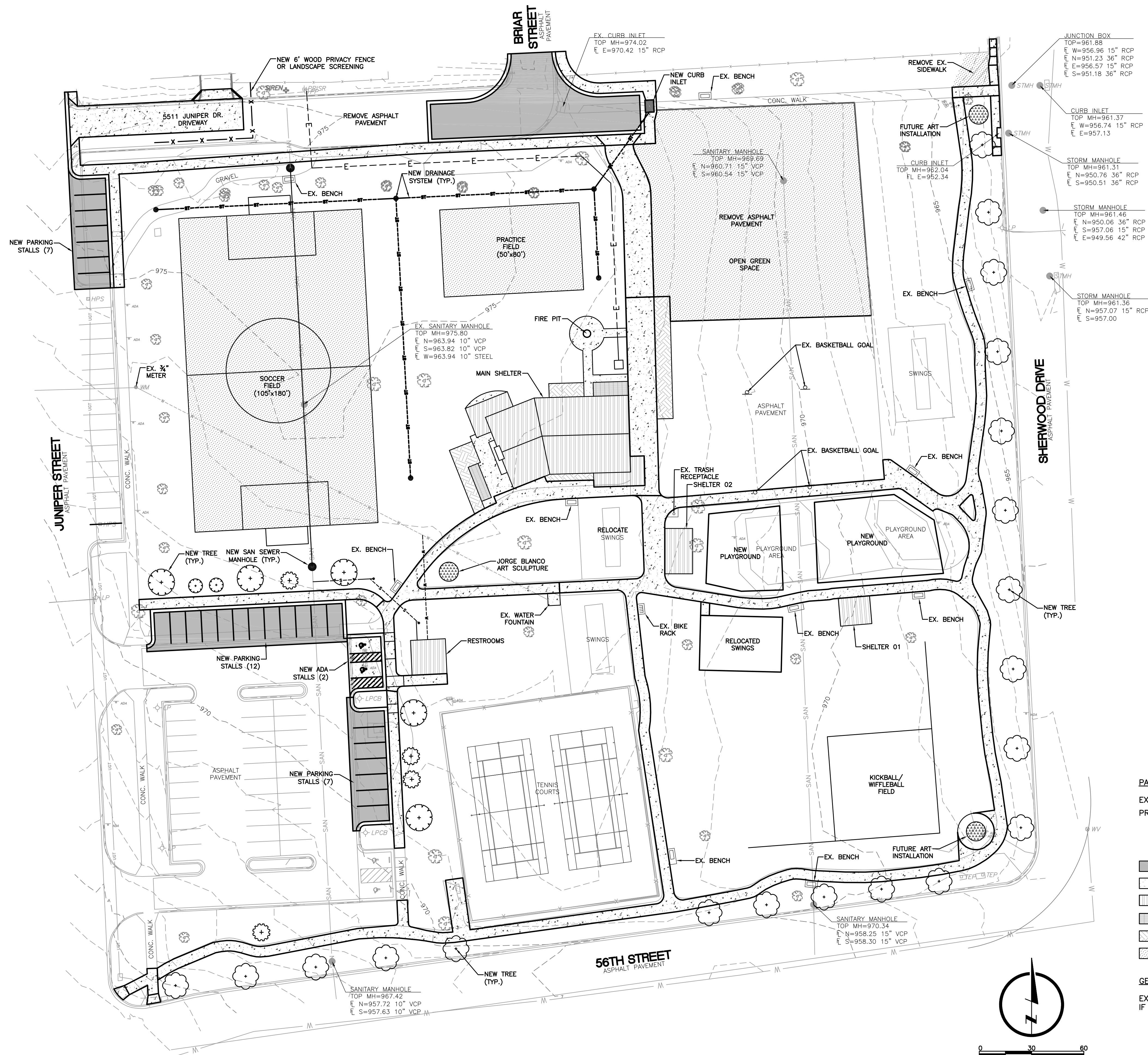
Attached are renderings for R Park shade structures the Council has previously expressed support of. The cost of the two small shade structures has been kept down by a resident completing the design and a resident donating labor for construction.

Construction of the restroom and pavilion should be handled under contract as these are substantial facilities with more liability exposure during and after construction than what the City should take on. Construction of these structures should be through a standard award to contractor approach to better control the construction schedule and manage disruption to park use while construction (phase 1 would be a substantial project) is occurring.

Standard structures (as apposed to custom) were contemplated when developing budgets for the permanent restroom and pavilion items reflected in the CIP. Standard structures can be made to look custom through architectural treatments. The design professional selected for the two main structures can look at value engineering options as part of their services.

ATTACHMENTS:

Description	Type
❑ R Park Phased Development Plan	Cover Memo
❑ Renderings of R Park Shelters	Cover Memo



PARKING SPACES

EXISTING – 47 SPACES

PROPOSED – 76 SPACES

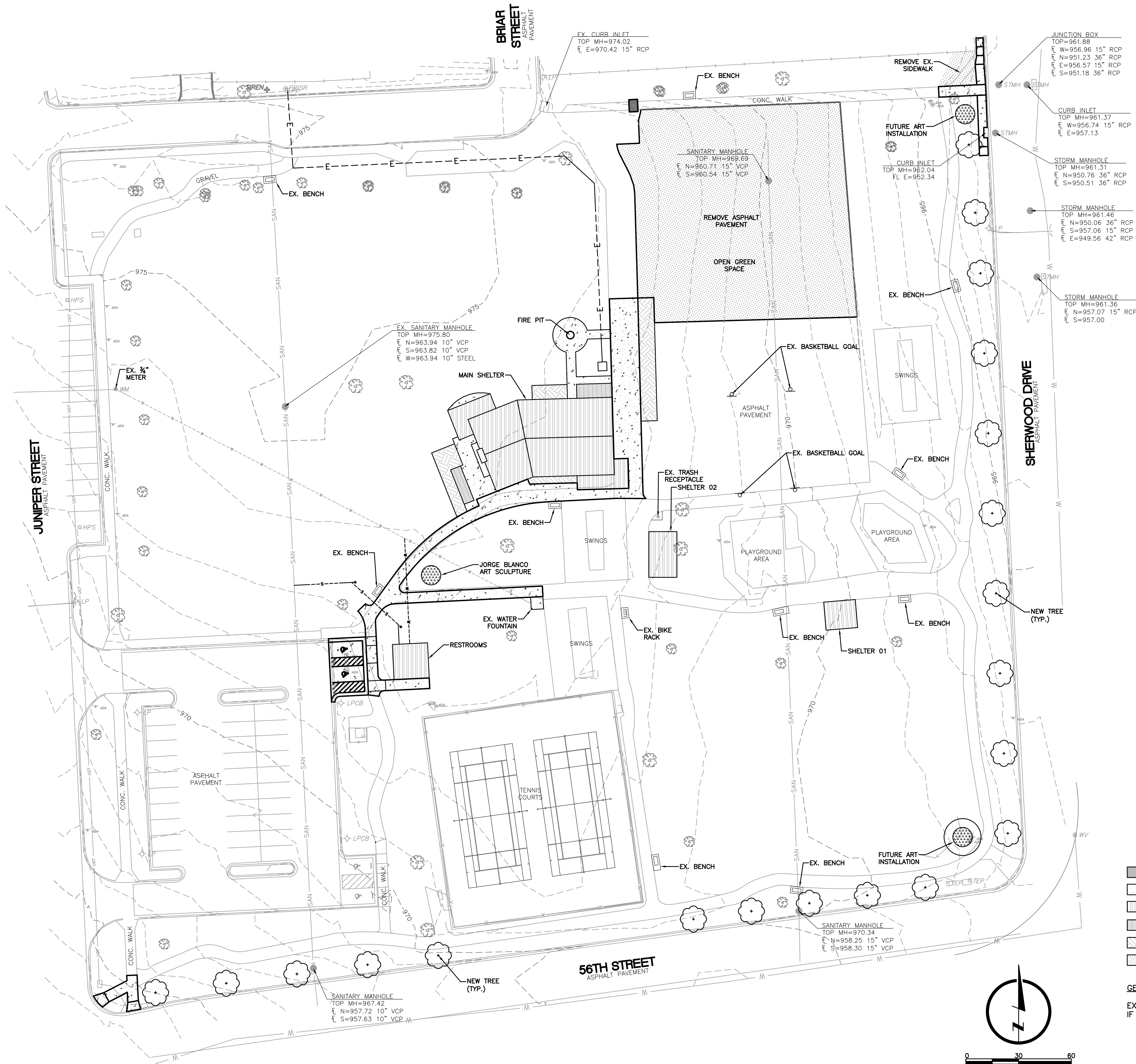
LEGEND

- | | |
|---|-------------------|
|  | ASPHALT PAVEMENT |
|  | CONCRETE PAVEMENT |
|  | NEW STRUCTURE |
|  | NEW PERGOLA |
|  | NEW PLANTING AREA |
|  | GRASS AREA |

GENERAL NOTE:

EXISTING TREES SHALL BE RELOCATED
IF IMPACTED BY CONSTRUCTION.

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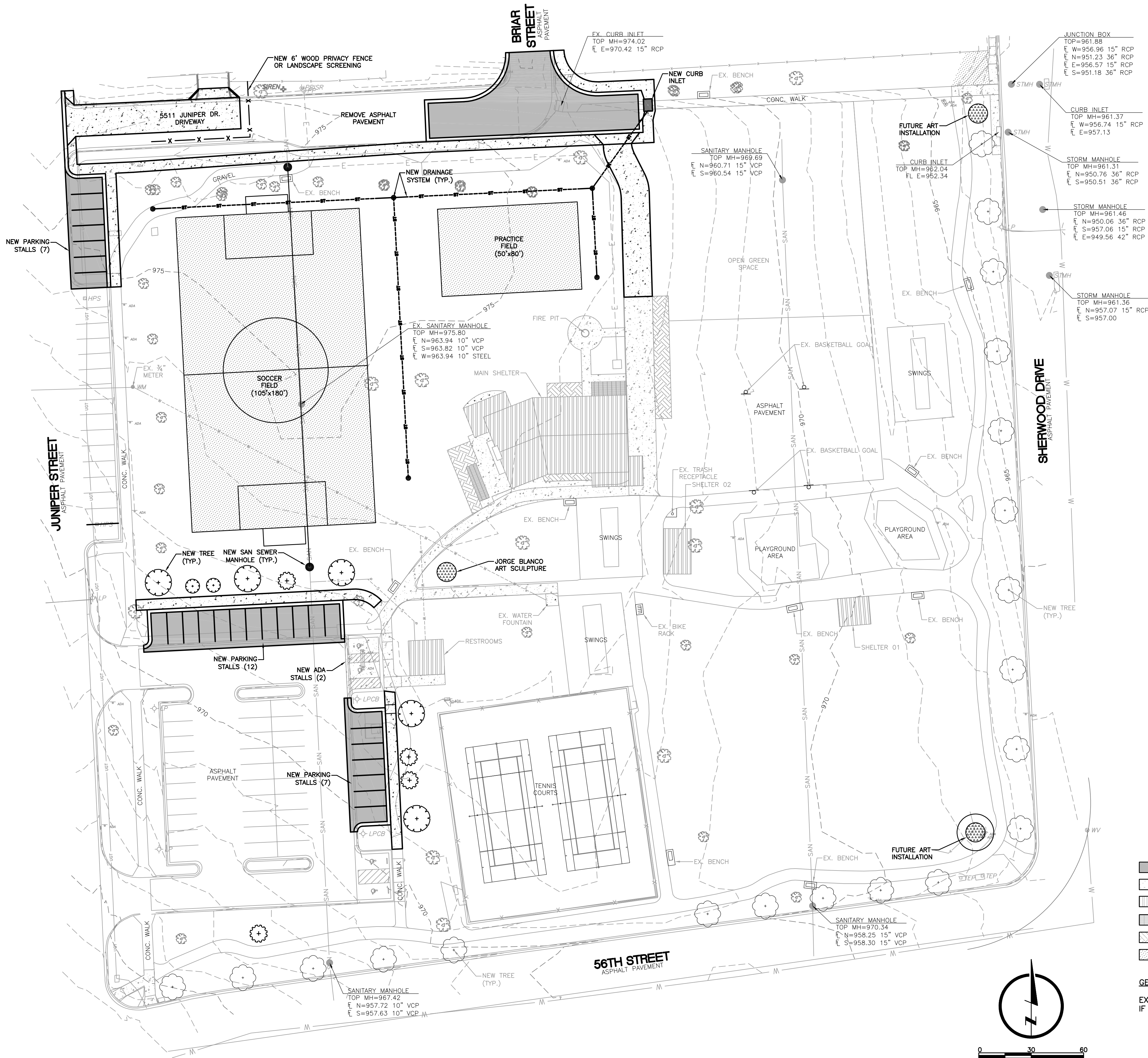


- LEGEND**
- ASPHALT PAVEMENT
 - CONCRETE PAVEMENT
 - NEW STRUCTURE
 - NEW PERGOLA
 - NEW PLANTING AREA
 - GRASS AREA

GENERAL NOTE:
EXISTING TREES SHALL BE RELOCATED IF IMPACTED BY CONSTRUCTION.

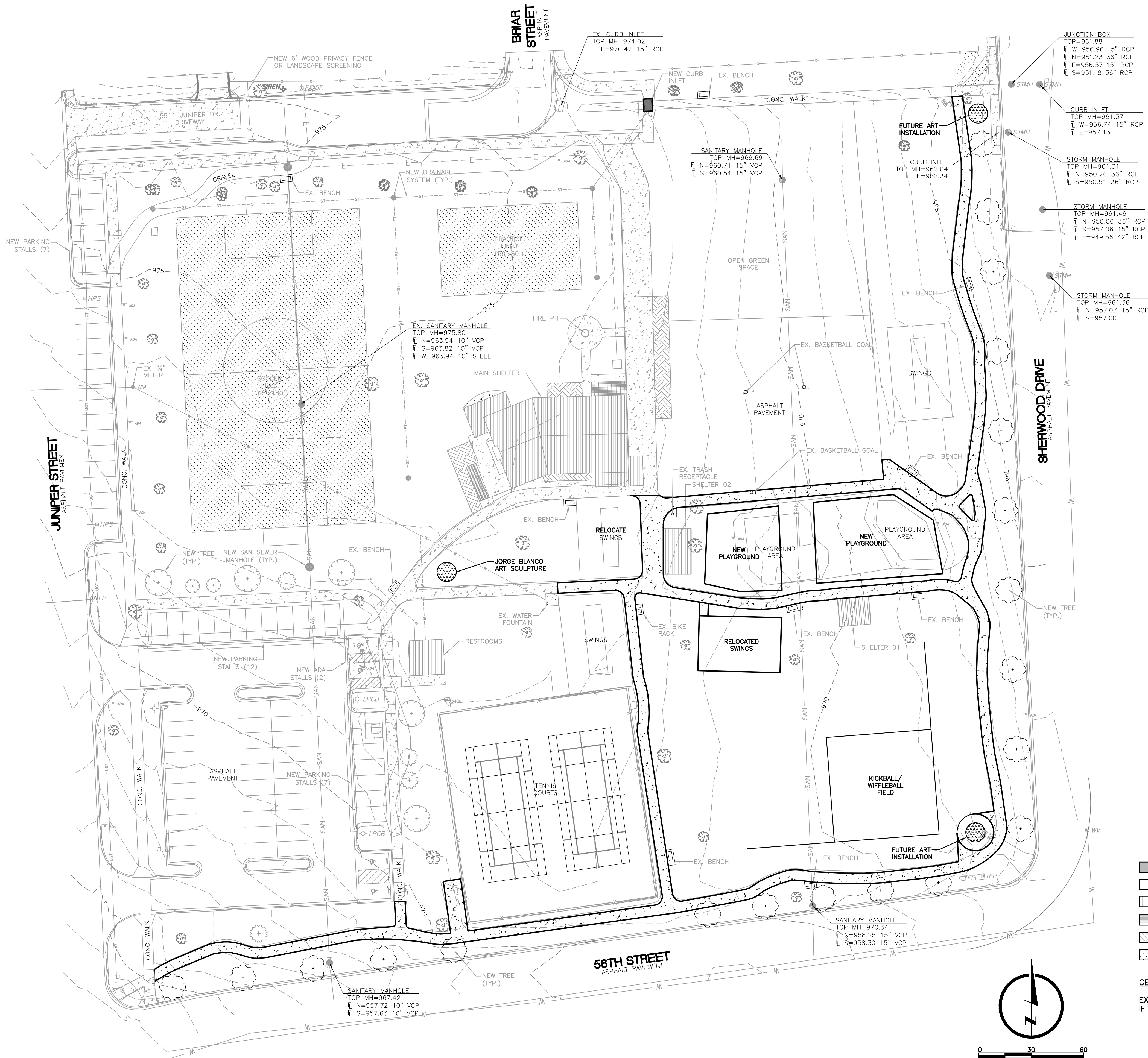
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9001 State Line Rd., Suite 200 Kansas City, Missouri 64114 www.LRA-Inc.com					
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		JOB NUMBER-TASKS	0318001.07	
		BOOK AND PAGE		
R PARK IMPROVEMENTS PHASE 2 LARKIN LAMP RYNEARSON - ENGINEERS PRELIMINARY NOT RELEASED FOR CONSTRUCTION SHEET 3 OF 4		R PARK IMPROVEMENTS		ROELAND PARK, KANSAS

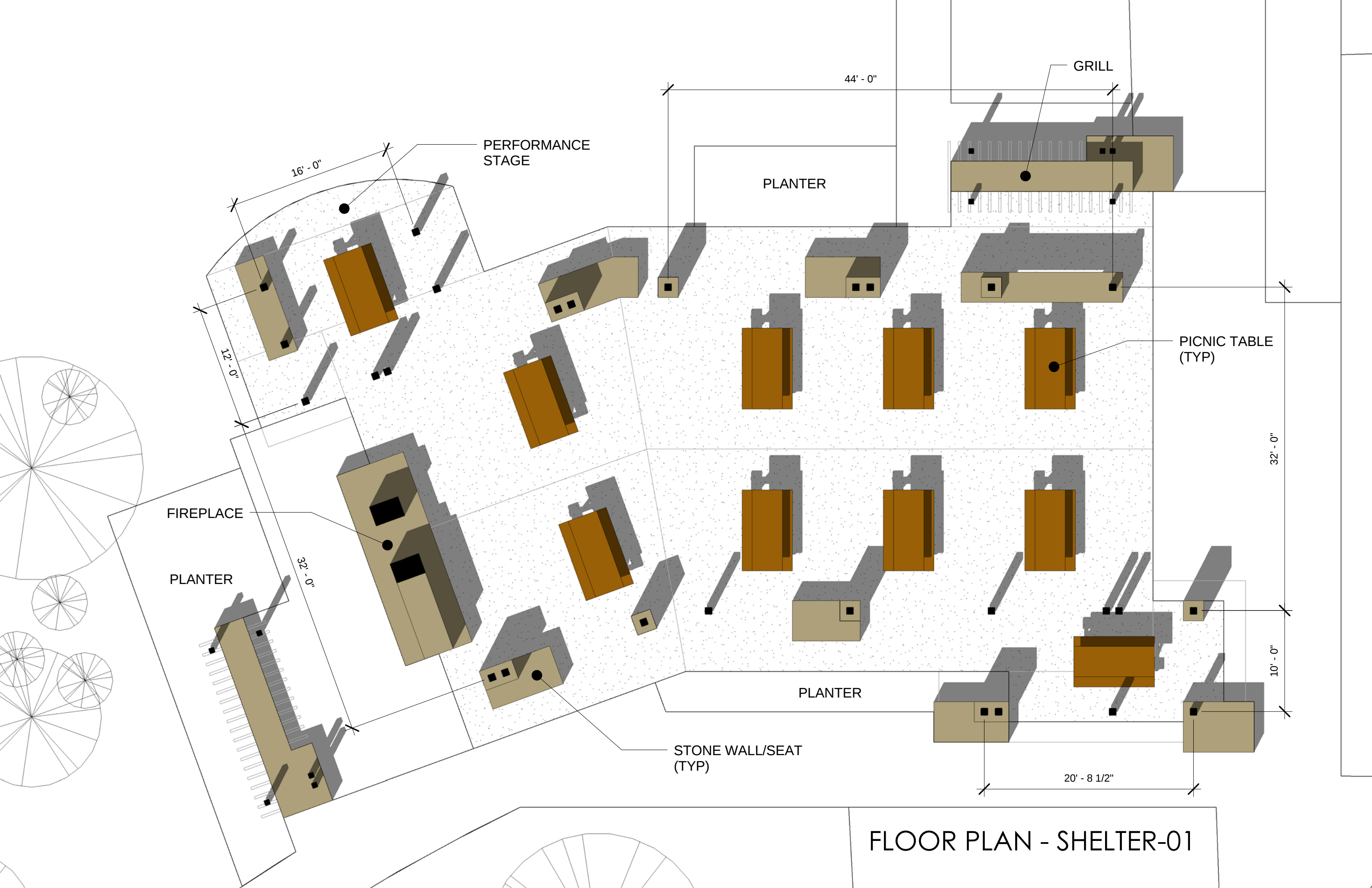
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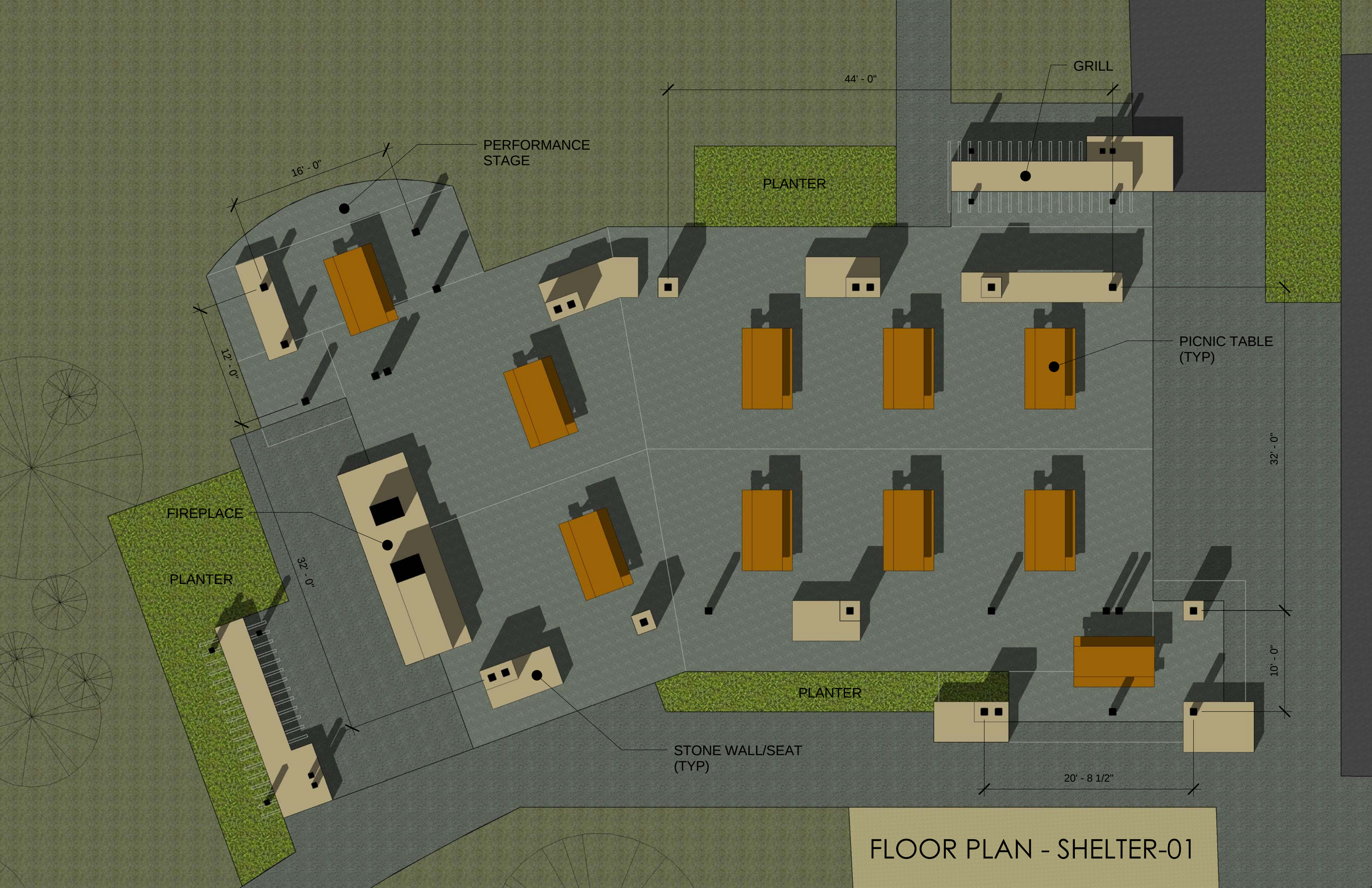
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4 OF 4					



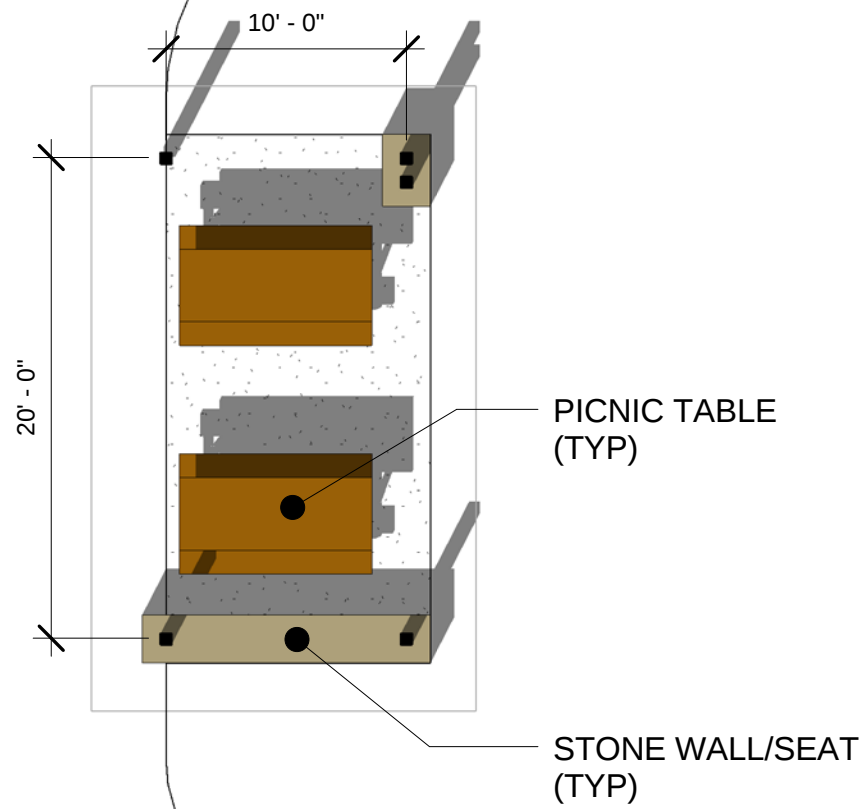
SITE PLAN



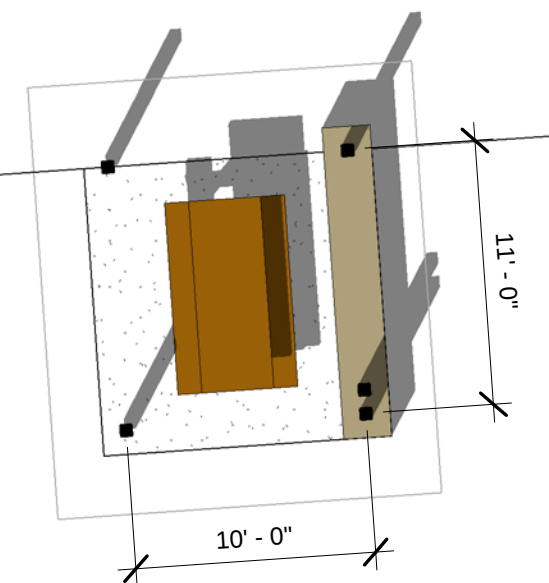
FLOOR PLAN - SHELTER-01



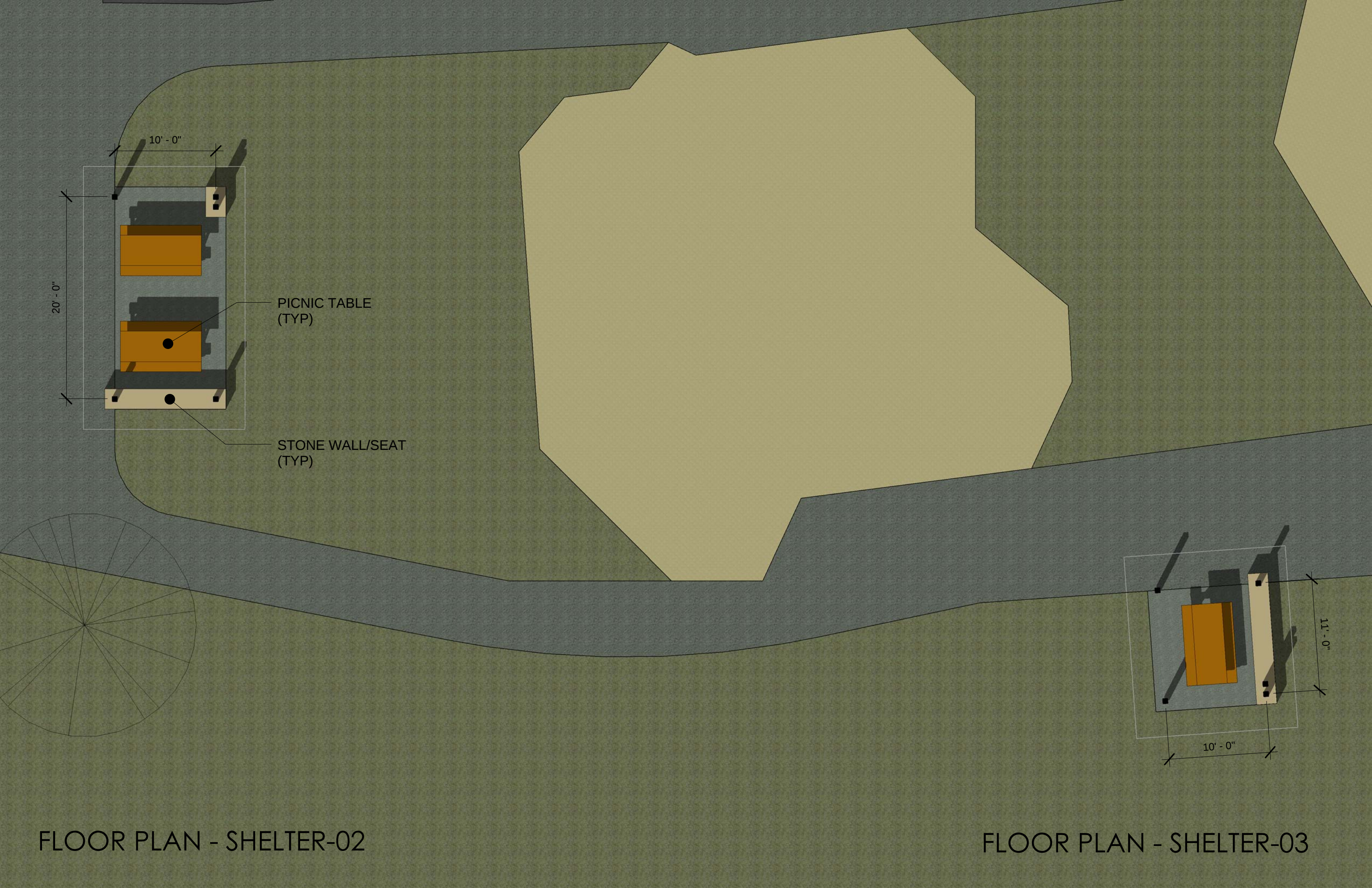
FLOOR PLAN - SHELTER-01



FLOOR PLAN - SHELTER-02



FLOOR PLAN - SHELTER-03



FLOOR PLAN - SHELTER-02

FLOOR PLAN - SHELTER-03



VIEW FROM SE



VIEW FROM SW



VIEW FROM NE



VIEW FROM NW



VIEW FROM SOUTH



SHELTER - 02



SHELTER - 03

Item Number: DISCUSSION ITEMS- II.-2.
Committee 12/3/2018
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 11/16/2018
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Discuss Filling Council Seat Vacancy- Request to Table**
Item Type: Other

Recommendation:

Details:

Below is the section of the City Code addressing how vacancy's on the governing body shall be filled:

CHAPTER VI. - ELECTIONS

ARTICLE 1. - CITY ELECTIONS

Sec. 6-101. - Election of Governing Body.

(a) The Governing Body shall consist of a Mayor and 8 Councilmembers to be elected to terms as set forth herein. Candidates for the office of Mayor shall be at least 21 years of age on the date of the election and shall be a resident and qualified elector of and within the City. Candidates for Councilmember shall be at least 21 years of age on the date of the election and shall be a resident and qualified elector of the ward from which they stand for election. Should any person be elected to the office of Mayor and thereafter move his/her place of domicile to outside the limits of the City, then such person shall cease to be Mayor and a vacancy shall be deemed to exist and said vacancy shall be filled as herein provided. In the event that any person elected to the Council should change his/her place of domicile to outside the ward from which he/she was elected, then a vacancy shall be deemed to exist for such position of Councilmember and said vacancy shall be filled as herein provided. The Council shall by ordinary ordinance specify the compensation of the Mayor and the Councilmembers.

(b) The Governing Body of the City may, by ordinance, divide the City into wards and precincts, establish the boundaries thereof, and number the same. No ordinance redefining wards and precincts shall become effective less than 30 days prior to the next regular City election.

(c) Those Governing Body positions with terms expiring in April 2017, shall expire in January of 2018, when the City officials elected in the November 2017 general election take office. Those Governing Body positions with terms expiring in April 2019, shall expire in January of 2020, when the City officials elected in the November 2019 general election take office.

(d) A general election of City officers shall take place on the Tuesday succeeding the first Monday in November 2017. Succeeding elections will be held every two years for all such Governing Body positions whose terms have expired. One Councilmember from each ward shall be elected at one election, and the other Councilmember from that ward shall be elected at the succeeding election. The Councilmembers shall have four year terms. The Mayor shall have a four year term. All elections in the City shall be nonpartisan.

(e) In the event that a vacancy in the office of Councilmember should occur by reason of resignation, with or without acceptance by the Mayor, death, removal from office for cause, or change of residency to outside the ward from which said Councilmember was elected, the vacancy shall be filled in the following manner:

(1) In the event that the vacancy occurs 180 days or more prior to the next regular City Council election, the City Clerk shall publish a notice of the vacancy once in the official City newspaper not later than 10 days after the vacancy occurs. Notice of the vacancy shall also be published on the City's web page. The City Clerk shall, within five days of the occurrence of the vacancy, notify the County Election Officer that a special election will need to be held within the City and shall obtain from the County Election Officer a date for such election as provided in subsection (3) hereof.

(2) Any person desiring to be a candidate must file the statement of candidacy and pay the filing fee or submit the proper petition by 5:00 p.m. on the 20th day following the publication of the notice.

(3) The City shall hold a special election for the purpose of electing a Councilmember from among those persons who has properly filed a statement of candidacy as hereinbefore set forth. Such special election shall be held not less than 60 days nor more than 70 days following the date upon which such vacancy occurred, or upon such other date determined by the County Election Officer. Only qualified electors within the ward in which the vacancy occurred shall be entitled to vote. The candidate receiving the greatest number of votes upon certification of the results by the County Election Officer shall assume the position of Councilmember at the first regular meeting of the Governing Body following certification of the election results.

(4) Failure to follow the precise procedure provided herein shall not invalidate the results of any election held hereunder.

(5) In the event that the vacancy occurs less than 180 days prior to the next regular City Council election, and the vacant position is one that would otherwise be subject to election at that election, the vacancy shall be filled by appointment of the Mayor with the advice and consent of a majority of the remaining members of the City Council, and the person so appointed shall serve until the position is filled by election at the next regular City Council election.

(6) In the event that the vacancy occurs less than 180 days prior to the next regular City Council election but prior to the first day of August preceding the election, and the vacant position is one that would otherwise not be subject to election at that election, the vacancy shall be filled by appointment of the Mayor with the advice and consent of a majority of the remaining members of the City Council, and the person so appointed shall serve until the position is filled by a special election for that position at the next regular City Council election. The candidate receiving the greatest number of votes for the vacant position at the special election shall fill the vacancy for the remaining term. In the event that the vacancy occurs less than 180 days prior to the next regular City Council election but after the first day of August preceding the election, and the vacant position is one that would otherwise not be subject to election at that election, the vacancy shall be filled by a special election on a date to be determined in consultation with the County Election Officer. The candidate receiving the greatest number of votes for the vacant position at the next regular City Council election shall fill the vacancy for the remaining term. The provisions of subsections (1) and (2) above pertaining to publication and mailed notices of the vacancy and the filing of statements of candidacy shall apply to the filling of any vacancy under this subsection.

(7) In the event that no person files as a candidate to fill a vacancy by the applicable filing deadline, the City Clerk shall coordinate with the County Election Officer to establish a date for a special election and a new filing deadline.

The Johnson County Election office has indicated it will take 90 days from the time they are notified of a City's intent to hold a special election to the date of a special election. They also indicate that a mail in election is not an option for a candidate race. And that a good budget number for the cost is \$3/registered voter. The City will be billed for the actual costs incurred following conclusion of the special election. The attached letter from Ronnie Metzger provides additional details.

The attached presentation from the City Attorney provides a timeline for filling a vacancy according to the steps spelled out in the City Code.

Deviation from the current city code would require a charter ordinance amending the City Code, this requires a super majority of all the elected officials to pass.

Attached is a history of voter turnout for special and general elections.

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Additional Information

17 out of the 19 Johnson County communities fill council vacancies through an appointment process.

ATTACHMENTS:

Description	Type
☐ Special Election Policy Review by City Attorney	Cover Memo

- Letter from County Election Office
- Turnout for Special and Regular Elections
- Voter Participation

- Cover Memo
- Cover Memo
- Cover Memo

ROELAND PARK SPECIAL ELECTIONS

November, 2018



Code Section 6-101(e)(1)

Election of Governing Body

- This code section applies when the vacancy occurs 180 days or more prior to the next regular City Council election (November 5, 2019)

Keep in Mind

- The following deadline dates are based on a hypothetical final date of January 14, 2019 for a Councilmember to resign.
- The Johnson County Election Office has indicated it will take 90 days from the time it is notified of the City's intent to hold the special election to the actual date of the special election. This differs from the code language.
- The next regular election is scheduled for November 5, 2019.

January 14, 2019
Councilmember
Vacancy Notice
Date



**January 14,
2019**

Councilmember
Vacancy Notice
Date

January 21, 2019

Within 5 days of vacancy
(January 19 is a Saturday),
City Clerk must notify
County Election Officer that
special election will be held
and obtain special election
date



**January 14,
2019**

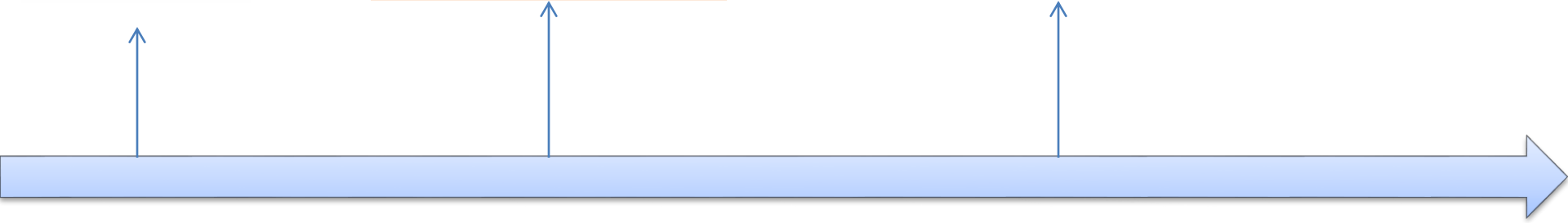
Councilmember
Vacancy Notice
Date

January 21, 2019

Within 5 days of vacancy
(January 19 is a Saturday),
City Clerk must notify
County Election Officer that
special election will be held
and obtain special election
date

**January 24,
2019**

City Clerk must
publish Notice of
Vacancy within
10 days after
Vacancy

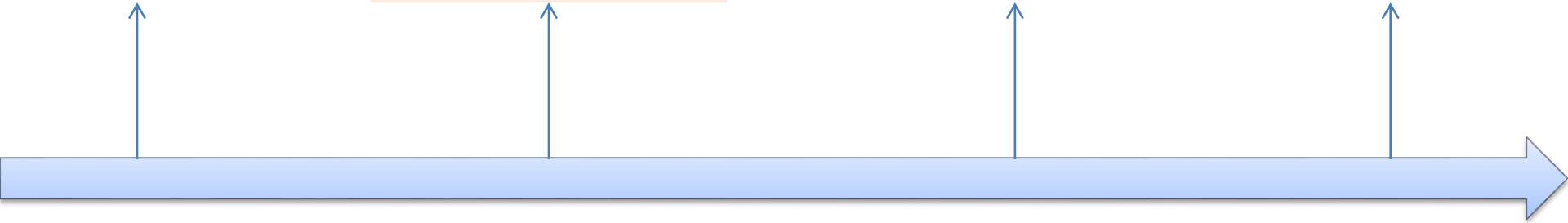


**January 14,
2019**
Councilmember
Vacancy Notice
Date

January 21, 2019
Within 5 days of vacancy
(January 19 is a Saturday),
City Clerk must notify
County Election Officer that
special election will be held
and obtain special election
date

**January 24,
2019**
City Clerk must
publish Notice of
Vacancy within
10 days after
Vacancy

February 4, 2019
Deadline at 5:00
p.m. to file
statement of
candidacy and filing
fee 20th day after
publication of notice



**January 14,
2019**

Councilmember
Vacancy Notice
Date

January 21, 2019

Within 5 days of vacancy
(January 19 is a Saturday),
City Clerk must notify
County Election Officer that
special election will be held
and obtain special election
date

**January 24,
2019**

City Clerk must
publish Notice of
Vacancy within
10 days after
Vacancy

February 4, 2019

Deadline at 5:00
p.m. to file
statement of
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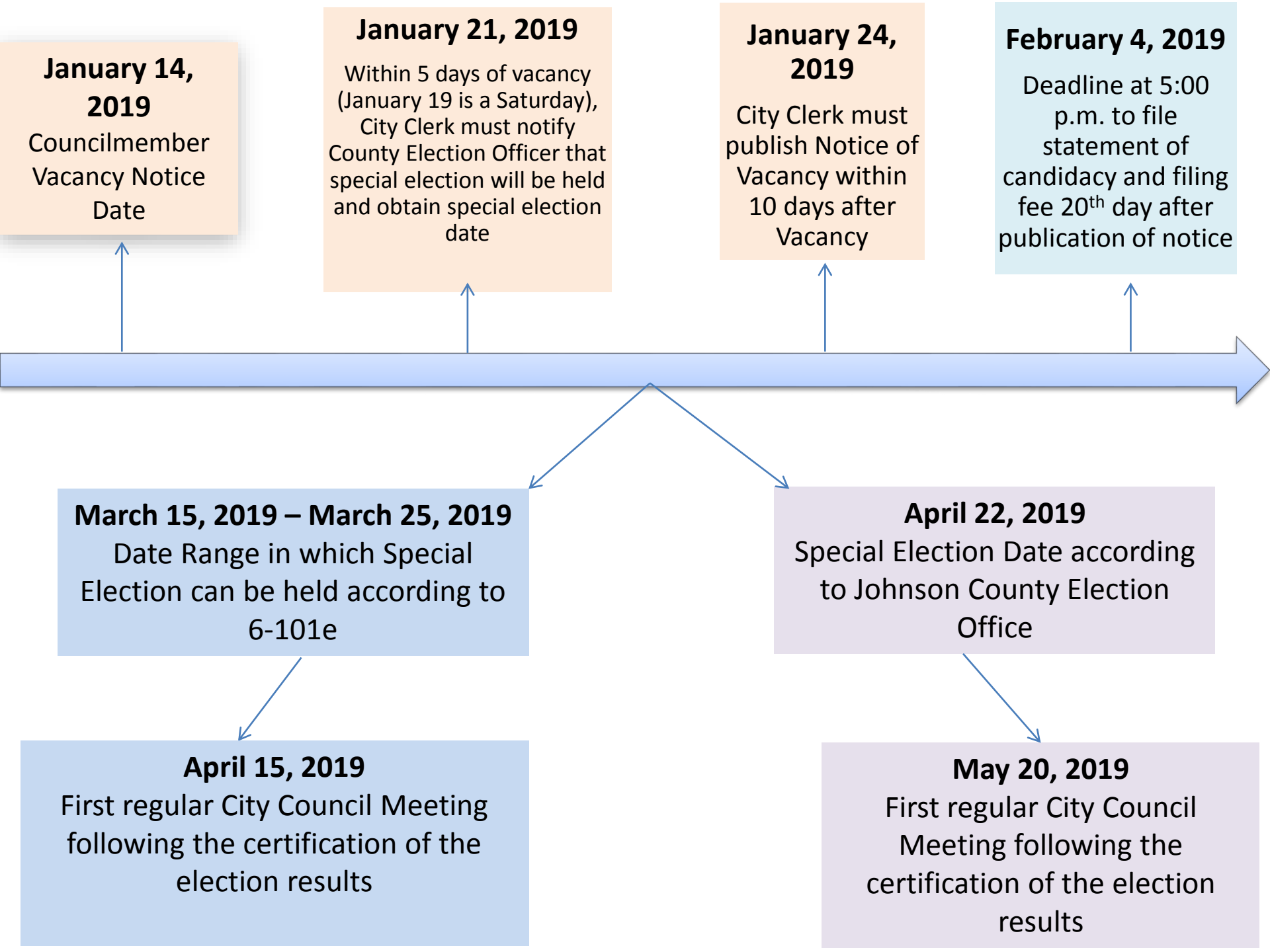
OR

**March 15, 2019 – March
25, 2019**

Date Range in which Special
Election can be held
according to 6-101e
(60-70 days after Notice of
Vacancy)

April 22, 2019

Date upon which Special Election
will be held according to Johnson
County Election Office (90 days
from Jan. 21 - date City informs
CEO it intends to hold special
election)



Operative Code Section Breakdown and Points of Clarification

6-101e1

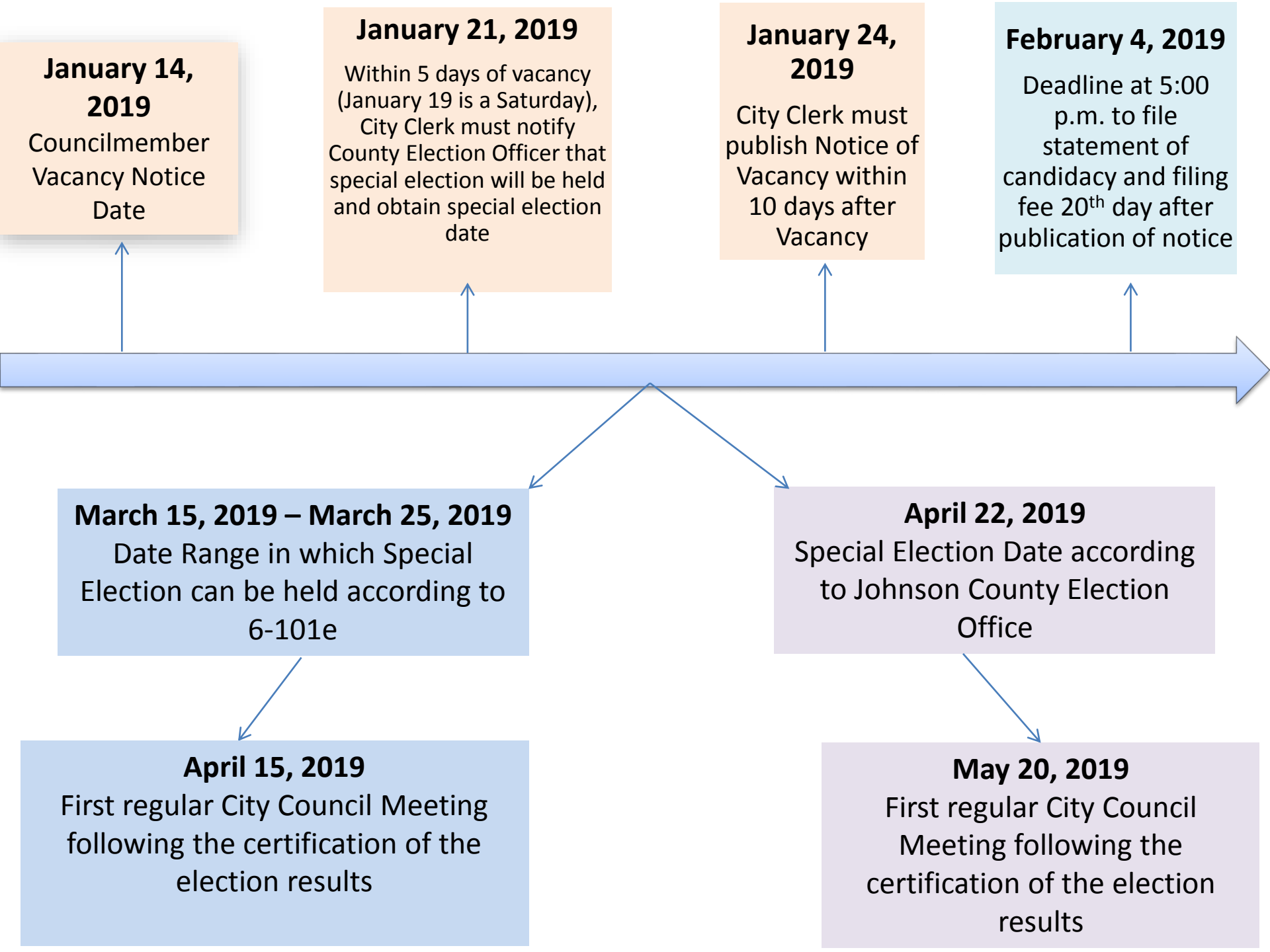
- Vacancy MORE than 180 days prior to next regular election
 - Special election held 60-70 days following vacancy or on date set by election office (90 days after city notifies CEO of its intent to hold special election)

6-101e5

- Vacancy LESS than 180 days prior to next regular election
 - Vacant position is subject to election at next regular election
 - Mayor appoints person to vacancy
 - Appointed person serves until the regular election fills the position
- **Example:** Councilmember is in his or her last term and the seat is up for election at the regular election scheduled on November 5, 2019. Councilmember vacates seat on **May 10, 2019** (less than 180 prior to the regular election when the seat would be up anyway). Mayor appoints person to fill the seat from May 10, 2019 until November 5, 2019 when the position is filled by the regular election vote.

Length of Vacant Position

- Under 6-101e5, the Mayor appoints someone to fill the position from May 10, 2019 until November 5, 2019
- Based on the timeline breakdown of the applicable code section 6-101e1 (more than 180 days until next election), Councilmember's seat will not be filled until May 20, 2019



Potential Change

- **6-101e1**
 - Vacancy MORE than 180 days prior to next regular election
 - Special election held 60-70 days following vacancy or 90 days after city notifies County Election officer.
- **6-101e5**
 - Vacancy LESS than 180 days prior to next regular election
 - Vacant position is one that would otherwise be subject to election at that election
 - Mayor appoints person to vacancy
 - Appointed person serves until the regular election fills the position
- **Option: Change amount of time from 180 days**
 - **For example: there are 295 days between January 14, 2019 and November 5, 2019 (Next regular election date when Councilmember's seat would be up for election)**

Consider Code Clarification

Section 6-101e6

6-101e6 & Charter Ordinance 32: Conflicting Portions

In the event that the vacancy occurs less than 180 days prior to the next regular City Council election but prior to the first day of August preceding the election, and the vacant position is one that would otherwise not be subject to election at that election, the vacancy shall be filled by appointment of the Mayor with the advice and consent of a majority of the remaining members of the City Council, and the person so appointed shall serve until the position is filled by a special election for that position at the next regular City Council election. The candidate receiving the greatest number of votes for the vacant position at the special election shall fill the vacancy for the remaining term. **In the event that the vacancy occurs less than 180 days prior to the next regular** City Council election but **after the first day of August** preceding the election, and the vacant position is one that would otherwise not be subject to election at that election, **the vacancy shall be filled by a special election** on a date to be determined in consultation with the County Election Officer. The candidate **receiving the greatest number of votes for the vacant position at the next regular City Council election** shall fill the vacancy for the remaining term. The provisions of subsections (1) and (2) above pertaining to publication and mailed notices of the vacancy and the filing of statements of candidacy shall apply to the filling of any vacancy under this subsection.

November 29, 2018

SENT ELECTRONICALLY

Mayor Mike Kelly
Roeland Park City Council Members
4600 W. 51st Street
Roeland Park, KS 66205

Mr. Mayor and Council:

The Johnson County Election Office has received numerous phone calls inquiring about a special election in Ward 1 of Roeland Park to fill a vacancy due to an impending resignation by Becky Fast who will be assuming the role of County Commissioner, District 1, in January of 2019.

The Election Office has reviewed Roeland Park Charter Ordinance No. 32 and notes these landmarks for a vacancy occurring more than 180 days prior to the next scheduled city election:

1. The City Clerk shall notify the Election Commissioner within 5 days of the occurrence of the vacancy.
2. The City Clerk shall publish the vacancy once within 10 days of the occurrence.
3. Filings for the position shall be accepted for 20 days following the publication.
4. A special election shall be held in not less than 60 days and not more than 70 days.

In effect, this schedule would leave 40 days to create and conduct an election for the city. The Election Office is federally mandated to mail or email a ballot to every Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voter in the ward who is eligible to vote. The deadline is 45 days prior to any election. By the Charter Ordinance schedule, the Election Office would not even know the names of the candidates on the 45th day.

Within the 60 to 70 days allotted for the special election, the Election Office must:

1. Secure the polling location(s).
2. Assign election workers for advance voting at the Election Office for one week prior to Election Day.
3. Assign election workers for Election Day.
4. Train election workers.
5. Create the election and prepare the ballots.
6. Program voting machines.
7. Deliver and set up voting machines.
8. Receive files from the election vendor for the Ballot on Demand printers.
9. Mail ballots to all voters on the sick or disabled list for the ward.
10. Mail ballots to all voters who have requested advance voting ballots.
11. Conduct advance/early voting in person at the Election Office for one week prior to the election.
12. Conduct the election on Election Day from 7:00 a.m. to 7:00 p.m.

The Election Office has assessed time requirements for special elections held by cities of different populations/numbers of registered voters and has determined 91 days (13 weeks) are required for special elections in one ward of one city in cities the size of Roeland Park.

As we cannot offer legal advice, please review this matter with the Roeland Park city attorney for advice as to the best way to proceed. Your city attorney may wish to review your charter ordinance issues with the Secretary of State's office as well.

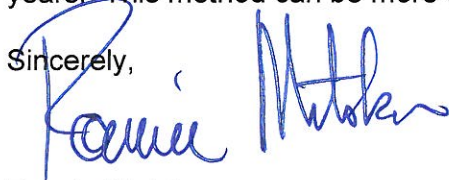
The Election Office has been able to hold special elections for Roeland Park by getting an earlier start on the election. When an elected official who is vacating a position sends a letter to the city as soon as possible, informing the city of the effective date of the vacancy, the Election Office can begin preparations, upon notification by the city. The council person may be able to continue to serve up to the date of the resignation, depending on timing and other factors.

Ms. Fast may wish to submit her resignation letter as soon as possible, with an appropriate effective date. This could allow her to serve as long as possible, and also allow the council to formally request the special election such that the Election Office can have the necessary 91 days.

Also, please note that if the vacancy were due a sudden unforeseen event, it would not be possible to give sufficient notice to the Election office. Therefore, please consider reviewing with your city attorney the option to amend Charter Ordinance No. 32 to allow at least 91 days to hold a special election to fill a vacancy for mayor or council.

The City also may want to consider that 17 of the 19 Johnson County cities use various methods of appointment to fill vacancies until the next scheduled city election, in the fall of odd years. This method can be more expedient and is much less expensive.

Sincerely,



Ronnie Metsker
Johnson County Election Commissioner

Cc: Keith Moody, City Administrator
Kelley Bohon, City Clerk
Debbie Tyrrel, Deputy Election Commissioner

Ward by ward turnout and special elections:

2001 Ward 3 Special Election

1040 registered voters

Total votes 167

16.06%

2002 Ward 1 Special Election

1340 registered voters

139 total votes

10.37%

2005 Ward 4 Special Election

1438 registered voters

272 votes

18.92%

2009 Ward 4 Special Election

1389 registered voters

409 votes

29.45%

2012 Ward 1 Special Election

1073 registered voters

120 votes

11.18%

2014 Ward 3 Special Election

1224 registered voters

330 votes

26.96%

2014 Ward 2 Special Election

1254 registered voters

293 votes

23.44%

+++++

2017 General: 1597 voters of 5014 registered; 32% turnout
(Unofficial)

Ward 1: 18% 213 of 1180

Ward 2: 34% 425 of 1253

Ward 3: 35% 426 of 1203

Ward 4: 40% 553 of 1378

2015 General: 1363 voters of 4863 registered; 28% turnout

Ward 1: 9%

Ward 2: 23%

Ward 3: 33%

Ward 4: 43%

2013 1189 of 5012; 23.7% turnout

Ward 1: 13%

Ward 2: 20%

Ward 3: 28%

Ward 4: 31%

2011: 1044 of 4919; 21% turnout

Ward 1: 8%

Ward 2: 20%

Ward 3: 30%

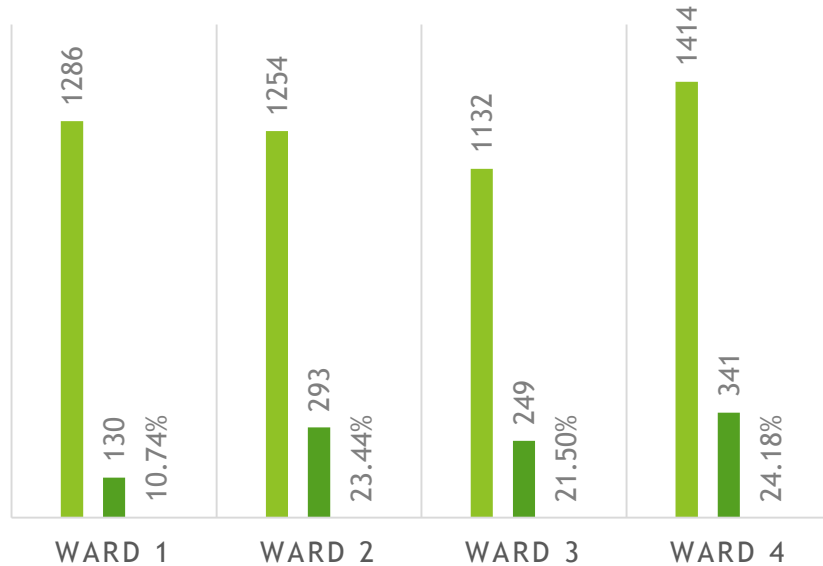
Ward 4: 23%

VOTER Participation

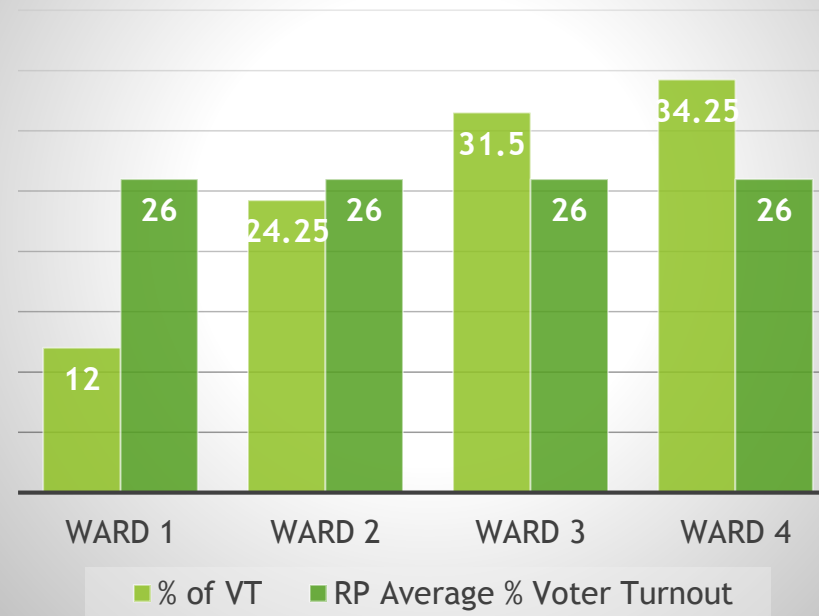


SPECIAL ELECTIONS 2002-PRESENT

■ Registered Voters ■ VOTES ■ Percent of Voter Turnout



Standard Ballot 2011- Present



Item Number: DISCUSSION ITEMS- II.-3.
Committee 12/3/2018
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 11/28/2018
Submitted By: Wade Holtkamp
Committee/Department: Neighborhood Services
Title: **Update on Unfit Structure**
Item Type: Discussion

Recommendation:

Staff recommends to continue the code compliance process. After the notice deadline (12/2/18) has passed, staff will apply for an administrative search warrant to inspect the inside of the dwelling. Staff will report back to the governing body and may ask for approval of a resolution to condemn and demolish the structure.

Details:

The dwelling at 4546 W. 50th St has been vacant for several years. Staff opened a code case on 8/20/18, noting that the property lacks electrical service, has grass over 8 inches, and a broken window. Several certified letters have been sent to the Johnson County property owner on record and the lender, but we have received no response. In an effort to determine who is responsible for this property, staff spoke to a representative for the lender. They declined to take any responsibility. Staff then requested the building official inspect the dwelling for structural problems since visual inspection shows that the front porch has large cracks and is sinking. The building official had the following findings from his 10/26/18 inspection.

- Significant structural compromise with the front porch. It is breaking away from the foundation.
- No utilities are visible on the property (gas meter has been pulled).
- Peeling paint
- Broken window
- Rotting trim
- Rotting roof fascia
- Broken porch column
- Open window

The building inspector pictures with mark up are attached along with a neighborhood petition received 10/26/18. This petition includes pictures taken by a neighbor. Staff has deemed the dwelling to be in violation of 8-605, Structures Unfit for Human Use and Habitation. Staff posted a notice of the violation on the front door on 10/30/18, and sent a certified mail notice to the property owner and lender with a 30-day deadline to make repairs. In the event of non-compliance, staff will file a report with the Governing Body and may seek condemnation and possible demolition of the dwelling. In the event of demolition of the building, The City will be responsible for hiring a contractor and the costs involved to take the building down and the ground work to level the lot and make it safe. A lien and or special assessments may be put on the property to recover the costs if the lot sells at a later date.

On 11/28/18 staff received information from a servicing agent for US Bank. The lender has decided not to foreclose and released the lien on the property. A check with the Johnson County Courthouse found this court case with the property owner information. On 11/29/18 staff sent a copy of the original unfit structure notice to the newly obtained contacts. City code has a penalty section for this violation, jail and or fine in the event of non-compliance.

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
▣ Building inspector pictures (1)	Cover Memo
▣ Building inspector pictures (2)	Cover Memo
▣ Building inspector pictures (3)	Cover Memo
▣ Neighborhood petition pictures	Cover Memo
▣ Neighborhood petition	Cover Memo



Open Window

Rotting Facia

Broken Column



Front porch breaking away from remaining foundation



Peeling Paint

Rotting Trim / Peeling Paint

Broken Window

Exhibits

Exhibit A



Exhibit B



Exhibit C



Exhibit D



Exhibit E



Exhibit F



Exhibit G



Exhibit H



Exhibit I



Exhibit J



Exhibit K



Exhibit L



Exhibit M



Exhibit N



Exhibit O



Exhibit P



Exhibit Q



Exhibit R



Exhibit S



Exhibit T



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

January 2, 2013

ATTORNEY GENERAL OPINION NO. 2013-2

John McNish, City Attorney
City of Blue Rapids
c/o Bolton & McNish, LLC
916 Broadway, P.O. Box 386
Marysville, Kansas 66508-0386

Re: Cities and Municipalities—General Provisions—Collection of Certain
Unpaid Special Assessments; Action in District Court for Debt

Cities and Municipalities—Buildings, Structures and Grounds—Unsafe or
Dangerous Structures and Abandoned Property

Synopsis: K.S.A. 12-1,115 authorizes a city to both levy a special assessment *and* file a civil action to collect the demolition costs from the property owner of an unsafe and dangerous structure. Furthermore, a city is not required to remit to the county any amount recovered in a lawsuit to recoup the moneys expended to remove or raze the unsafe or dangerous structure. Cited herein: K.S.A. 12-1,115; K.S.A. 2012 Supp. 12-1755; and 79-2015.

*

*

*

Dear Mr. McNish:

As City Attorney for the City of Blue Rapids, you state that the City condemned a specific residential structure as unsafe and dangerous and followed all necessary procedures to raze the structure, fill the basement, grade the lot and re-seed the grass.¹ You state the costs were paid for with money from the general fund of the City and refer to these costs as demolition costs. The City sought collection of the demolition costs

¹ We have assumed, therefore, that the requirements of K.S.A. 12-1750 *et seq.* have been met.

from the owner of the property in accordance with the city ordinance and state law.² The City Clerk certified to the County Clerk the demolition costs as a special assessment against the property to be added on the tax rolls.³ Subsequently, the City of Blue Rapids was able to locate the owner of the property and filed a lawsuit pursuant to K.S.A. 12-1,115 to collect the costs incurred by the City. The City recovered a substantial amount of the demolition costs incurred to remove the unsafe and dangerous structure in the settlement of the lawsuit.

You ask for our opinion on whether the City can pursue a civil action to recover the demolition costs in the district court after having certified the demolition costs as a special assessment that is added to the tax rolls by the County Clerk. You also ask whether any amount recovered in the *lawsuit* should be remitted to the County for distribution with the other taxing jurisdictions because the City certified the special assessment to be included on the tax roll.

Regarding your first question on whether both options can be utilized by a city to collect the demolition costs, we found that on January 16, 1985, Attorney General Robert Stephan issued an opinion that concluded K.S.A. 79-2015⁴ does not authorize a city to collect special assessments⁵ in the same manner as a personal debt of the property owner.⁶ Less than a month later, on February 13, 1985, Senate Bill 76 received a hearing in the Senate Committee on Local Government. The bill sought “legislative authorization of an alternative procedure for recovering the cities’ expenses and costs as a result of undertaking the abatement of public nuisances”⁷ similar to K.S.A. 79-2015. Under the bill, a civil lawsuit could only be filed after the city sells all salvageable material and exhausts all insurance proceeds before beginning such actions to recover the remaining debt to the city. The new section of Senate Bill 76 became K.S.A. 12-1,115.⁸

K.S.A. 12-1,115 provides in relevant part:

If any special assessments levied by the city in accordance with K.S.A. 12-1617e,⁹ 12-1617f¹⁰ or 12-1755,¹¹ and amendments thereto, remain

² Blue Rapids, Kansas, Municipal Code § 4-609 (1999); K.S.A. 2012 Supp. 12-1755(b).

³ K.S.A. 2012 Supp. 12-1755(b).

⁴ This statute provides that the taxes, fees, interest and penalties, levied and assessed by any state law administered by the Secretary of Revenue may be collected in the same manner as a personal debt of the taxpayer to the State of Kansas.

⁵ A “special assessment” differs from general taxes in that it can be levied only on land and is based entirely on benefits conferred. *State Highway Commission v. City of Topeka*, 193 Kan. 335, 393 (1964).

⁶ Attorney General Opinion No. 85-5.

⁷ *Minutes*, Attachment 1, Senate Committee on Local Government, February 13, 1985.

⁸ L. 1985, Ch. 73, Sec. 4.

⁹ This statute provides for removal or abatement of nuisances within the city, including rank grass, weeds or other vegetation, and motor vehicles on private property.

¹⁰ This statute provides for the cutting or destruction of all weeds on land within the city.

unpaid for a period of one year or more after their initial levy, the city may collect the amount due in the same manner as a personal debt of the property owner to the city by bringing an action in the district court of the county in which the city is located....*The city may pursue collection both by levying a special assessment and in the manner provided by this section, but only until the full cost and any applicable interest has been paid in full.*¹²

A plain reading of the first sentence in the statute leads to the conclusion that a city is *required* to levy a special assessment against the lot or parcel of ground,¹³ the lot or piece of land,¹⁴ or the unsafe or dangerous structure¹⁵ *before* it is authorized to file a civil lawsuit to collect costs as a personal debt.¹⁶ In fact, a city has to wait at least a year before it is authorized by the statute to proceed with a civil lawsuit to collect such costs.¹⁷ Additionally, a plain reading of the last sentence in the statute clearly authorizes a city, in its discretion, to pursue both a special assessment and a civil lawsuit. The only limitation on this discretion is that once the debt is satisfied, a city must cease its collection efforts by either method. It is worth noting that the statute authorizing special assessments contains the same plain language.¹⁸

The question that remains is whether a city must remit any amount recovered from the lawsuit to a county. K.S.A. 2011 Supp. 12-1755(c) provides, “All moneys received from special assessments levied under the provisions of this section or from an action under [K.S.A. 12-1,115](#), and amendments thereto, when and if paid, shall be placed in the general fund of the city.” There is no additional language in the statute that provides instruction on the distribution of the moneys after the deposit. Therefore, a city, by the plain reading of the statute, does not have to *remit* moneys to a county for demolition costs recovered.¹⁹ However, a city is not relieved of the responsibility of *notifying* the county clerk that the special assessment has been recovered.

For the reasons stated above, we conclude K.S.A. 12-1,115 authorizes a city to both levy a special assessment *and* file a civil action to collect the demolition costs from the property owner of an unsafe and dangerous structure. Furthermore, a city is not

¹¹ This statute provides for the razing and removal of unsafe or dangerous structures and abandoned property, and it is the statute relied on by the City in this instance to levy the special assessment against the owner.

¹² Emphasis added.

¹³ K.S.A. 12-1617e.

¹⁴ K.S.A. 12-1617f.

¹⁵ K.S.A. 2012 Supp. 12-1755.

¹⁶ Note that ordinarily, a tax is not “debt” and a civil action will not lie for its recovery except where a statute confers the right to bring such action. *Hampton v. City of Wichita*, 192 Kan. 534, 536-37 (1964).

¹⁷ K.S.A. 12-1,115; See Also *Minutes*, Senate Committee on Local Government, February 20, 1985.

¹⁸ See K.S.A. 2012 Supp. 12-1755. (“The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full cost and any applicable interest has been paid in full.”).

¹⁹ Note that K.S.A. 12-1617e and 12-1617f do not have equivalent language.

required to remit to the county any amount recovered in a lawsuit to recoup the moneys expended to remove or raze the unsafe or dangerous structure.

Sincerely,

Derek Schmidt
Attorney General

Athena E. Andaya
Deputy Attorney General

DS:AA:sb

Frederic “Eric” Carson, Esq.¹
4936 Fontana St., Roeland Park, Kansas
ericcarlson321@Hotmail.com

October 26, 2018

VIA Hand Delivery and Electronic Mail:

Mayor Mike Kelly, Esq.
Mayor’s Office
City of Roeland Park
4600 W 51st Street
Roeland Park, Kansas 66205
mkelly@roelandpark.org

CC via E-Mail or Hand Delivery:

Councilwoman Jennifer Hill
jhill@roelandpark.org

Councilman Tim Janssen
tjanssen@roelandpark.org

Enforcement Officer Wade Holtkamp
4600 W 51st Street
Roeland Park, Kansas 66205

Re: Structure Dangerous and Injurious to Human Health and Safety
Urgent Request for Condemnation and Destruction
4546 W. 50th St., Roeland Park, Kansas

Dear Mayor Kelly:

I write, along with the undersigned Roeland Park residents, regarding our urgent request for condemnation and destruction – pursuant to the Code of the City of Roeland Park and/or Kansas Statute – of the residential structure located at 4546 W. 50th St., Roeland Park, Kansas (the “Property”). As more fully outlined below, this abandoned property and building is in such a dilapidated state that it poses an imminent threat to the health and safety of the public, particularly the many children that live within walking distance – including the grade school two blocks away – of this structurally unsafe building. Moreover, this abandoned property and building have an ongoing destructive impact on the neighborhood and patently violate a multitude of City Ordinances.

4546 W. 50th – Abandonment to Dilapidation to Public Hazard

It is believed the Property has been entirely abandoned by its owner for approximately five (5) years. No occupants have resided on the Property or in the structure located thereon since that time, nor has the owner made any public attempts at selling the Property since then. Moreover, the owner has failed to take any steps to maintain the weeds and vegetation on the Property or perform any structural or aesthetic maintenance on the Property. All of the preceding is patently clear from a street-level visual inspection of the Property. Further, upon information and belief, there is a crack and/or opening in the roof of the building, permitting rain water to enter the interior of the building.

The attached photos – Exs. A – S – illustrate a multitude of nuisances and public safety concerns. First and foremost, the pictures clearly indicate the unsafe nature of the building as the covered front porch – within a feet of the public sidewalk and accessible to any young child – has significant structural and worsening cracks in the foundation as well as a roof that is showing unsafe leaning and could fall on

¹ Not licensed in Kansas; only licensed in Illinois and Missouri. Drafted in his personal capacity as a resident impacted by the identified violations, and not as an attorney or counsel for the co-signors.

its own or as a result of further worsening of the concrete porch. The wooden staircase to the back entrance of the building is clearly not built to code, and dangerously wobbles when the hand rail is touched.

The owner even failed to close all of the windows on the building, Ex. A, which has certainly created freezing conditions inside the home as well as exposed it to the elements and created an unfettered harbor for vermin, as well as potentially hazardous mold. In fact, one neighbor with property adjacent to the Property suffered significant rodent damage to his own property (vermin bit/tore into his siding to access his attic) when the rodents in the abandoned Property sought refuge in his heated home during the winter months. This resulted in significant time and expense to remove the vermin and repair the damage.

Further, the Property has become an eyesore, as the windows, siding, roof, and really every surface of the house has become degraded and dilapidated given its complete lack of maintenance or cleaning. Exs. A – S. The vegetation – grass, noxious weeds and even trees – have been entirely unmaintained and contribute to its negative impact on the neighborhood aesthetics. Exs. A – S. These, of course, have a negative impact on homeowner property value, and correspondingly, a negative impact on property tax revenue to the City and County.

In addition to the safety hazards because of the unsafe structural integrity of the building, there is also an increased fire hazard by abandoned properties. *See Fires in Vacant Buildings*, National Fire Protection Association, Feb. 2018, available at <https://www.nfpa.org/-/media/Files/News-and-Research/Fire-statistics/Occupancies/osvacantbuildings.pdf>. This fire hazard impacts firefighters, neighboring residents, as well as neighboring properties. Criminal activity is also attracted to abandoned property. Fortunately, to date, there has been no *known* criminal activity associated with the abandoned Property. Despite that, it is prudent and reasonable to remediate this risk for attracting criminal activity, especially given its proximity to many households with children and a grade school within two blocks.

Plethora of Ordinance and Statutory Violations

The Property and its building violate the following Ordinances of Roeland Park:

1. § 8-301(e) (“Nuisances Unlawful; Defined”);
2. § 8-301(f) (“Nuisances Unlawful; Defined”);
3. § 8-403 (“Debris Left by Dead Trees”);
4. § 8-404 (“Dead Trees as Nuisance”);
5. § 8-502 (“Anti-Rodent Construction”);
6. § 8-902 (“Owner to Cut Noxious Weeds and Grass”);
7. § 8-903 (“Mitigation of Noxious Plants, Invasive Plants”);
8. § 8-904 (“Nuisance Conditions”); and,
9. Chapter VIII, Article 6 (“Structures Unfit for Human Use and Habitation”).

For the sake of brevity, I will only discuss the most troubling and significant ordinance violation: the building’s condition of being a structure unfit for human use and habitation. Consistent with findings of a building unfit for human use or habitation under § 8-601, the building has the following conditions:

- defects increasing the hazards of fire, accidents or other calamities;
- disrepair;
- structural defects;
- uncleanliness;
- inadequate ingress and egress;
- dead and dying trees, limbs or other unsightly natural growth or unsightly appearances that constitute a blight to adjoining property, the neighborhood or the City;

- walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood; and,
- vermin infestation; any violation of health, fire, building or zoning regulations or any other laws or regulations relating to the use of land and the use and occupancy of buildings and improvements. One such example of it violating “any other laws or regulations relating to the use of . . . buildings” includes § 12-1705 of the KANSAS STATUTES REVISED regarding “Unsafe or dangerous structures; abandoned property; commercial real estate; definitions.”

Requested Relief: City of Roeland Park complies with the remediation procedures of Chapter VIII, Article 6

Pursuant to the requirements of § 8-604(a), as well as § 8-303, please consider this correspondence as our complaint or petition of the violations of the above-referenced ordinances. We hereby request that the City begin procedures to ultimately remediate the above-listed issues. Furthermore, and more specifically with regard to the unsafe building, we request the City begin swift proceedings to result in an Order of Condemnation, § 8-610, and Order of Demolition, § 8-609, so that the ongoing blight and hazardous condition to human health and safety can be removed.

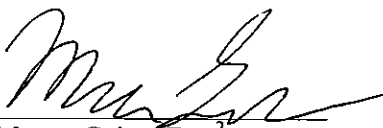
A city demolition of an abandoned building is certainly not an unusual occurrence, and there is precedent in Kansas for this requested relief. In the attached Kansas Attorney General Opinion, the Office of the Attorney General discusses the City of Blue Rapid’s demolition of an abandoned building, using a comparable local ordinance to that of Roeland Park. *See* Attorney General Opinion 2013-2 (Exhibit T).

Given the years of abandonment, it is clear that the owners of the Property have no intention of resolving these issues; the blight will not be removed, the fire hazard will not diminish, the safety hazard to children and the public will not subside. The City of Roeland Park is in the best position to remedy all of these concerns caused by this negligent and delinquent neighbor. Thank you for swift response to this urgent matter. I am happy to discuss in further detail.

Regards,



Frederic “Eric” Carlson, Esq.
4936 Fontana St., Roeland Park



Megan Galey, Esq.²
4936 Fontana St., Roeland Park

² Not licensed in Kansas; only licensed in Illinois and Missouri. Not acting as attorney or counsel for the co-signors.

Signatures (cont.)

Address/Household: 4927 Southridge

Signature: Kimberly Barnhart

Printed: Kimberly Barnhart

Signature: Gary A. Barnhart

Printed: Gary A. Barnhart

Address/Household: 5024 Southridge St.

Signature: [Signature]

Printed: Laura Lipson

Signature: Karen Tavelly

Printed: 10-4-2018
4412 W. South

Address/Household: 5000 Southridge St. Roland Park, MD 62015

Signature: [Signature]

Printed: Geoff Gert

Signature: M. Shea Gert

Printed: M. SHEA GERT

Signature: [Signature]

Address/Household: 5001 Southridge

Signature: [Signature]

Printed: Cristis MURU

Charles Parny
5039 Southridge

Signatures (cont.)

Address/Household: 5012 SOUTHRIDGE

Signature: Roy Glassman

Printed: ROY GLASSMAN

x CONNIE (SUSIE) HEDGER
[Connie S. Hedger
[4925 Fontana St.
Roeland Park
x

x Daryl S. Hedger
[Daryl S. Hedger
[4925 Fontana
Roeland Park
x

Item Number: DISCUSSION ITEMS- II-4.
Committee 12/3/2018
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 11/30/2018
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Discuss Shirts for Elected Officials**
Item Type: Discussion

Recommendation:

Staff is looking for direction on the style of shirt the elected officials prefer.

Details:

Attached are three styles of shirts that are professional, comfortable and versatile. The button down twill shirt is available in short, 3/4 and long sleeves (\$31.25 each). The polo is just available in short sleeves (Nike are \$41.25 and Sport Tek are \$18 each) and the pull over half zip is just available in long sleeves (\$29.55 each). We are looking for direction on which option you prefer as a standard shirt for the elected officials. A short sleeve standard and a long sleeve standard may be something you would like to consider.

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

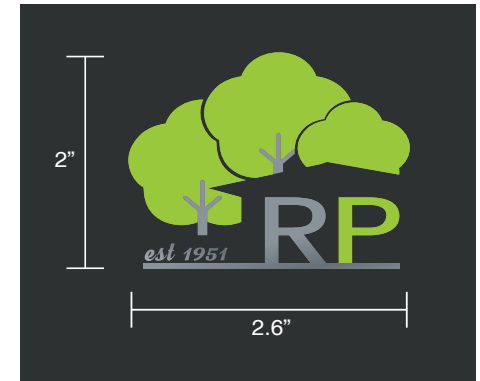
ATTACHMENTS:

Description	Type
☐ Shirt Styles	Cover Memo
☐ Shirt Styles	Cover Memo

Mens



Womens



Silver Thread Color

Qty: ? - Dri-Fit Micro Pique Polo
Embroidered Logo On Left Chest
(Green and Silver Embroidered Shirts)



v1-1

CLIENT:	City of Roeland Park
DATE:	11/28/18
JOB #:	20702
FILE NAME:	18-11_Roeland Park_Polo Shirts_20702_V1-1_PROOF.eps
PATH:	A-Z/R/Roeland Park/18-11_Polo Shirts...
DESIGNER:	Hannah Sailer

I have reviewed the above specification & hereby fully understand the content of work to be performed that I approve this project to begin:

Approved: Y / N Date: _____

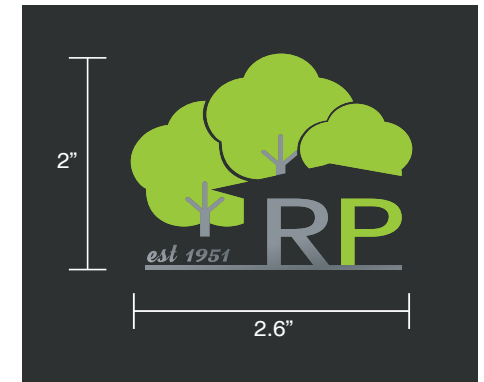
This drawing has been made available to the client to illustrate design or manufacturing details and are not to be distributed for bid without the written consent of Signco, Inc.

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Mens



Womens



Silver Thread Color

Qty: ? - Dri-Fit Micro Pique Polo
Emboidered Logo On Left Chest
(Green and Silver Embroidered Shirts)



v1-1

CLIENT:	City of Roeland Park
DATE:	11/21/18
JOB #:	20702
FILE NAME:	18-11_Roeland Park_Polo Shirts_20702_V1-1_PROOF.eps
PATH:	A-Z/R/Roeland Park/18-11_Polo Shirts...
DESIGNER:	Hannah Sailer

I have reviewed the above specification & hereby fully understand the content of work to be performed that I approve this project to begin:

Approved: Y / N Date: _____

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Item Number: DISCUSSION ITEMS- II.-5.
Committee 12/3/2018
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 11/27/2018
Submitted By: Chief Morris
Committee/Department: Safety/ Police Department
Title: **Police Motorcycle**
Item Type: Other

Recommendation:

Staff recommends to order the approved C.I.P. item budgeted for a new Harley Davidson motorcycle for the police department in order to have it delivered in a timely manner by approximately April 1, 2019. The purchase of the motorcycle, equipment, & training, not to exceed \$30,000.

Details:

The Roeland Park Police Department was approved in the 2019 budget to purchase a motorcycle. This unit will be used for numerous items such as traffic safety and enforcement, school presentations, special events, community policing programs, and directed patrol assignments. The marked police motorcycle will enhance the overall public safety for the community and bring officers in more direct contact with citizens.

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Additional Information

2019 FLHTP Harley Davidson Electra Glide (Black & White)

ATTACHMENTS:

Description

Type

Roeland Park Police Department



Motorcycle Unit 2019

Presentation by: Chief John Morris

Agenda

- Motorcycles & DDACTS
- Purpose
- Benefits & Goals
- Safety & Statistics
- Closing
- Q & A



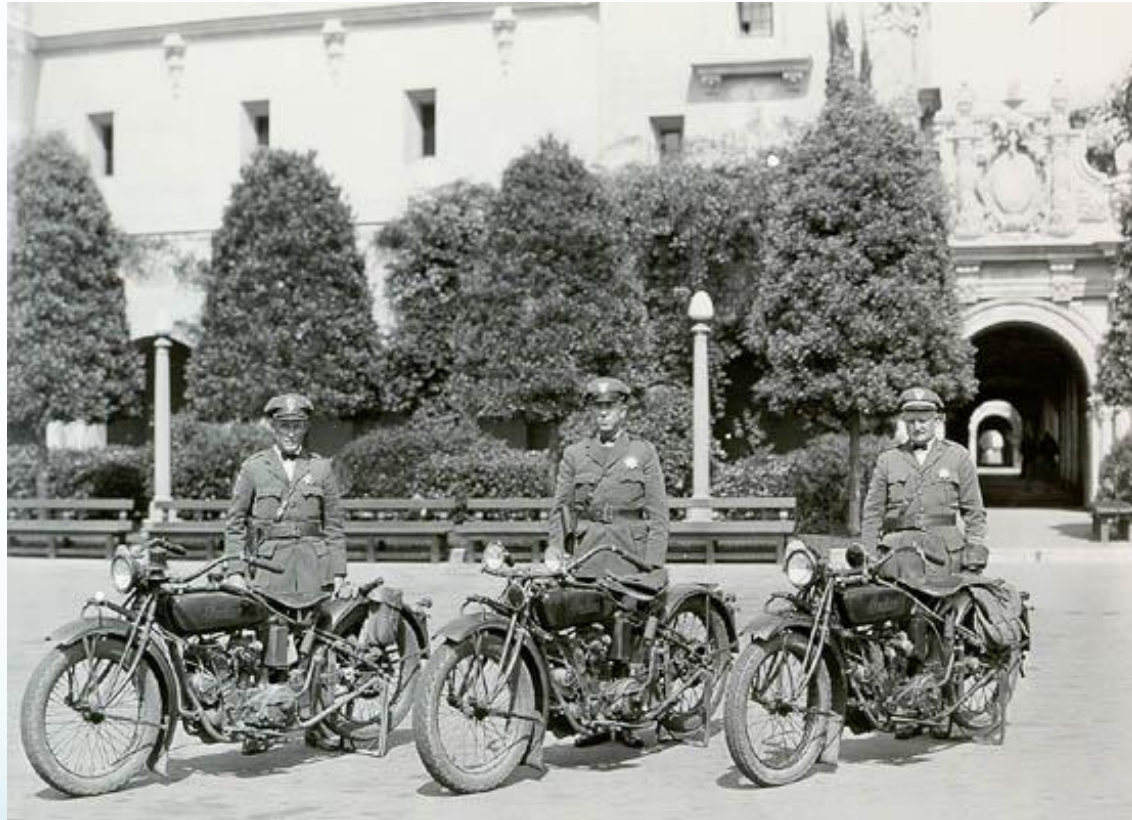
Data-Driven Approaches to Crime *and* Traffic Safety

Motorcycle & DDACTS



DDACTS is an operational model that uses the integration of location-based crime and traffic data to establish effective and efficient methods for deploying law enforcement and other resources.

Why a motorcycle?



Police motorcycles have been utilized in America since 1915

Why DDACTS Motorcycle?

- Increasing demands and limited resources
- Conflicting/competing demands for service
- Crime and crashes in close proximity
- Crimes often involve a motor vehicle
- Vehicle stops can yield valuable intelligence



We Can't Forget...

- Traffic enforcement
- Parades
- Funeral details
- Public relations campaigns
- Emergency response efficiency



Motorcycle vs. Cruisers

- Agility
 - Parking
 - Observation
 - Enforcement
 - Ability to weave through traffic



- Versatility
 - Speed
 - More effective version of patrol

Significant Savings



- Maintenance
 - Typically one-third the cost
 - Better gas mileage = 50 to 60 mpg

Benefits

- Enhancement of traffic safety enforcement
 - Reduction of
 - Accidents
 - Property damage
 - Personal injury
- Specialized unit = career path = officer engagement
- Public relations
- Special events
- Operational use in limited space



Motorcycle & DDACTS Goals

- Reduce the incidents of crime and crashes in a neighborhood
- Reduction in crash-related injuries
- Reduce Social Harm
- Reduction in Criminal Activity



Citizen Impact

- Connection to the community
- Better visibility
- Approachability
- Flexible deployment strategies
- Community policing meets proactive policing
- Bringing generations together



Motorcycle = Safety

- Annual Traffic Accident Statistics
 - 41,000+ casualties
 - 3 million+ injuries
- Roeland Park is known for proactive in traffic safety with recognitions from:
 - The State of Kansas
 - AAA Automobile Club



Accidents in Roeland Park

- Aggressive driving
- Inattentive driving



Inattentive Driving



Driving too fast for road conditions



Roeland Park Statistics



- 685 traffic accidents from 2012 to 2016
- Roe Lane between Roe & N. City limits – 19 accidents
- Roe Blvd between Johnson & N. City Limits – 195 accidents
- Nall between 51st & 58th – 12 accidents

Costs to Roeland Park



- Traffic Accidents in Roeland Park 2013-2017 = 663
 - 663 accidents x 2 hours each to work @ \$25.00 per hour = \$33,150
- 10 citations each day @ \$100 each = \$1,000 per day.
- \$1000 per day x 5 days = \$5,000 each week.

The Importance of Traffic Safety & Enforcement...

Relevance



Increased population =
Crowded Road = Heavier Traffic
= Increase in Accidents

What now ?

If crimes and crashes are not as low as you would want them to be, a *fresh approach* may be needed

“Insanity is doing the same thing over and over again and expecting different results.”

Size Does Not Matter!

- DDACTS has been successfully implemented in a wide variety of agencies nationwide
 - Small, Medium and Large
 - Urban, Suburban, Rural Jurisdictions
 - Municipal Police, Sheriff's Departments, College Police Departments



What will RPPD do next?

- Think outside of the box
- Service with Integrity
- Continue to build positive relationships with our citizens and business community



**Final
Thoughts**



Item Number: DISCUSSION ITEMS- II.-6.
Committee 12/3/2018
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/19/2018
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Electronic Voting**
Item Type: Other

Recommendation:

Staff recommends council record votes when providing direction on items during workshops. This will provide a clear record of that direction for council, staff and resident reference.

Details:

The City Council can vote in a workshop to give direction to City staff, but no binding action such as passing resolutions or ordinances may be taken in the workshop. I could not find many ordinances in Kansas that specifically addressed this issue, but I found other states that have written into their code that while no binding action may be taken at a workshop, the Council may be polled at the workshop to obtain an unofficial sense of the position of the Council on an issue being discussed at the workshop.

Wichita, KS: Order of Council Business at Workshop Meetings:

Sec. 2.04.195(C): The items appearing on the agenda shall be considered collectively as a consensus agenda and an affirmative vote of the council on the agenda will allow and be construed as an affirmative vote to take the recommended action as stated on each item.

Derby, KS Code of Meeting Procedure:

Workshops- "informal meeting of governing body, no agenda is required and no binding action may be taken."

DeSoto, KS specifically prohibits votes from being taken in a workshop.

Roberts Rules:

Committees and Boards 57. Informal Consideration. In ordinary societies the meetings of

which are not large, instead of going into committee of the whole or considering questions as if in committee of the whole, it is more usual to consider the question informally... while the consideration of the main question and its amendments is informal, all votes are formal, the informality applying only to the number of speeches allowed in debate. **If the question is considered in either the regular committee of the whole or the quasi committee of the whole, it is necessary formally to report the action to the assembly and then take action on the report.** Thus, it will be seen that informal consideration is much simpler than either of the methods described in the previous two sections. It can be used to advantage in assemblies that are not very large, instead of the committee of the whole. **While this is not a motion to commit, yet it is used for practically the same purpose as the committee of the whole.**

KS Code of Procedure: "No binding action may be taken during a work session."

How does item relate to Strategic Plan?

N/A

How does item benefit Community for all Ages?

N/A

Additional Information

Electronic voting capability is available through NOVUS (our meeting agenda software provider). The cost of adding this capability is \$600/yr. The governing body would need to have a tablet or laptop with wifi capability in order to access the site and vote. This system has the benefit of creating a record of how each person voted on each issue. It also eliminates the disadvantage created by calling roll, as a the roll call even if conducted in random order can create an advantage to the persons voting last. Although video recording does create a record of individual votes, it is not easily searchable and it does not address the disadvantage of a roll call vote.

ATTACHMENTS:

Description	Type
Electronic Voting Objective	Cover Memo

1. Electronic Voting Log System for Council Chambers

Justification: Deploying an electronic method of voting will ensure votes are impartial and accurate. Electronic voting can ensure each council member has entered a vote and that vote is not displayed until the conclusion of voting. A system could be implemented to record votes as part of the computer system in the Council Chambers. Novus offers this capability currently (additional \$600 per year fee), to use this system the Governing Body would need to have access to tablets or lap tops at the dais.

Cost Estimate: \$4,500 **Account 5211.101 Equipment**
\$600 **Account 5305.101 Dues/Subscriptions**

Completion Date: February 28, 2018

Responsible Party: Administrative Staff

Submitted By: Michael Rhoades