



AGENDA
City of Roeland Park, Kansas
City Council Meeting
City Hall, 4600 W 51st Street
October 21, 2024 6:00 PM

- | | | |
|--|--|---|
| • Michael Poppa, Mayor | • Emily Hage, Council Member, Ward 3 | • Keith Moody, City Administrator |
| • Jan Faidley, Council Member, Ward 1 | • Kate Raglow, Council Member, Ward 3 | • Jennifer Jones-Lacy, Asst. Admin. |
| • Tom Madigan, Council Member, Ward 1 | • Matthew Lero, Council Member, Ward 4 | • Kelley Nielsen, City Clerk |
| • Benjamin Dickens, Council Member, Ward 2 | • Jeffrey Stocks, Council Member, Ward 4 | • John Morris, Police Chief |
| • Jennifer Hill, Council Member, Ward 2 | | • Donnie Scharff, Public Works Director |

Council Standing Committees

Admin
Lero
Faidley

Finance
Stocks
Dickens

Safety
Hage
Hill

Public Works
Raglow
Madigan

I. Pledge of Allegiance

A. Instructions on Logging into Meeting Remotely

II. Roll Call

III. Modification of Agenda

IV. Public Comments

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. Comments about items that appear on the agenda will be taken as each item is considered. Citizens Are Requested To Keep Their Comments Under 5 Minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be accommodated within the time available. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.

V. Consent Agenda

Consent agenda items have been studied by the Governing Body and will be acted on in a single motion. If a Council member requests a separate discussion on an item, it can be removed from the consent agenda and placed on new business for further consideration.

- A. Appropriations Ordinance #1053
- B. City Council Meeting Minutes October 7, 2024

VI. Business From the Floor

- A. Project Rise Update - Jan Peters
- B. Update from LGR on Legislation (5 min)

VII. Mayor's Report

- A. National Native American Heritage Month Proclamation

VIII. Reports of City Liaisons

- A. Aquatic Center Advisory Committee- 2024 Season Report
- B. Parks Committee
- C. Diversity, Equity, and Inclusion Committee

IX. Unfinished Business

X. New Business

- A. Agreement with Westwood for Code Enforcement Services (5 min)
- B. Peddlers License Application - Emerson
- C. Approve Long Lead Time Items for Phase 2 Renovations at Community Center (5 min)

XI. Ordinances and Resolutions

XII. Reports of City Officials

Welcome to this meeting of the City Council of Roeland Park. Below are the Procedural Rules of Council

The City Council 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 City Council meeting unfeasible. Any member(s) of the audience engaging in such conduct shall, at the discretion of the Mayor (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 City Council during Public Comments and/or before consideration of any agenda item; however, no person shall address the Council without first being recognized by the Mayor (Chair). Any person wishing to speak, whether during Public Comments or on an agenda item, shall first complete a Public Comment or Request to Speak form and submit this form to the City Clerk before the Mayor (Chair) calls for Public Comments or calls the particular agenda item

1. Public Comment on Non-Agenda Items. The Agenda shall provide for public comment about matters that are within the jurisdiction of the City but are not specifically listed on the Agenda. A member of the public who wishes to speak under Public Comments must fill out a Public Comment Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls for Public Comments.

2. Public Comment on Agenda Items. Public comment will be accepted on Agenda items. A member of the public, who wishes to speak on an Agenda item, including items on the Consent Agenda, must fill out a Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls the Agenda item.

C. Purpose. The purpose of addressing the City Council is to communicate formally with the Council regarding matters that relate to Council business or citizen concerns within the subject matter jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the Council.

D. Speaker Decorum. Each person addressing the City Council, 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 Council meeting. Any person, who so disrupts the meeting shall, at the discretion of the Mayor (Chair) or a majority of the Council Members present, 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 City Council, each speaker shall limit comments to five minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be accommodated within the time available.

F. Speak Only Once. 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 Council. Comment and testimony are to be directed to the Mayor (Chair). Dialogue between and inquiries from citizens at the lectern and individual Council Members, members of staff, or the seated audience is not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor (Chair). Always speak from the microphone to ensure that all remarks are accurately and properly recorded. Only one speaker should be at the microphone at a time. Speakers are requested to state their full name, address and 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 City Council welcomes your participation and appreciates your cooperation. If you would like additional information about the City Council or its proceedings, please contact the City Clerk at (913) 722.2600.

Item Number: I. Pledge of Allegiance



City of Roeland Park
Action Item Summary

Submitted By:

Kelley Nielsen, City Clerk

Committee/Department: Administration

Title: Instructions on Logging into Meeting Remotely

Item Type: Action Item

Recommendation:

See instructions to log in below.

Details:

The City Council Meeting will be held remotely. Below are instructions for joining the meeting by phone, online or both.

Kelley Nielsen is inviting you to a scheduled Zoom meeting.

Topic: City Council and Governing Body Workshop Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://zoom.us/j/97767592270?pwd=VWNXbjNkejIVb0JBaStWMDF5WXpoZz09>

Meeting ID: 977 6759 2270

Passcode: council

One tap mobile

+16699006833,,97767592270# US (San Jose)

+12532158782,,97767592270# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 977 6759 2270

Find your local number: <https://zoom.us/j/97767592270?pwd=VWNXbjNkejIVb0JBaStWMDF5WXpoZz09>

Fiscal Impact	
Amount of Request:	
Budgeted item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

Diversity Equity & Inclusion Lens

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

ATTACHMENTS:

None

Appropriation Ordinance - 10/21/2024 - #1053

4600 West Fifty-First Street
Roeland Park, Kansas 66205

City Hall (913) 722-2600 – Fax (913) 722-3713

Thursday, October 17, 2024

Appropriation Ordinance - 10/21/2024 - #1053

An Ordinance making Appropriation for the payment of certain claims. Be it ordained by the Governing Body of the City of Roeland Park, Kansas:

Section 1: That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the City Treasury the sum required for each claim.

Section 2: This Ordinance shall take effect and be in force from and after its passage. Passed and approved this October 21, 2024.

Attest:

City Clerk

Mayor

\$ 183,370.72

Appropriation Ordinance - 10/21/2024 - #1053

Vendor	Dept	Acct #	Description	Invoice Description	Check /EFT	Amount	Chk #	Check
					Date			Amount
ADP, Inc.	101	5214.101	Other Contracted Services	671602525	10/09/24	359.24	77335	359.24
All Traffic Solutions, Inc.	102	5214.102	Other Contracted Services	SIN042377	10/09/24	3,375.00	77336	3,375.00
Arrow Cleaners & Dyers, Inc.	102	5224.102	Laundry Service	6BB93C	10/09/24	137.30	77337	137.30
Breeden Holdings, LLC	106	5260.106	Vehicle Maintenance	1089087	10/09/24	1,256.44	77338	1,256.44
Breeden Holdings, LLC	106	5260.106	Vehicle Maintenance	1089204	10/16/24	1,303.04	77366	1,436.27
Breeden Holdings, LLC	106	5260.106	Vehicle Maintenance	1089307	10/16/24	133.23		
Casey's Auto Repair	102	5260.102	Vehicle Maintenance	57266	10/09/24	152.60	77339	305.20
Casey's Auto Repair	102	5260.102	Vehicle Maintenance	57269	10/09/24	152.60		
Cintas Fire 636525	290	5210.290	Maintenance & Repair Building	F58702366	10/09/24	583.76	77340	583.76
Cintas First Aid and Safety	220	5313.220	Safety Supplies/Equipment	5213753003	10/16/24	19.15	77367	87.84
Cintas First Aid and Safety	220	5313.220	Safety Supplies/Equipment	5218575921	10/16/24	68.69		
City of Roeland Park	103	2080.103	Liability for Court Bonds	114204	10/09/24	500.00	2033	500.00
Civic Plus	101	5214.101	Other Contracted Services	318856	10/09/24	625.00	77341	625.00
E. Edwards Work Wear	106	5308.106	Clothing & Uniforms	PSINV106240	10/09/24	937.80	77342	937.80
EquipmentShare.com, Inc.	106	5211.106	Maintenance & Repair Equipment	4126260000	10/16/24	4,754.18	77368	5,766.18
EquipmentShare.com, Inc.	106	5211.106	Maintenance & Repair Equipment	4206964000	10/16/24	1,012.00		
Galls, LLC	102	5308.102	Clothing & Uniforms	29097155	10/09/24	125.00	77343	556.53
Galls, LLC	102	5308.102	Clothing & Uniforms	29240523	10/09/24	103.45		
Galls, LLC	102	5308.102	Clothing & Uniforms	29240524	10/09/24	284.82		
Galls, LLC	102	5308.102	Clothing & Uniforms	29240531	10/09/24	12.36		
Galls, LLC	102	5308.102	Clothing & Uniforms	29240532	10/09/24	30.90		
Gather Media and Communications, LLC	101	5209.101	Professional Services	1312	10/09/24	2,825.00	77344	2,825.00
GFL Environmental	115	5272.115	Solid Waste Contract	AS0001293803	10/09/24	46,597.50	77345	46,597.50
Devan Hartnett	101	5283.101	!P Community Foundation Grant Expense	92324	10/09/24	634.05	77346	734.05
Devan Hartnett	101	5283.101		923241	10/09/24	100.00		
House of Rocks	106	5306.106	Materials	2543701	10/16/24	41.76	77369	41.76
Johnson County Wastewater	220	5288.220	Waste Water	7792 9/26/24	10/16/24	2,038.68	77370	2,196.51
Johnson County Wastewater	290	5288.290	Waste Water	7943 9/26/24	10/16/24	157.83		
Johnson County Government	101	5218.101	IT & Communication	222911	10/09/24	1,417.00	77347	1,559.89
Johnson County Government	101	5218.101	IT & Communication	223080	10/09/24	142.89		
Johnson County Government	103	5227.103	Prisoner Care	223099	10/16/24	850.00	77371	850.00
Jennifer Jones-Lacy	105	5206.105	Travel Expense & Training	9/25/24 Travel	10/09/24	67.69	77348	67.69
Max10 MO LLC	101	5210.101	Maintenance & Repair Building	1CU0007425	10/09/24	745.00	77349	1,220.00
Max10 MO LLC	106	5210.106	Maintenance & Repair Building	1CU0008692	10/09/24	475.00		

Kansas City First Aid LLC	102	5301.102	Office Supplies 10063	10/09/24	108.03	77350	108.03
Key Equipment & Supply Co.	106	5211.106	Maintenance & Repair Equipment KC214724	10/09/24	313.64	77351	313.64
Kansas Gas Service	106	5289.106	Natural Gas 7027 10/12/24	10/16/24	265.67	77372	575.89
Kansas Gas Service	220	5289.220	Natural Gas 2518 10/12/24	10/16/24	104.73		
Kansas Gas Service	220	5289.220	Natural Gas 2518 10/15/24	10/16/24	205.49		
Kansas One-Call System, Inc.	101	5220.101	Street Light Repair & Maintenance 4090460	10/09/24	211.20	77352	211.20
Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services 322001100000006	10/16/24	543.00	77373	37,063.55
Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services 323111010000006	10/16/24	2,378.76		
Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services 324001010000009	10/16/24	16,993.89		
Lamp, Rynearson & Assoc., Inc.	106	5421.106	Street Maintenance 324016010000009	10/16/24	550.69		
Lamp, Rynearson & Assoc., Inc.	510	5428.510	Roe Parkway Extension & Maintenance 321001040000028	10/16/24	2,240.00		
Lamp, Rynearson & Assoc., Inc.	270	5454.270	Sidewalk Improvements 324042010000006	10/16/24	820.71		
Lamp, Rynearson & Assoc., Inc.	270	5464.270	2025 CARS - Mission Rd. 47th-53rd 323099010000011	10/16/24	8,830.40		
Lamp, Rynearson & Assoc., Inc.	270	5465.270	RSRP - Nall from 51st to 58th 323098010000012	10/16/24	4,706.10		
Matthew Lero	108	5206.108	Travel Expense & Training 10/12/24 Drury H	10/16/24	359.15	77374	359.15
Mauer Law Firm PC	510	5209.510	Professional Services 209595	10/09/24	5,311.00	77353	18,039.00
Mauer Law Firm PC	101	5215.101	City Attorney 209592	10/09/24	7,568.00		
Mauer Law Firm PC	101	5215.101	City Attorney 209593	10/09/24	516.00		
Mauer Law Firm PC	101	5215.101	City Attorney 209594	10/09/24	4,515.00		
Mauer Law Firm PC	101	5215.101	City Attorney 209596	10/09/24	129.00		
Venessa Maxwell-Lopez	103	5209.103	Professional Services 10/11/24 Public	10/16/24	375.00	77375	375.00
MEI Total Elevator Solutions	101	5210.101	Maintenance & Repair Building 1095817	10/09/24	568.00	77354	568.00
Missouri Organic Recycling Inc.	106	5263.106	Tree Maintenance 89609	10/09/24	16.00	77355	72.80
Missouri Organic Recycling Inc.	106	5263.106	Tree Maintenance 89688	10/09/24	28.80		
Missouri Organic Recycling Inc.	106	5263.106	Tree Maintenance 89709	10/09/24	28.00		
Moss Printing	102	5301.102	Office Supplies 18223	10/09/24	57.00	77356	57.00
NEJC Chamber	101	5209.101	Professional Services 10/8/24 Ck Req	10/09/24	11,666.68	77357	15,500.00
NEJC Chamber	550	5209.550	Professional Services 10/8/24 Ck Req	10/09/24	3,833.32		
Adam Peer	103	5209.103	Professional Services 10/9/24 Court Do	10/16/24	350.00	77376	350.00
Pur-O-Zone, Inc.	290	5304.290	Janitorial Supplies 8668 10/9/24	10/16/24	463.12	77377	463.12
Rejis Commission	102	5214.102	Other Contracted Services 539165	10/09/24	238.88	77358	238.88
Renaissance Management and Training	101	5206.101	Travel Expense & Training 4	10/16/24	1,679.95	77378	1,679.95
Ripple Glass, LLC	115	5272.115	Solid Waste Contract 13304	10/16/24	7,175.00	77379	7,175.00
Staples	101	5301.101	Office Supplies 7641989261000001	10/09/24	136.47	77359	466.51
Staples	101	5301.101	Office Supplies 7642020189000001	10/09/24	318.56		
Staples	101	5304.101	Janitorial Supplies 7641989261000001	10/09/24	11.48		
Star Signs LLC	300	5470.300	Park Maintenance 7448	10/09/24	358.00	77360	358.00
Strasser True Value	106	5306.106	Materials 461384	10/09/24	7.02	77361	18.73

Strasser True Value	106	5306.106	Materials 461509	10/09/24	11.71		
Strawberry Hill Inkc LLC	290	5308.290	Clothing & Uniforms 93024	10/09/24	285.00	77362	285.00
USIC Locating Services, LLC	101	5220.101	Street Light Repair & Maintenance 686721	10/09/24	2,658.75	77363	2,658.75
Verizon Wireless	104	5202.104	Telephone 9974608285	10/09/24	80.02	77364	401.94
Verizon Wireless	106	5202.106	Telephone 9974608285	10/09/24	321.92		
Water District No 1 of Johnson County	101	5287.101	Water 1593 10/3/24	10/09/24	97.71	77365	1,413.74
Water District No 1 of Johnson County	106	5287.106	Water 1229 10/3/24	10/09/24	128.78		
Water District No 1 of Johnson County	106	5287.106	Water 1391 10/3/24	10/09/24	285.88		
Water District No 1 of Johnson County	106	5287.106	Water 1489 10/3/24	10/09/24	106.60		
Water District No 1 of Johnson County	106	5287.106	Water 1681 10/3/24	10/09/24	36.13		
Water District No 1 of Johnson County	106	5287.106	Water 2212 10/3/24	10/09/24	14.73		
Water District No 1 of Johnson County	220	5287.220	Water 8373 10/3/24	10/09/24	597.67		
Water District No 1 of Johnson County	290	5287.290	Water 3054 10/3/24	10/09/24	146.24		
KPERS	101	2040.101	KPERS Accrued Employee 10/17/24 EFT	10/17/24	3,121.07	EFT	3,121.07
KPERS	101	2040.101	KPERS Accrued Employee 10/17/24 EFT	10/17/24	5,203.50	EFT	5,203.50
KPERS	101	2050.101	Insurance Withholding Payable 10/17/24 EFT	10/17/24	152.71	EFT	152.71
KP&F	101	2045.101	KP&F Employee Withholding Payable 10/17/24 EFT	10/17/24	2,854.64	EFT	2,854.64
KP&F	101	2045.101	KP&F Employee Withholding Payable 10/17/24 EFT	10/17/24	9,222.71	EFT	9,222.71
KP&F	101	2050.101	Insurance Withholding Payable 10/17/24 EFT	10/17/24	6.44	EFT	6.44
Wex Bank	102	5302.102	Motor Fuels & Lubricants 6429 10/7/24	10/07/24	2,037.81	EFT	2,037.81
					183,370.72		

**CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
ROELAND PARK CITY HALL
4600 WEST 51ST STREET, ROELAND PARK, KS 66205
October 7, 2024, 6:00 P.M.**

- | | | |
|--|---|---|
| <ul style="list-style-type: none">• Michael Poppa, Mayor• Benjamin Dickens, Council Member• Jan Faidley, Council Member• Emily Hage, Council Member• Jennifer Hill, Council Member | <ul style="list-style-type: none">• Matthew Lero, Council Member• Tom Madigan, Council Member• Kate Raglow, Council Member• Jeffrey Stocks, Council Member | <ul style="list-style-type: none">• Keith Moody, City Administrator• Jennifer Jones-Lacy, Asst. City Admin.• Kelley Nielsen, City Clerk• John Morris, Police Chief• Donnie Scharff, Public Works Director |
|--|---|---|

Admin Lero Faidley	Finance Stocks Dickens	Safety Hage Hill	Public Works Raglow Madigan
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(Roeland Park Council Meeting Called to Order at 6:00 p.m.)

Pledge of Allegiance

Mayor Poppa called the meeting to order and led everyone in the Pledge of Allegiance.

Roll Call

City Clerk Nielsen called the roll. All Governing Body members were present. Staff present were City Administrator Moody, City Attorney Walker, Finance Director/Assistant City Administrator Jones-Lacy, Public Works Director Scharff, Police Chief Morris, Deputy Police Chief Honas, and City Clerk Nielsen.

Modification of Agenda

Mayor Poppa stated presentation of the Parks Report will be at the October 21st Council meeting.

I. Public Hearing - Amending TIF 3 Boundary

Mayor Poppa opened the public hearing.

Bob Johnson (900 W. 48th Pl. KCMO) Mr. Johnson from the Polsinelli Law firm stated he represents the owners of the Boulevard Apartments. They are aware of this action and have been in conversations with the City Administrator. They do not oppose the expansion, realize there are impacts to their property, and continue to look forward to ongoing discussions with the hope of reaching a beneficial path forward working with the City regarding the TIF district.

Steve Hall (4710 Roe Parkway) Mr. Hall asked for information on what exactly the proposal is.

City Manager Moody said the request for a TIF 3 boundary amendment would expand the current boundary to include the Community Center property which encompasses the pool as well as sports dome, and to include Nall Park. This will allow them to be able to preserve TIF resources to extend Roe

Parkway west to intersect with Roe Boulevard. Use of the resources will also reconstruct Roe Boulevard as well as install an anticipated sidewalk from 48th Street to Roe Boulevard.

Savannah Leimbach (5130 Skyline Dr) Ms. Leimbach stated she lives at the Boulevard Apartment and was curious to hear what was going on with the TIF 3 boundary.

Kent Borchers (5138 Skyline Dr) Mr. Borchers, also a resident at the Boulevard, attended to get further information on the TIF 3 boundary expansion.

Mayor Poppa closed the public hearing.

II. Public Comments

No public comments were made.

III. Consent Agenda

- A. Appropriations Ordinance #1054**
- B. City Council Meeting Minutes September 16, 2024**

MOTION: CMBR MADIGAN MOVED AND CMBR RAGLOW SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (THE MOTION CARRIED 8-0.)

IV. Business from the Floor - Proclamations/Applications/Presentations

There was no Business from the Floor.

V. Mayor's Report

There was no Mayor's Report given.

VI. Reports of City Liaisons and Committees

- A. Parks Committee**

The Parks Report will be given at the October 21st Council meeting.

- B. MARC - Bike & Pedestrian**

The MARC - Bike & Pedestrian Report from CMBR Faidley is in the agenda packet.

VII. Unfinished Business

There was no Unfinished Business discussed.

VIII. New Business

- A. Committee Reappointments**

MOTION: CMBR HAGE MOVED AND CMBR HILL SECONDED TO APPROVE THE REAPPOINTMENT OF MARY SCHULTEIS, JONNA CROSBY, AND TIM ROSS TO THE ARTS COMMITTEE; RUSSELL MCCORKLE, MALLORIE HULBERT, AND KATIE REDHAIR TO THE PARKS COMMITTEE; HAILE SIMS TO THE

PLANNING COMMISSION; CARRIE PAULETTE, HAILE SIMS, AND HAROLD MORALES TO THE DEI COMMITTEE; DAVID SMITH, MELISSA CASTILLO, AIDEN ELLIS, AND NATASHA RICKEL TO THE SUSTAINABILITY COMMITTEE; JASON WIENS AND AMY LOGAN TO THE AQUATIC ADVISORY COMMITTEE; AND JIM GREBE TO THE AD-HOC HISTORICAL COMMITTEE. (THE MOTION CARRIED 8-0.)

IX. Ordinances and Resolutions

A. Ordinance Amending TIF 3 Boundary

MOTION: CMBR HILL MOVED AND CMBR RAGLOW SECONDED TO APPROVE ADOPTION OF AN ORDINANCE AMENDING THE TIF 3 BOUNDARY, ADDING THE COMMUNITY CENTER AND NALL PARK LAND AREA. (THE MOTION CARRIED 8-0.)

B. Eminent Domain Ordinance for Mission Road Street Project

MOTION: CMBR DICKENS MOVED AND CMBR STOCKS SECONDED TO APPROVE AN ORDINANCE AUTHORIZING THE CITY ATTORNEY TO PROCEED WITH LEGAL ACTION TO SECURE RIGHT OF WAY, PERMANENT SIDEWALK/UTILITY EASEMENTS AS WELL AS TEMPORARY CONSTRUCTION EASEMENTS NECESSARY FOR CONSTRUCTING AND MAINTAINING SIDEWALK, STREET, STORM AND LIGHTING IMPROVEMENTS (FOR PUBLIC PURPOSE) ALONG THE MISSION ROAD STREET PROJECT THROUGH THE EMINENT DOMAIN PROCESS. (THE MOTION CARRIED 8-0.)

C. Eminent Domain Ordinance for 47th Place Street Project

MOTION: CMBR FAIDLEY MOVED AND CMBR LERO SECONDED TO APPROVE AN ORDINANCE AUTHORIZING THE CITY ATTORNEY TO PROCEED WITH LEGAL ACTION TO SECURE RIGHT OF WAY, PERMANENT SIDEWALK/UTILITY EASEMENTS AS WELL AS TEMPORARY CONSTRUCTION EASEMENTS NECESSARY FOR CONSTRUCTING AND MAINTAINING SIDEWALK, STREET, STORM AND LIGHTING IMPROVEMENTS (FOR PUBLIC PURPOSE) ALONG THE 47TH PLACE STREET PROJECT. (THE MOTION CARRIED 8-0.)

X. Reports of City Officials

A. 2024 3rd Quarter Safety Report

B. 2024 3rd Quarter Strategic Plan Progress Report

CMBR Faidley asked if the daycare is now open. Ms. Jones-Lacy replied it is open and operating on the first level.

C. 2024 3rd Quarter Objectives Progress Report

CMBR Faidley asked if there is a date for the exterior painting of the Public Works building. City Administrator Moody stated the painting started last week and largely complete. They are working on the wainscoting at this point.

D. Executive Session

MOTION: CMBR HILL MOVED AND CMBR LERO SECONDED TO RECESS INTO EXECUTIVE SESSION TO DISCUSS THE CITY ADMINISTRATOR EVALUATION PURSUANT TO THE NON-ELECTED

PERSONNEL MATTER EXCEPTION, K.S.A. 75-4319(b)(1) WITH THE OPEN MEETING TO RESUME IN THE COUNCIL CHAMBERS AT 6:23 P.M. (THE MOTION CARRIED 8-0.)

MOTION: CMBR FAIDLEY MOVED AND CMBR DICKENS SECONDED TO EXTEND THE EXECUTIVE SESSION WITH THE OPEN MEETING TO RESUME IN THE COUNCIL CHAMBERS AT 6:33 P.M. (THE MOTION CARRIED 8-0.)

MOTION: CMBR HILL MOVED AND CMBR HAGE SECONDED TO EXTEND THE EXECUTIVE SESSION WITH THE OPEN MEETING TO RESUME IN THE COUNCIL CHAMBERS AT 6:43 P.M. (THE MOTION CARRIED 8-0.)

MOTION: CMBR FAIDLEY MOVED AND CMBR HAGE SECONDED TO EXTEND THE EXECUTIVE SESSION WITH THE OPEN MEETING TO RESUME IN THE COUNCIL CHAMBERS AT 6:53 P.M. (THE MOTION CARRIED 8-0.)

MOTION: CMBR FAIDLEY MOVED AND CMBR HAGE SECONDED TO EXTEND THE EXECUTIVE SESSION WITH THE OPEN MEETING TO RESUME IN THE COUNCIL CHAMBERS AT 7:03 P.M. (THE MOTION CARRIED 8-0.)

MOTION: CMBR RAGLOW MOVED AND CMBR HAGE SECONDED TO EXTEND THE EXECUTIVE SESSION WITH THE OPEN MEETING TO RESUME IN THE COUNCIL CHAMBERS AT 7:13 P.M. (THE MOTION CARRIED 8-0.)

Adjourn:

MOTION: CMBR MADIGAN MOVED AND CMBR RAGLOW SECONDED TO ADJOURN. (THE MOTION CARRIED 8-0.)

(Roeland Park City Council Meeting Adjourned at 7:13 p.m.)

Kelley Nielsen, City Clerk

Michael Poppa, Mayor

Item Number: VI. Business
From the Floor



City of Roeland Park
Action Item Summary

Submitted By:

Committee/Department: Administration

Title: Project Rise Update - Jan Peters

Item Type: Presentation

Recommendation:

Informational only. Jan Peters to provide update.

Details:

Fiscal Impact	
Amount of Request:	
Budgeted item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

Diversity Equity & Inclusion Lens

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

ATTACHMENTS:

None

Item Number: VI. Business
From the Floor



City of Roeland Park
Action Item Summary

Submitted By:

Committee/Department: Administration

Title: Update from LGR on Legislation (5 min)

Item Type: Presentation

Recommendation:

Informational only. Stuart Little to provide update.

Details:

Fiscal Impact	
Amount of Request:	
Budgeted item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

Diversity Equity & Inclusion Lens

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- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

ATTACHMENTS:

1. 24 10 16 RP Presentation

2024 SESSION SUMMARY AND 2025 PREVIEW

Little Government Relations

Mallory Lutz & Stuart Little

October 21, 2024

AGENDA

- 2024 Session Overview (Big Picture).
- Various Tax Plans.
- 2024 Special Session.
- 2024 Local Government Legislation.
- Testimony Summary.
- Brief Election Overview.
- 2025 Legislative Session

2024 SESSION RECAP

- Tax relief a large focus, amid continued strong revenues.
- Comparatively few controversial issues compared to last couple sessions.
- Despite momentum for Medicaid Expansion, KPERS 3 change, and Medical Cannabis, no movement.
- Continued full funding for K-12; increases to SPED.
- The Governor vetoed all major tax relief proposals (some passed nearly unanimously).

2024 TAX RELIEF BILLS VETOED BY THE GOVERNOR

- Some variations, but most of the tax bills included similar property, income, and sales tax relief provisions.
- **HB 2284: Vetoed.**
 - Flat rate of 5.25%; increase in the residential exemption from \$40,000 to \$100,000; restore LAVTRF transfer with \$54 M in FY 25; immediate elimination of STOF; 4-day back-to-school sales tax holiday; increase in standard deduction.
 - Passed second week of Session.
 - Passed Senate 25-11, House 81-37.
- **SB 300: Vetoed.**
 - Increased residential exemption to \$100,000; accelerated elimination of STOF; elimination of state income tax on social security income; increase in standard deduction; two-tiered bracket.
 - Passed House 123-0, Senate 34-6.

TAX BILLS VETOED (CONT.)

- CCR on HB 2036: Vetoed.
 - Two-tiered bracket; increases in standard deduction; elimination of STOF by July 1st; increases the residential exemption to \$100,000; decreases statewide 20 mill school levy to 19.5; elimination of state income tax on social security.
 - Passed the Senate 24-9, House 119-0.
- CCR on SB 37: Vetoed.
 - Included most components of HB 2036, with slight changes to the bracket rate (5.57%) and bottom bracket (5.2%) to lower the fiscal note.
 - Passed the House 108-11 and Senate 25-9.

2024 SPECIAL SESSION

- One day Special Session on June 18th for tax relief.
- Passed SB 1 which includes income and property tax relief, similar to SB 37 from Veto Session, but more modest relief (small increases to standard deduction and personal exemptions; residential property tax exemption increased to \$75,000 instead of \$100,000, etc.). Did not include accelerated elimination of sales tax on food.
- Legislature also passed HB 2001, an economic incentive/STAR bonds package to entice the Chiefs/Royals to move their stadiums to Kansas.
- Senate Tax hearing on June 17th for valuation constitutional amendment, but did not move during Special Session.
 - 4% annual valuation cap for all property classes, with Legislative authority to further lower the cap.
 - Issue will be back.

SELECT LOCAL GOVERNMENT LEGISLATION

- The usual local control issues (plastic bags, nonpartisan elections, etc.).
- Government competition narrowly passed but the Governor vetoed. Also included dark store provisions.
- CCR on HB 2562 (formerly HB 2376 from the 2023 Session) prohibiting restrictive covenants.
- Legislation aimed at limited advance ballots, ballot boxes, federal funding for conducting elections did not advance.
- HB 2487 Good Samaritan Law.
- CCR on SB 414 Corrections bill that includes original SB 318 re: municipal courts; governs fingerprinting for municipal convictions.

LIST OF TESTIMONY PROVIDED

- HB 2446 plastic bags, January 30th.
- HB 2511 partisan elections, January 30th. (Hearing cancelled twice).
- HB 2537 contracting requires state mandated form, February 1st.
- SB 8 gov't competition info briefing in House Tax, January 30th.
- SB 346 rezoning, Tuesday, February 6th.
- SB 468 RNR/TIFs, February 14th.
- HB 2704 no-impact home-based businesses.
- SB 474—allow referendum on administrative ordinances.
- SB 479 KPERS 3, March 5th.
- SB 318 municipal courts/evidence review, March 6th.
- HB 2815 abolish LAVTR, March 13th.
- Medicaid Expansion, March 20th.

ELECTION SEASON

- Expect to see some new legislators, especially in the House.
- Current split is 85-40 and supermajority is 84.
- 41 races in the House with no opponents (25/41 are Republicans)
- 21 House members not running.
- Senate split is 29-11 and supermajority is 27.
- Ten Senators not returning (nine Rs). Several committee chairs retiring, including local government.
- Eyes on Johnson County races; new Senate districts in Shawnee and Sedgwick counties.

2025 LEGISLATIVE SESSION

- December 2-3. Leadership elections and orientation.
- Chairs and committee assignments.
- New budget process: Legislature intends to create their budget bill based on the current budget. Governor recommendations will be treated as a suggestion to amend the Legislature's budget.
- Property taxes, other reductions? Legislative majority agenda, property tax reductions or cap, reduction of corporate income tax to 0%.
- Local control issues will continue. Government competition push will not go away.

Item Number: VII. Mayor's Report



City of Roeland Park
Action Item Summary

Submitted By:

Committee/Department: Administration

Title: National Native American Heritage Month Proclamation

Item Type: Action Item

Recommendation:

Details:

Fiscal Impact	
Amount of Request:	
Budgeted item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

Diversity Equity & Inclusion Lens

What are the implications to intersectionality?

- Does this item benefit all racial groups?
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- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

ATTACHMENTS:

1. Native American Heritage Month Proclamation-2



Proclamation

Native American Heritage Month

WHEREAS, Native Americans were the first to create cities, domesticate crops, and establish great civilizations in the Americas, and

WHEREAS, the state of Kansas is considered traditional homelands by several Native nations, including the Kaw, Osage, and Pawnee, and

WHEREAS, for decades it was considered home to dozens of Native nations removed from their traditional homelands to the territory that would become Kansas, including Shawnee, Delaware, Chippewa, Ottawa, Peoria, Wyandotte and Miami, before they were removed again, and

WHEREAS, Kansas is the current home to four federally recognized Native nations: The Prairie Band Potawatomi, the Kickapoo Tribe of Kansas, the Iowa Tribe of Kansas and Nebraska, and the Sac and Fox Nation of Missouri in Kansas and Nebraska, and

WHEREAS, Native Americans have profoundly shaped our country's character and our cultural heritage, and enriched every aspect of our country, and

WHEREAS, Native Americans, Alaska Natives, and Native Hawaiians are leaders in every aspect of our society – as teachers, professionals, emergency responders, business owners, elected officials, and neighbors, and

WHEREAS, Roeland Park invites its citizens to celebrate the traditions, languages, and stories of Native Americans to help ensure their rich histories and contributions can thrive with each passing generation,

NOW THEREFORE, I, Michael Poppa, Mayor of the City of Roeland Park, Kansas, do hereby proclaim November 2024

NATIVE AMERICAN HERITAGE MONTH

in Roeland Park, Kansas in recognition of the immeasurable contributions that Native Americans have made to our Nation.

Michael Poppa, Mayor

Item Number: VIII. Reports
of City Liaisons



City of Roeland Park
Action Item Summary

Submitted By:

Anthony Marshall, Parks & Recreation Superintendent

Committee/Department: Parks & Recreation

Title: Aquatic Center Advisory Committee- 2024 Season Report

Item Type: Presentation

Recommendation:

Informational only. Jason and Anthony to provide update.

Details:

Attached is the summary report for the 2024 Pool Season.

Fiscal Impact	
Amount of Request:	
Budgeted item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

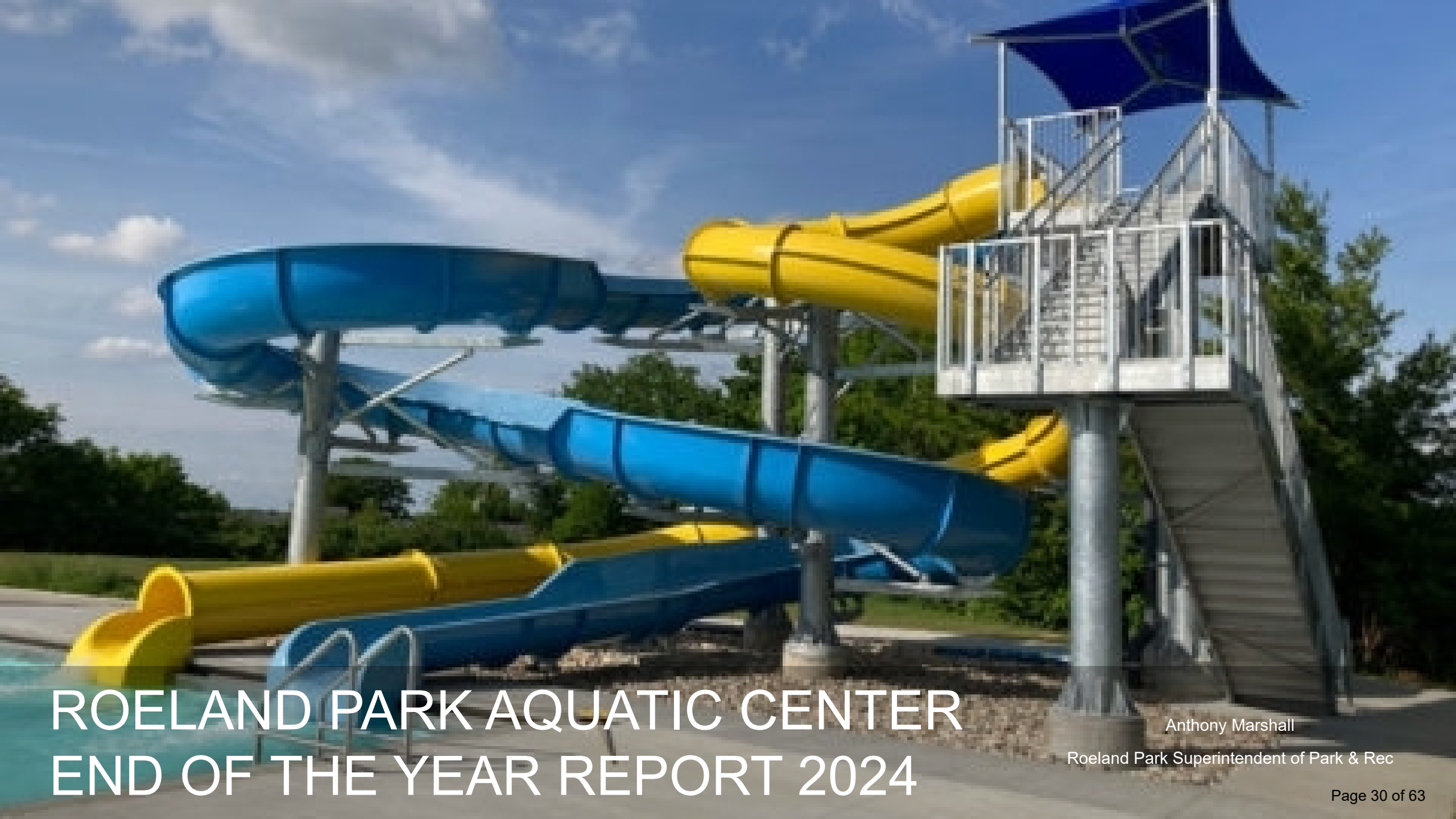
Diversity Equity & Inclusion Lens

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- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

ATTACHMENTS:

1. End Of The Year Report



ROELAND PARK AQUATIC CENTER END OF THE YEAR REPORT 2024

Anthony Marshall

Roeland Park Superintendent of Park & Rec

Month	Budgeted Days Open	Actual Days Open
May	7	7
June	30	30
July	31	31
August	31	30
September	3	3
	102	101

Job	Budgeted	Actual
Manager	3	3
Head Guard	2	2
Lifeguard	35	37
Front Desk	2	2
Concession/ Deck Attendant	12	12

Introduction

Pool operational hours were increased based on increased staffing levels which ensured proper lifeguard coverage throughout open swim hours. The pool season began with a Monday through Sunday open swim schedule.

Staffing

The \$16.00/hr. starting lifeguard salary proved to be a strong recruiting element during the first quarter of 2024. This along with returning staff allowed for lifeguard coverage of the pool during a seven day a week schedule. Most staff were trained prior to the beginning of the 2024 season and management expects that we will retain over 70% for the 2025 season. Staff will monitor pay ranges offered by neighboring pools to ensure our pay remains competitive as we approach the first of the new year.

Staffing levels also allowed for the return of the swim lesson program in 2024.

The role of the deck attendant added in 2023, continued in 2024. This structure allows the Aquatic Center to keep the slides open each day and fully utilize the lifeguards for the open swim and feature pool areas.

	Resident	Non-Resident	
Family Pass (\$125-\$165)	102	46	\$20,340.00
Individual Pass (\$35-\$45)	222	146	\$14,340.00
Senior Pass (\$30-\$40)	33	28	\$2,110.00
Add Fam Member (\$15)	29	0	\$440.00
\$37,230.00			

	Resident	Non-Resident	
Daily Visits (\$6/\$8)	1721	6041	= \$58,606.00
Senior Rate (\$5.50/\$7.50)			
Concession Stand	\$12,010.50		
Facility Rentals	\$8,000.00		

Program Modifications

Having a full Staff allowed management to make modifications to the programming options offered at the RPAC for the 2024 season. The swim lesson program was brought back as we had the staff available. A minimum of 6 lifeguards are needed to teach lessons.

The Swim Team was disbanded in 2022 due to a lack of participants. The surrounding pools offer access to this program

RPAC was not invited back to participate in the super pass due to Roeland Park not following prescribed enrollment protocols.

Punch cards were discontinued as they were no longer as valuable compared to the new lowered price of individual, and family passes.

Season Revenues

Season Pass revenues (\$37k) were less than daily admission revenue (\$58k). Season pass revenue was up \$9k from 2023 and daily admission revenue was up \$22k from 2023. Concessions revenues was up \$6k from 2023 and rental revenue was unchanged from 2023.

2022	2023	2024
Individual - Resident- 16 Non-Resident- 5 Total = 21	Individual - Resident- 23 Non-Resident- 9 Total = 32	Individual - Resident- 222 Non-Resident- 146 Total = 368
Family - Resident- 110 Non-Resident- 65 Total = 175	Family - Resident- 158 Non-Resident- 119 Total = 277	Family - Resident- 102 Non-Resident- 46 Total = 148
Senior - Resident- 4 Non-Resident- 7 Total = 11	Senior - Resident- 18 Non-Resident- 7 Total = 25	Senior - Resident- 33 Non-Resident- 28 Total = 61
Add Family Member- Total- 13	Add Family Member- Total- 53	Add Family Member- Total- 29

3-Year Comparison Of Season Passes

Individual season passes saw a dramatic increase 2024 fueled by the decrease in the individual rate. This did NOT result in a decline in daily admissions.

Both resident and non-resident family passes saw significant decreases in 2024. This is likely due to families that purchased season passes in prior years in order to have access to a Super Pass. With the super pass not being available this year they likely joined one of the 3 pools that offered the super pass.

Year to Date 5/28/22 - 9/10/22					Year to Date 5/27/23 - 9/9/23					Year to Date 5/25/24 - 9/7/24				
Total Facility Visits					Total Facility Visits					Total Facility Visits				
		RES		NR			RES		NR			RES		NR
Season Pass		5355			Season Pass		4090			Season Pass		10034		
Daily Visit		1597		4197	Daily Visit		1189		3442	Daily Visit		1727		6040
Punch Card Visits		0			Punch Card Visits		0			Punch Card Visits		0		
Camp Visits		0			Camp Visits		0			Camp Visits		0		
Total RPAC Visits		11149			Total RPAC Visits		8721			Total RPAC Visits		17801		
Season Pass Sales					Season Pass Sales					Season Pass Sales				
		RES		NR			RES		NR			RES		NR
Individual		16	\$ 1,075.50	5 \$ 600.00	Individual		23	\$ 1,725.00	9 \$ 1,080.00	Individual		222	\$ 7,770.00	146 \$ 6,570.00
Family		110	\$ 13,307.50	65 \$ 11,448.00	Family		158	\$ 19,750.00	119 \$ 21,420.00	Family		102	\$ 12,750.00	46 \$ 7,590.00
Senior		4	\$ 253.50	7 \$ 748.00	Senior		18	\$ 1,170.00	7 \$ 770.00	Senior		33	\$ 990.00	28 \$ 1,120.00
Add'l Family Mem		13	\$ 195.00	0 \$ -	Add'l Family Mem		53	\$ 795.00	0 \$ -	Add'l Family Mem		29	\$ 440.00	0 \$ -
Total		\$ 14,831.50		\$ 12,796.00	Total		\$ 23,440.00		\$ 23,270.00	Total		\$ 21,950.00		\$ 15,280.00
Year to date Super Pass Sales					Year to date Super Pass Sales					Swim Lesson Sales				
		RES		NR			RES		NR			RES		NR
Family		90	\$ 5,400.00	33 \$ 2,145.00	Family		103	\$ 6,580.00	87 \$ 5,890.00	Level 1		5	\$ 300.00	4 \$ 280.00
Indvuial		17	\$ 425.00	3 \$ 90.00	Indvuial		21	\$ 875.00	7 \$ 225.00	Level 2		5	\$ 300.00	0 \$ -
Total		107	\$ 5,825.00	36 \$ 2,235.00	Total		124	\$ 7,455.00	94 \$ 6,115.00	Total		10	\$ 600.00	4 \$ 280.00
Punch Card Sales					Punch Card Sales					Daily Visit Sales				
		RES		NR			RES		NR			RES		NR
5 Visit		12	\$ 300.00	23 \$ 805.00	5 Visit		14	\$ 350.00	18 \$ 630.00	Daily Admission		1686	\$ 10,116.00	5985 \$ 47,880.00
10 Visit		6	\$ 300.00	2 \$ 140.00	10 Visit		3	\$ 150.00	6 \$ 420.00	Senior Admission		41	\$ 225.50	55 \$ 412.50
Total		18	\$ 600.00	25 \$ 945.00	Total		17	\$ 500.00	24 \$ 1,050.00	Total		1727	\$ 10,341.50	6040 \$ 48,292.50
Daily Visit Sales					Daily Visit Sales					Year To Date Birthday Parties				
		RES		NR			RES		NR			15	\$ 75.00	20 \$ 100.00
Single Visit		1597	\$ 9,582.00	4197 \$ 33,576.00	Single Visit		1189	\$ 7,134.00	3442 \$ 27,536.00			40	\$ 200.00	20 \$ 100.00
												20	\$ 100.00	30 \$ 150.00
												20	\$ 100.00	
										Total		95	\$ 475.00	70 \$ 350.00
Concessions Rev		\$ 9,910.75			Concessions Rev		\$ 6,308.75			Concessions Rev		\$ 12,011.50		
Swim Lessons		\$ 3,364.00			Facility Rental Rev		\$ 7,730.00			Facility Rental Rev		\$ 8,000.00		
Summer Camps		\$ 10,785.00								Adult Night Rev		\$ 1,304.00		
					Total RPAC Revenue		\$110,538.75							
Total RPAC Revenue		\$104,450.25								Total RPAC Revenue		\$118,884.50		

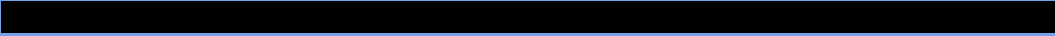
3-year Comparison

Visits- nearly 18k visits in 2024, a significant increase from 2023 and 2022.

Season Passes- increase in Senior & Individual passes; decrease in Family passes (driven by not having Super Pass option in 2024).

Daily Admission- significant increase over 2022 and 2023 even with more Individual Season Passes sold.

Total Revenue- 2024 total revenue (\$119k) was up substantially from 2023 revenue (\$110k) and 2022 (\$104k). A strong trend we intend to continue.



Summary of 2024

Attendance and revenue increases highlight a positive 2024 season. Patrons expressed their appreciation for being open all days of the week, as well as for having all pool amenities such as slides, splash pad, and rock wall open during all open swim hours. Lifeguards and deck attendants received compliments throughout the year on their attentiveness and customer service. RPAC experienced no major accidents, injuries, or other related events. We take pride in keeping the patrons and staff safe at the aquatics center. The addition of adult night was a major success. We experienced no mechanical failures during the season and de-winterizing the pool did not expose any plumbing breaks over the winter.

Next Season and Beyond

RPAC plans to be open Monday through Sunday for the entirety of the 2025 season. We will close at 8pm Friday and Saturday.

We plan to hold an adult night once a month during the pool season. Changes will be made to adult nights including an earlier start and end time.

We will have new computers at the aquatics center before the 2025 season. We also plan to add a new card reader to concessions to allow for more efficiency. Pool Equipment such as ladders, guard stands, and extra parts will be purchased prior to the 2025 season.

We plan to add a Water Aerobics program next season and will be continuing our swim lessons program as well as the end of season dog Pawl Party Fundraiser.

Off season meetings will occur with the current staff to promote retention and recruitment.

Item Number: VIII. Reports
of City Liaisons



City of Roeland Park
Action Item Summary

Submitted By:

Committee/Department: Parks & Recreation

Title: Parks Committee

Item Type: Presentation

Recommendation:

Details:

-Nall Park has largely been the focus of the group for this year as we look to revise the Master Plan. The team is very excited about the proposed master plan and the grand connection from the Community Center to the trails/Park. We are also excited to get a jump start on trail improvements.

-R Park: Working on a new planting plan with goals of a small water garden where water pools near the shelter, and replacing the invasive Japanese Bayberry which attracts ticks, as well as removing the landscape fabric and adding new natives.

We are also working on our schedule for the wildflower meadow.

-We are super excited about the Mighty Bike and will plan a dedication party!

-Sweaney Park, have a proposal for a small play structure we'd like to put in place.

-Juniper Park. The group would like to create a vision for this Park this year.

Fiscal Impact	
Amount of Request:	
Budgeted item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

Diversity Equity & Inclusion Lens

What are the implications to intersectionality?

- Does this item benefit all racial groups?

- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

ATTACHMENTS:

None

Item Number: VIII. Reports
of City Liaisons



City of Roeland Park
Action Item Summary

Submitted By:

Committee/Department: Administration

Title: Diversity, Equity, and Inclusion Committee

Item Type: Presentation

Recommendation:

Informational only. Carrie Paulette and Harold Morales to provide update.

Details:

Fiscal Impact	
Amount of Request:	
Budgeted item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

Diversity Equity & Inclusion Lens

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- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

ATTACHMENTS:

None

Item Number: X. New
Business



City of Roeland Park
Action Item Summary

Submitted By:

Jennifer Jones-Lacy, Assistant City Administrator Director of Finance

Committee/Department: Administration

Title: Agreement with Westwood for Code Enforcement Services (5 min)

Item Type: Action Item

Recommendation:

Approve the agreement with the City of Westwood for Code Enforcement Services.

Details:

The City of Westwood now has a vacancy in its building and property maintenance inspector position. As Westwood officials decide what their next step is, they asked if the City of Roeland Park would be willing to provide these services for them moving forward. They have contracted with George Butler & Associates (GBA) to provide building inspection services. They would like to use the City of Roeland Park to provide their property code maintenance services.

Westwood has a complaint-based code enforcement philosophy. As such, Westwood staff estimates we will get two calls month for code enforcement. They also have a rental inspection program so that will be a part of the our inspector's role also. Overall, we anticipate approximately 5 hours a month spent on property maintenance in Westwood.

The attached agreement includes the hourly rate for salary plus benefits of our Code Inspector's time plus a 15% administrative fee. We plan to assess how that process goes until the end of the year and will restructure the agreement in 2025 if there are issues or decide it is no longer feasible for us to continue. Roeland Park staff already provide this service for the City of Westwood Hills, which has minimum impact on staff's time.

Fiscal Impact	
Amount of Request:	
Budgeted item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

Diversity Equity & Inclusion Lens

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ATTACHMENTS:

1. Code Enforcement Agreement Westwood-RP - 2024

CONTRACT FOR CODE ENFORCEMENT SERVICES

This Contract for Codes Enforcement Services (the “Agreement”) is made this ____ day of _____, 2024, between the City of Roeland Park, Kansas, a municipal corporation (herein “Roeland Park”), and the City of Westwood, Kansas, a municipal corporation (herein “Westwood” or “City”).

WHEREAS, in the opinion of the governing bodies of Roeland Park and Westwood, it is to the mutual benefit and general welfare of the persons and properties of both municipalities to cooperate in the provision of codes enforcement and rental property inspection services for the two cities; and

WHEREAS, this Agreement constitutes a contract between municipalities pursuant to K.S.A. 12-2908 to perform a governmental service, activity or undertaking which each party hereto is authorized by law to perform and accordingly shall not be regarded as an interlocal agreement under the provisions of K.S.A. 12-2901, *et seq.*, and amendments thereto;

NOW THEREFORE, Roeland Park and Westwood, in consideration of the above and foregoing, their mutual promises, and other good and valuable consideration, have agreed, and by these presents do agree, as follows:

1. Services Provided. Roeland Park shall provide codes enforcement and property inspection services to Westwood on an as-requested basis. Codes enforcement services shall include, but are not limited to: routine, or unscheduled/scheduled on-site inspections of specific, complaint-based structure/property issues, each with the goal of establishing consistent ordinance compliance among the structures/properties within the City. (Rental property inspection services are not included.) These efforts may also include the interpretation of ordinances and issues and may lead to the preparation of reports, meetings with neighbors, and/or meetings with the governing body/staff on an as-needed basis; provided, however, that any consultation with regard to the interpretation of City ordinances shall be with the Westwood City Administrator.

2. Cost of Services. Codes enforcement inspection services shall be performed by the Building Inspector, or Code Enforcement Officer of the City of Roeland Park. For codes enforcement and property inspection services provided to Westwood, Westwood shall pay to Roeland Park an hourly rate equal to the actual hourly compensation cost and benefits of the staff performing the duties plus 15% for overhead. The 2024 hourly rate for Code Enforcement Officer hours is \$53.56. The 2025 hourly rate is \$55.75. These hourly rates will be adjusted periodically to reflect changes in compensation costs as they occur. Roeland Park shall notify Westwood of any change in compensation costs as soon as reasonably possible, but in no event less than 30 days prior to such change becoming effective.

3. Employees of Roeland Park. Notwithstanding anything to the contrary, the Building Official and/or Code Enforcement Officer of Roeland Park, and Roeland Park’s agents, employees, representatives, or independent contractors, shall remain subject to the exclusive supervision and control of the City Administrator of the City of Roeland Park, and shall be deemed

employees of Roeland Park at all times. However, the City Administrator of Westwood or his or her designee may give any person providing the services contemplated herein such information as is reasonably necessary to discharge the inspection and other services contemplated herein, and as further provided herein.

4. Indemnification. Roeland Park agrees to indemnify Westwood and any official, employee, or representative of Westwood, and hold them harmless for any costs or liability incurred in connection with the provision of services under this Agreement, except that Westwood agrees to indemnify Roeland Park and hold it harmless for any liability incurred in connection with the provision of any services under this Agreement only to the extent liability is attributed to the fault or negligence of Westwood and said liability arises from a policy, practice, or directive of the City of Westwood or any official, employee, or representative of Westwood. Westwood's indemnification of Roeland Park shall not extend to other bases for liability, including, but not limited to, liability predicated upon any imputed or vicarious form of liability or upon the fact that services provided under this Agreement took place within the city limits of the City of Westwood, unless the basis for such liability lies within a policy, practice, or direction of Westwood. Notwithstanding the foregoing, the parties agree that neither party shall have the obligation to indemnify the other party for acts for which the other city would otherwise be immune under the Kansas Tort Claims Act (K.S.A. 75-6104, *et seq.*), and amendments thereto, nor will the indemnity obligations set forth herein act as a waiver of either city's protections under such provisions. Further, any liability of either city shall be subject to the liability limitations under K.S.A. 75-6105, and amendments thereto. Additionally, and notwithstanding anything set forth herein to the contrary, the parties specifically agree that the terms of this section, and the terms of this Agreement, shall be subject to and limited by the Kansas Cash Basis Law (K.S.A. 10-1101, *et seq.*), and amendments thereto, and the Kansas Budget Law (K.S.A. 75-2935, *et seq.*), and amendments thereto.

This indemnity obligation includes the obligation to defend, or provide the cost of defense, to the indemnitee provided that the indemnitee complies with the requirements of any applicable contract of insurance providing for the provision of a defense or for the cost of defense. Indemnitee will provide a written representation to the insurance provider indicating that indemnitee shall: (1) cooperate with the insurer in the investigation, settlement or defense of the claim or suit; (2) immediately send the insurer copies of any demands, notices, summonses or legal papers received in connection with the claim or suit; (3) notify any other insurer whose coverage is available to the indemnitee; (4) cooperate with the insurer with respect to coordinating other applicable insurance available to the indemnitee; (5) provide the insurer with written authorization to obtain records and other information related to the claim or suit; and (6) provide written authorization to the insurer to conduct and control the defense of the indemnitee in such claim or suit. Upon the assertion of any claim related in any way to the provision of services under this Agreement, the party who has received such claim shall promptly provide written notice of such claim to the other party.

5. Insurance. Roeland Park agrees to obtain and maintain throughout the duration of this agreement, motor vehicle liability coverage, as well as comprehensive liability and property damage insurance coverage, with limits of not less than \$1,000,000 for each act and not less than

\$2,000,000 aggregate per occurrence, naming Westwood as an additional insured on such policy of insurance. The cost of adding Westwood as an additional insured shall be paid by Westwood. Roeland Park also agrees to maintain workers' compensation coverage for any Roeland Park employee operating under this agreement.

6. Effective Date. This agreement shall be effective upon approval and execution by both agencies and shall thereafter automatically renew annually with mutual consent of both parties; provided, however, that either party hereto shall have the right to cancel and annul this Agreement by giving sixty (60) days' advance written notice to the other party by certified mail. This Agreement may not be assigned by either party.

7. Westwood' Responsibility. Westwood shall be responsible for establishing and maintaining a budget to cover all anticipated expenses hereunder. It will also be responsible for passing along information on code violation complaints to Roeland Park Neighborhood Services staff and informing Roeland Park staff of any ordinances that would change Chapter 5 of the Westwood Code.

8. Payment for Services. Payment for services hereunder will be due after receipt by Westwood of an itemized invoice. Normally, if an invoice is received seven (7) days prior to a Westwood City Council meeting, payment will be made within seven (7) days thereafter. If an invoice remains unpaid 90 days after presentation, Roeland Park may decline to provide any further service under this Agreement until the delinquency is cured.

9. Default. The failure of either party to comply with the terms and conditions of this Agreement shall constitute a breach of the Agreement. Either party shall have thirty (30) days after receipt of written notice from the other party of any breach to correct the conditions specified in the notice, or if the corrections cannot be made within the thirty (30) day period, within a reasonable time if corrective action is commenced within ten (10) days after receipt of the notice.

10. Rights and Remedies. In the event of any breach hereunder and after the lapse of the cure period set forth in Section 9 above, the non-breaching party shall have all the rights and remedies available under the law or at equity. The rights and remedies of the parties hereto shall not be mutually exclusive but shall be cumulative in all respects. The respective rights and obligations of the parties hereunder shall be enforceable in equity as well as at law or otherwise.

11. Governing Law, Jurisdiction and Venue. All questions with respect to the construction of this Agreement and all rights and liabilities of the parties hereto shall be governed by the laws of the State of Kansas. The sole and exclusive venue for any legal action in any way premised upon the rights and responsibilities of the parties under this Agreement shall be within the District Court of Johnson County, Kansas. The parties do hereby stipulate to jurisdiction within the District Court of Johnson County, Kansas.

12. Notices. Any written notice which must or may be given relating to this Agreement shall be sufficient if deposited in the United States Mail, postage prepaid, via certified mail, addressed to the City Administrator of the city to which notice is being provided, with copies to the City Clerk and City Attorney of such city.

13. Cities Properly Authorized. By executing this Agreement each city certifies to the other that it has taken the necessary actions and is properly authorized to enter into this Agreement. The cities mutually agree to do all acts necessary and proper to carry out the applicable provisions of this Agreement.

14. General Provisions.

a. Severability. In the event that any condition, covenant, or other provision herein contained is held to be invalid or void by any court of competent jurisdiction, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect any other covenant or condition herein contained. If such condition, covenant, or other provision shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

b. Amendment. This Agreement may be modified only by a writing signed by each of the parties hereto.

c. Binding Effect. To the extent permitted by law, this Agreement shall bind the parties and their respective successors and assigns.

d. Captions. The captions of the various sections of this Agreement are for convenience and ease of reference only and do not define, limit, augment, or describe the scope, content, or intent of this Agreement or any part or parts of this Agreement.

IN WITNESS WHEREOF, the Mayor of Roeland Park, Kansas, has signed this agreement on behalf of the City of Roeland Park, Kansas, and the Mayor of the City of Westwood, Kansas has signed such agreement on behalf of the City of Westwood, Kansas.

CITY OF ROELAND PARK, KANSAS

CITY OF WESTWOOD, KANSAS

By: _____
Michael Poppa, Mayor

By: _____
David E. Waters, Mayor

ATTEST:

ATTEST:

Kelley Neilsen, City Clerk

Abby Schneweis, City Clerk

APPROVED AS TO FORM:

Steve Mauer, City Attorney

Date: _____

APPROVED AS TO FORM:

Ryan Denk, City Attorney

Date: _____

Item Number: X. New
Business



City of Roeland Park
Action Item Summary

Submitted By:
Kelley Nielsen, City Clerk
Committee/Department: Administration
Title: Peddlers License Application - Emerson
Item Type: Action Item

Recommendation:

Details:

Emerson Enterprises is requesting a peddlers license. Emerson is a roofing, siding, and gutter general contractor. They are licensed with the county and state.
Attached application process.

Fiscal Impact	
Amount of Request:	
Budgeted item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

Diversity Equity & Inclusion Lens

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

ATTACHMENTS:

1. Emerson Peddlers License Application
2. Transient Merchant Vendor Application 1

The City of Roeland Park, Kansas

4600 West Fifty-First Street
Roeland Park, Kansas 66205
City Hall (913) 722-2600 – Fax (913) 722-3713

To be filled in by City:
Date filed: 10/8/21
Case no.: _____

City of Roeland Park, Kansas ARTICLE 2. PEDDLERS, TRANSIENT MERCHANTS 5-201 Application for Special Use Permit (5-207)

Fee: \$20.00 Per day/Per person

A) Applicant _____ Date of Birth: _____
Phone number: _____ Email address: _____
Kansas Sales Tax # 004-964624080F01

B) Applicant's Address _____
Location address of properties where intending to sell goods: _____

C) Name of business and description of goods to be sold: Emerson - General Contractor - Roof Siding Gutters

D) If employed, name and address of employer (attach credentials). Emerson 16309 W. 108th Circle Lenexa KS 66219

E) Length of time for right to do business: _____

F) Description of vehicle and license number: _____

G) Have you within the prior two years been convicted of any crime, misdemeanor, or violation of any municipal ordinance regulation. Y ☒ N
If yes, nature of offense and punishment or penalty assessed: _____

H) Each application shall be accompanied by the written permission of the owner, or tenant in possession of the location described in the application, from which or in front of which the application intends to offer goods, services, merchandise or personal property for sale.

I) Submit a copy of a paid personal property tax receipt from the Johnson County Treasurer or another county treasurer in the State of Kansas for all goods or merchandise brought into Johnson County from outside the State of Kansas to be sold or disposed of in a place of business temporarily occupied for their sale.

J) As a condition precedent to the issuance of a license as provided herein, any applicant wishing to sell firearms or previously owned (used) merchandise, including automobiles, shall agree on his behalf and on the behalf of all employees and agents engaged by him in the conduct of such business to make available for inspection by any law enforcement officer any and all such merchandise being sold in the course of the applicant's business. At the request of any law enforcement officer, the applicant shall provide serial numbers or other identification numbers for such merchandise marked with serial numbers or identification numbers as is being offered for sale by such applicant, his or her employees or agents.

NAME

ADDRESS

DOB

SSN#

Michael Vaca-Martinez 7511 Goddard St. Apt. 103 Shawnee KS 66090

Ferdinand Handy 6733 Lackman Rd. Apt. 302 Shawnee KS 66217

Yessenia Rodriguez 1509 S. 15th St. KCK 66103

Cameron Christman 1200 Ohio St. Unit C Lawrence KS 66044

Jason Gray 7314 Pitkin St. KCK 66111

The City of Roeland Park, Kansas

*4600 West Fifty-First Street
Roeland Park, Kansas 66205
City Hall (913) 722-2600 – Fax (913) 722-3713*



PEDDLERS, TRANSIENT MERCHANTS APPLICATION 5-201 – 5-207

Effective 1/1/04, Approved by Council 12/3/03

The City of Roeland Park, Kansas

4600 West Fifty-First Street
Roeland Park, Kansas 66205
City Hall (913) 722-2600 – Fax (913) 722-3713

To be filled in by City:

Date filed: _____

Case no.: _____

City of Roeland Park, Kansas

ARTICLE 2. PEDDLERS, TRANSIENT MERCHANTS 5-201

Application for Special Use Permit (5-207)

Fee: \$20.00 Per day/Per person

A) Applicant _____ Date of Birth: _____

Phone number: _____ Email address: _____

Kansas Sales Tax # _____

B) Applicant's Address _____

Location address of properties where intending to sell goods: _____

C) Name of business and description of goods to be sold: _____

D) If employed, name and address of employer (attach credentials). _____

E) Length of time for right to do business: _____

F) Description of vehicle and license number: _____

G) Have you within the prior two years been convicted of any crime, misdemeanor, or violation of any municipal ordinance regulation. _____ Y _____ N

If yes, nature of offense and punishment or penalty assessed: _____

H) Each application shall be accompanied by the written permission of the owner, or tenant in possession of the location described in the application, from which or in front of which the application intends to offer goods, services, merchandise or personal property for sale.

I) Submit a copy of a paid personal property tax receipt from the Johnson County Treasurer or another county treasurer in the State of Kansas for all goods or merchandise brought into Johnson County from outside the State of Kansas to be sold or disposed of in a place of business temporarily occupied for their sale.

J) As a condition precedent to the issuance of a license as provided herein, any applicant wishing to sell firearms or previously owned (used) merchandise, including automobiles, shall agree on his behalf and on the behalf of all employees and agents engaged by him in the conduct of such business to make available for inspection by any law enforcement officer any and all such merchandise being sold in the course of the applicant's business. At the request of any law enforcement officer, the applicant shall provide serial numbers or other identification numbers for such merchandise marked with serial numbers or identification numbers as is being offered for sale by such applicant, his or her employees or agents.

Findings of the City Council

5-206. SPECIAL USE PERMIT REQUIRED. Before any business described in this article shall be conducted within the city limits of the city, the applicant shall obtain from the city council a special use permit as provided herein.

(a) The city council shall grant the applicant a special use permit if the city council finds all of the following:

_____ (1) The use, as proposed by the applicant, if permitted, will comply with all applicable laws, including, but not limited to, the city's building, zoning and health regulations;

_____ (2) The use, as proposed by the applicant, if permitted, would be in harmony with the intent and purpose of the city's zoning law or comprehensive plan.

_____ (3) The use, as proposed by the applicant, if permitted, would be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions, and number of similar uses.

_____ (4) The use, as proposed by the applicant, if permitted, will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood, and will cause no objectionable noise, vibration, fumes, odors, dust, glare or physical activity.

_____ (5) The use as proposed by the applicant, if permitted, would have no detrimental effect on vehicular or pedestrian traffic.

_____ (6) The use, as proposed by the applicant, if permitted, would not adversely affect the health, safety, security, morals, or general welfare of residents, visitors, or workers in the area.

_____ (7) The use, as proposed by the applicant, if permitted, would not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.

(b) In addition to the foregoing findings required to grant a special use permit the city council may deny a special use permit for the particular business, if the city council finds any of the following:

_____ (1) The applicant has knowingly made any false, misleading or fraudulent statement of fact in the permit application or in any document required by the city in conjunction therewith.

_____ (2) The applicant, if an individual, or any of the stockholders holding more than 10% of the stock of the corporation, any of the officers or directors, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership; and the manager or other person principally in charge of the operation of the business, have been convicted of any crime involving fraud, deceit, theft of property, possession of stolen property or similar crime, unless such conviction occurred at least five years prior to the date of the application.

_____ (3) The applicant has had a similar permit denied, suspended or revoked by any city, state or local agency within five years to the date of the application.

ARTICLE 2. PEDDLERS, TRANSIENT MERCHANTS

5-201. DEFINITIONS. For the purpose of this article, the following words shall be considered to have the following meanings:

(a) Soliciting shall mean and include any one or more of the following activities:

(1) Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services, of any kind, character or description whatever, for any kind of consideration whatever; or

(2) Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character; or

(3) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication.

(b) Residence shall mean and include every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.

(c) Canvasser or Solicitor shall mean any individual, whether resident of the city or not, traveling either by foot, wagon, automobile, motor truck, or any other type of conveyance, from place to place, from house to house, or from street to street, taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries, or exposes for sale a sample of the subject of such sale or whether he or she is collecting advance payments on such sales or not. Such definition shall include any person, who, for himself, herself or for another person, hires, leases, uses, or occupies any building, structure, tent, railroad boxcar, boat, hotel room, lodging house, apartment, shop or any other place within the city for the sole purpose of exhibiting samples and taking orders for future delivery.

(d) Peddler shall mean any person, whether a resident of the city or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale, or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, railroad boxcar or other vehicle or conveyance, and further provided, that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this article shall be deemed a peddler.

(e) Transient merchant, itinerant merchant or itinerant vendor is defined as any person, whether as owner, agent, consignee or employee, whether a resident of the city or not, who engages in a temporary business of selling and delivering goods, wares and merchandise within such city, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, tent, railroad boxcar, or boat, public room in hotels, lodging houses, apartments, shops or any street, alley or other place within the city, for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction. Such definition shall not be construed to include any person who, while occupying such temporary location, does not sell from stock, but exhibits samples only for the purpose of securing orders for future delivery only. The person so engaged shall not be relieved from complying with the provisions of this article merely by reason of associating temporarily with any local dealer, trader, merchant or auctioneer, or by conducting such transient business in connection with, as a part of, or in the name of any local dealer, trader, merchant or auctioneer.

(f) Street salesman shall mean any person engaged in any manner in selling merchandise of any kind from a wagon or stand temporarily located on the public streets or sidewalks of this city.

(Code 1986)

5-202. LICENSE REQUIRED. No person shall engage in the activities as defined in section 5-201 within the corporate limits of the city without first obtaining a certificate of registration and license therefor. Any applicant for a license under this article shall file with the city clerk a

sworn application on a form furnished by the city clerk, which shall give the following information:

(a) Name, date of birth, physical description of applicant, and applicant's Kansas Sales Tax number.

(b) Address of applicant and address of location where applicant intends to offer goods, wares, merchandise or personal property for sale.

(c) A brief description of the name of the business to be conducted and the goods to be sold.

(d) If applicant is employed, name and address of the employer, together with credentials establishing applicant's relationship to such employer.

(e) Length of time for which the right to do business is desired.

(f) If a vehicle is to be used, a description of the same, together with the state vehicle license number carried on such vehicle.

(g) A statement as to whether or not the applicant has within two years prior to the date of the application been convicted of any crime, misdemeanor, or violation of any municipal ordinance regulation peddlers or transient merchants, and if so, the nature of the offense and the punishment or penalty assessed therefor.

(h) Each application shall be accompanied by the written permission of the owner, or tenant in possession of the location described in the application, from which or in front of which the application intends to offer goods, services, merchandise or personal property for sale.

(i) Submit a copy of a paid personal property tax receipt from the Johnson County Treasurer or another county treasurer in the State of Kansas for all goods or merchandise brought into Johnson County from outside the State of Kansas to be sold or disposed of in a place of business temporarily occupied for their sale.

(j) As a condition precedent to the issuance of a license as provided herein, any applicant wishing to sell firearms or previously owned (used) merchandise, including automobiles, shall agree on his behalf and on the behalf of all employees and agents engaged by him in the conduct of such business to make available for inspection by any law enforcement officer any and all such merchandise being sold in the course of the applicant's business. At the request of any law enforcement officer, the applicant shall provide serial numbers or other identification numbers for such merchandise marked with serial numbers or identification numbers as is being offered for sale by such applicant, his or her employees or agents.

(Code 1986; Ord. 523, Sec. 4)

5-203. **ISSUANCE OF LICENSE.** Upon receipt of a properly completed application for certificate and license, the city clerk shall place the issuance of such certificate and license on the agenda for the city council meeting next following the date of the receipt of the application. The applicant shall be advised of the time and place at which the city council shall hear the applicant's request for a special use permit and the applicant shall be given the opportunity to be heard concerning the request.

If the city council makes the findings required in section 5-207 hereof, the city council shall grant a special use permit allowing the location described in the application to be used to conduct the business described in the application. In the event that the city council grants such special use permit, the city clerk shall issue a license. Such license shall contain the signature and seal of the issuing officer and shall show the name and address of the licensee, the date of the issuance and length of time the license shall be operative, and the nature of the business involved.

The city clerk shall keep a permanent record of all such licenses issued and submit a copy of such license to the chief of police. The person to whom such license is issued shall have the license in his or her possession at all times while conducting any business within the city.

In the event that the city council fails to grant the special use permit, the applicant shall be advised that the special use permit has not been granted and the applicant's application shall be denied.

(Ord. 523, Sec. 5)

5-204. LICENSE FEE; EXEMPTIONS.

(a) *The fee for the license required pursuant to section 5-202 shall be in the amount of \$20 per person for each day, or portion thereof, that the licensee shall solicit within the city limits. Any such license granted upon application as required hereinabove shall be limited to and effective only on the days set out in the license between the hours of 8:00 a.m. and 6:00 p.m. No solicitation or sales shall be conducted by any person during any other hours on said date. Provided, further, however, that persons and firms not having a permanently established place of-business in the city, but having a permanently established house to house or wholesale business shall receive such license upon the payment of \$50 for any year, and may make solicitations or sales between the hours of 8:00 a.m. and 6:00 p.m., or upon invitation at any hour.*

(b) *No license fee shall be required of: any person selling products of the farm or orchard actually produced by the seller; any businesses, trades or occupations which are part of fairs or celebrations sponsored by the city or any other governmental subdivision, or the state, or when part of all of the expenses of the fairs or celebrations are paid for by the city, any other governmental subdivision, or the state.(Code 1986)*

5-205. REVOCATION OF LICENSE. (a) The chief of police may revoke any license issued under this article, for any of the following causes:

- (1) Fraud, misrepresentation or false statement contained in the application for license.
- (2) Fraud, misrepresentation or false statement made in the course of carrying on the business.
- (3) Any violation of this article.
- (4) Conducting the businesses as defined in section 5-201 in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the city. Notice of the revocation of a license shall be in writing to the applicant and the city clerk and set forth the grounds of revocation.

(b) Any person aggrieved by the action of the chief of police or city clerk in the denial of an application or revocation of a license as provided in this article, shall have the right of appeal to the governing body. Such appeal shall be taken by filing with the city clerk within 14 days after notice of revocation or denial of the license has been mailed to such applicant's last known address setting forth the grounds for appeal. The governing body shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the applicant in the same manner as provided herein for notice of hearing on revocation. The decision and order of the governing body on such appeal shall be final and conclusive. (Code 1986)

5-206. DISTURBING THE PEACE. No peddler, canvasser or solicitor, nor any person in his or her behalf, shall use any sound device, including any loud-speaking radio or sound-amplifying system upon any of the streets, alleys, parks or other public places of the city or upon any private premises in the city where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks or other public places, for the purpose of attracting attention to any goods, wares or merchandise which such licensee proposes to sell. (Code 1986)

5-207. SPECIAL USE PERMIT REQUIRED. Before any business described in this article shall be conducted within the city limits of the city, the applicant shall obtain from the city council a special use permit as provided herein.

(a) The city council shall grant the applicant a special use permit if the city council finds all of the following:

- (1) The use, as proposed by the applicant, if permitted, will comply with all applicable laws, including, but not limited to, the city's building, zoning and health regulations;

(2) The use, as proposed by the applicant, if permitted, would be in harmony with the intent and purpose of the city's zoning law or comprehensive plan.

(3) The use, as proposed by the applicant, if permitted, would be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions, and number of similar uses.

(4) The use, as proposed by the applicant, if permitted, will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood, and will cause no objectionable noise, vibration, fumes, odors, dust, glare or physical activity.

(5) The use as proposed by the applicant, if permitted, would have no detrimental effect on vehicular or pedestrian traffic.

(6) The use, as proposed by the applicant, if permitted, would not adversely affect the health, safety, security, morals, or general welfare of residents, visitors, or workers in the area.

(7) The use, as proposed by the applicant, if permitted, would not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.

(b) In addition to the foregoing findings required to grant a special use permit the city council may deny a special use permit for the particular business, if the city council finds any of the following:

(1) The applicant has knowingly made any false, misleading or fraudulent statement of fact in the permit application or in any document required by the city in conjunction therewith.

(2) The applicant, if an individual, or any of the stockholders holding more than 10% of the stock of the corporation, any of the officers or directors, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership; and the manager or other person principally in charge of the operation of the business, have been convicted of any crime involving fraud, deceit, theft of property, possession of stolen property or similar crime, unless such conviction occurred at least five years prior to the date of the application.

(3) The applicant has had a similar permit denied, suspended or revoked by any city, state or local agency within five years to the date of the application.

(Ord. 523, Sec. 6)

Item Number: X. New
Business



City of Roeland Park
Action Item Summary

Submitted By:
Keith Moody

Committee/Department: Administration

Title: Approve Long Lead Time Items for Phase 2 Renovations at Community Center (5 min)

Item Type: Action Item

Recommendation:

Staff recommends approval of Universal to purchase long lead time equipment for phase 2 renovations at the Community Center from the apparent low bidders listed in the attached bid tabulation report.

Details:

Universal has secured bids for three long lead time elements (doors and frames, HVAC equipment, light fixtures). We are asking the Council to approve the purchase of these items prior to having the final maximum not to exceed figure for phase 2 in order to ensure the equipment will be on-site when needed for construction. These items match the equipment used in phase 1. The quantities are not likely to change at this point in the design, nor will the size or application. These are necessary components (not alternates) to completing the renovations planned. Attached is a summary of the bids secured by Universal (our Construction Manager at Risk). Universal's cost estimate (UCC Budget column) is reflected along with the bids they received for each of the 3 elements (see attachment), and all three elements came in under Universal's estimate. Note the construction cost for phase 2 is estimated at \$1.5 million. These elements total \$102,227, making up roughly 1/15th of the total project cost.

As a reminder, the Council will be asked to amend the Construction Manager At Risk agreement with Universal when the Maximum Not to Exceed Price is arrived at, which will be after all the work has been through the bidding process. This is planned for December. Approval of these items a couple of months early gives us assurance that the materials will be on hand when they are needed and this will ensure the project progresses on schedule and without delay.

Fiscal Impact	
Amount of Request: \$102,227	
Budgeted item? Yes	Budgeted Amount: \$1,500,000.00
Line Item Code/Description: 5476-300 Community Center Improvements	

Additional Information

Diversity Equity & Inclusion Lens

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

ATTACHMENTS:

1. Bids for HVAC-Lighting-Doors & Frames 10-16-24



UNIVERSAL CONSTRUCTION COMPANY, INC.

October 16, 2024

Mr. Keith Moody
City Administrator – Roeland Park
4600 W 51st Street
Roeland Park, KS 66205

RE: Letter of Recommendation
Roeland Park Community Center – Phase II

Package 1 - BP 081, 231, 261

Dear Mr. Moody,

Listed below is Universal Construction's Recommendations for the City of Roeland Park to move forward with the approval of Purchase Orders for work associated with the above referenced project. We bid out these packages early due to lengthy lead times associated with the materials. By bidding and awarding these materials early, we will be able to avoid delays to the project associated with securing this material. We are seeking approval from the City for **\$102,227** for pre purchasing the following materials needed to complete the Phase II renovations at Roeland Park Community Center.

Summary of individual Purchase Orders to be secured and managed by Universal.

We received a total of **10** bids for the current recommended BP's from Package #1. The bids received are broke out below. We have met with the apparent low bidders and determined who is the low and responsive bidder for each below referenced bid package based upon the base bid and alternates desired by the district. The following is a listing of the scopes, number of bidders, contractors and contract amounts recommended for contracts for this project.

Recommended Vendors and Contact Values by Bid Package				Number of Bids
081 – Doors Frames & Hdwe.	HG Schultz	\$	28,840	4
231 – HVAC Equipment	Lennox	\$	13,622	2
261 – Light Fixtures	Mercer Zimmerman	\$	59,765	4

Please let us know if you have any questions or comments on these recommendations.

Sincerely,
Universal Construction Co., Inc.

Archie W. Smith V
President

Value Used In UCC Bid:

[illegible]

Value Used In UCC Bid:

[illegible]

Value Used In UCC Bid:

Roeland Park Community Center - Ph 2																						
BID SHEET (C)			Low Bidder																			
Bid Package	261 - Lighting Fixtures - Mat		Mercer		CED - Rensenhouse			Elliott Electric			Premier Lighting			UCC Budget			Mercer					
Bid Date/Time	10/15/24				Contact Name #1			Contact Name #2			Contact Name #3			Contact Name #4			Contact Name #5					
			Goal %		Contact Email Address			Contact Email Address			Contact Email Address			Contact Email Address			Contact Email Address					
					Contact Phone #			Contract Phone #			Contract Phone #			Contract Phone #			Contract Phone #					
	Current Package Amount				\$59,765			\$64,962			\$67,914			\$65,197			\$63,400			\$59,765		
	Current Subcontract Amount				\$0			\$0			\$0			\$0			\$0			\$0		
	Yet To Buys / Exposure Value				\$59,765			\$64,962			\$67,914			\$65,197			\$63,400			\$59,765		
Insert Row Below																						
Descriptions			ESTIMATE	AMOUNT	AMOUNT		NOTES	AMOUNT		NOTES	AMOUNT		NOTES	AMOUNT		NOTES	AMOUNT		NOTES	AMOUNT		NOTES
	Base Bid			\$0																		
	MBE (If MBE list %)		0%	0.00%																		
	WBE (If WBE list %)		0%	0.00%																		
	DVBE (If DVBE List %)		0%	0.00%																		
Breakouts/Alternates																						
	Alt #A - Delete F/CU-3			\$0																		
	Alternate #02			\$0																		
	Alternate #03			\$0																		
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Unit Prices																						
	Unit Price #01			\$0																		
	Unit Price #02			\$0																		
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	Unit Price #04			\$0																		
	Unit Price #05			\$0																		
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	Unit Price #08			\$0																		
	Unit Price #09			\$0																		
	Unit Price #10			\$0																		
Insert Row Above																						
General Requirement Checks																						
	Sales Tax Required/Included- Exempt		Exempt	0																		
	Confirmed # of Addendum		A	0																		
	Agree to Contract			0																		
	Insurance Requirements Included		By UCC	0																		
	SubBonds Required -		-	0																		
	Maintenance / Warranty Bond Length		0	0																		
	Understands Construction Schedule and/or has Given Durations			0																		
	Prevailing Wage -		0	0																		
	Trade Specific Permit Costs Included			0																		
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Scope of Work																						
	Inclusions			0																		
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