

AGENDA
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall 4600 W 51st Street, Roeland Park, KS 66205
April 6, 2020 6:00 PM

- | | | |
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| <ul style="list-style-type: none"> • Mike Kelly, Mayor • Trisha Brauer, Council Member • Benjamin Dickens, Council Member • Jan Faidley, Council Member • Jennifer Hill, Council Member | <ul style="list-style-type: none"> • Jim Kelly, Council Member • Tom Madigan, Council Member • Claudia McCormack, Council Member • Michael Rebne, Council Member | <ul style="list-style-type: none"> • Keith Moody, City Administrator • Jennifer Jones-Lacy, Asst. Admin. • Kelley Nielsen, City Clerk • John Morris, Police Chief • Donnie Scharff, Public Works Director |
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Admin

Brauer
Hill

Finance

McCormack
Madigan

Safety

Rebne
Faidley

Public Works

Kelly
Dickens

Pledge of Allegiance

A. Instructions on Logging into Meeting Remotely

Roll Call

Modification of Agenda

I. Citizens 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.

II. 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 #947

- B. February 17, 2020 Council Minutes
- C. March 16, 2020 Council Minutes
- D. March 20, 2020 Special Called Council Minutes
- III. **Business From the Floor**
 - A. **Applications / Presentations**
- IV. **Mayor's Report**
- V. **Workshop and Committee Reports**
- VI. **Reports of City Liaisons**
- VII. **Unfinished Business**
- VIII. **New Business**
 - A. Amend SRO Agreement with Bishop Miede
 - B. Approve KDOT Authority to Award Contract Form for Roe Boulevard Project
 - C. Adoption of a Traffic Calming Policy
 - D. Award Bids for 2020 UBAS & Chipseal
 - E. Temporary Personnel Policies to Address COVID Related Absences
 - F. Appointments to the Ad-Hoc Historical Committee
- IX. **Ordinances and Resolutions:**
- X. **Reports of City Officials:**
 - A. Weekly COVID-19 Update

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: Pledge of Allegiance- -A.
Committee 4/6/2020
Meeting Date:



City of Roeland Park

Action Item Summary

Date:

Submitted By:

Committee/Department:

Title: **Instructions on Logging into Meeting Remotely**

Item Type:

Recommendation:

See instructions to log in below.

Details:

The City Council Meeting scheduled for April 6, 2020 at 6 p.m. will be held remotely. Below are instructions for joining the meeting by phone, online or both.

Roeland Park City Council Meeting and Workshop

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/RoelandParkCouncil/roeland-park-city-council-meeting-and-workshop>

You can also dial in using your phone.

United States (Toll Free): 1 877 568 4106

Access Code: 719-374-005

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/719374005>

Please use these tips while listening in:

- 1) Please be sure to mute yourself.
- 2) We recommend logging in a couple minutes early to test the app. The meeting will be recorded.

3) If you're able to, joining the meeting through the online portal is best so you can see the screen and listen in. If you have trouble with audio, you can call in as well as use the web-based meeting app.

4) We will allow public comment at the beginning of the Council Meeting. If you would like to make a public comment, please log or call into the meeting five minutes early so we can get your name and call on you when it's time to make a public comment. If you are logged in online, you can also make your request to speak known using the chat function in the app.

5) Unless called upon or requesting to speak, we ask that audience members abstain from speaking or adding commentary to the chat function so we can maintain an orderly and efficient meeting.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: Consent Agenda- II.-A.
Committee 4/6/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Appropriations Ordinance #947**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
☐ Appropriations Ordinance #947	Cover Memo

The City of Roeland Park, Kansas

4600 West Fifty-First Street

Roeland Park, Kansas 66205

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

Thursday, April 2, 2020

Appropriation Ordinance -4/06/2020 - #947

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 6th day of April, 2020.

Attest:

City Clerk

Mayor

Total Appropriation Ordinance

\$

112,139.01

Appropriation Ordinance -4/06/2020 - #947

Vendor	Dept	Acct #	Description	Invoice Description	Check /EFT Date	Amount	Chk #	Check Amount
Vendor	Dept	Account	Account Description	Reference	Date	Distribution Amount	Check #	Check Amount
Advance Auto Parts	106	5260.106	Vehicle Maintenance	512800792687	04/01/20	32.35	70593	32.35
Airgas USA, LLC	106	5308.106	Clothing & Uniforms	9099063996	04/01/20	33.60	70594	33.60
Airgas USA, LLC	106	5318.106	Tools	9969152367	03/18/20	21.24	70575	21.24
All Copy Products Inc.	102	5214.102	Other Contracted Services	AR2875042	04/01/20	73.54	70595	259.57
All Copy Products Inc.	105	5214.105	Other Contracted Services	AR2875042	04/01/20	186.03		
American Fidelity Assurance	101	2052.101	Supplemental Insurance Payable	D138568	04/01/20	651.30	70596	651.30
Arrowhead Forensics	102	5307.102	Other Commodities	124593	04/01/20	169.35	70597	169.35
Paul L. Benson	101	5217.101	Public Art	3/8/20 Consult	03/19/20	100.00	70587	100.00
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	1054759	04/01/20	35.00	70598	308.95
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	1054764	04/01/20	35.00		
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	1054836	04/01/20	238.95		
Occupational Health Centers of the	290	5207.290	Medical Expense & Drug Testing	1012252023	03/18/20	340.00	70576	340.00
Confluence, Inc.	101	5209.101	Professional Services	18427	03/18/20	986.55	70577	986.55
CS Carey Inc.	110	5262.110	Grounds Maintenance	U03738	04/01/20	132.00	70599	1,056.00
CS Carey Inc.	110	5262.110	Grounds Maintenance	U04185	04/01/20	396.00		
CS Carey Inc.	110	5262.110	Grounds Maintenance	U04548	04/01/20	132.00		
CS Carey Inc.	110	5262.110	Grounds Maintenance	U04562	04/01/20	132.00		
CS Carey Inc.	110	5262.110	Grounds Maintenance	U04657	04/01/20	132.00		
CS Carey Inc.	110	5262.110	Grounds Maintenance	U04676	04/01/20	132.00		
ETC Institute	101	5214.101	Other Contracted Services	27619	03/18/20	868.75	70578	868.75
Evergy	101	5201.101	Electric	3/24/20 Multiple	04/01/20	1,236.16	70600	1,716.18
Evergy	106	5201.106	Electric	3/24/20 Multiple	04/01/20	480.02		
Foley Industries	106	5211.106	Maintenance & Repair Equipment	SS760000454	04/01/20	201.14	70601	201.14
Wade Holtkamp	104	5206.104	Travel Expense & Training	10/9-11/19 Trave	03/18/20	51.32	70579	51.32
Mary Ann Hueschen	101	4795.101	Miscellaneous	3/16/20 Refund	03/18/20	25.00	70580	25.00
Independent Salt Company	270	5303.270	Sand and Salt	151677IN	04/01/20	1,779.65	70602	8,672.85
Independent Salt Company	270	5303.270	Sand and Salt	151678IN	04/01/20	3,393.81		
Independent Salt Company	270	5303.270	Sand and Salt	151679IN	04/01/20	3,499.39		
Jake's Lawn & Landscape, LLC.	110	5262.110	Grounds Maintenance	4070	04/01/20	4,700.00	70603	4,700.00
Johnson County Government	102	5214.102	Other Contracted Services	156443	03/18/20	3,417.00	70581	3,417.00
Ka-Comm., Inc.	102	5211.102	Maintenance & Repair Equipment	173074	03/18/20	55.00	70582	55.00
Kansas City Board of Public Utilities	101	5222.101	Traffic Signal Expense	2834 3/25/20	04/01/20	32.67	70604	32.67
Key Equipment & Supply	106	5211.106	Maintenance & Repair Equipment	259608	03/18/20	121.00	70583	121.00
Kansas Gas Service	101	5289.101	Natural Gas	3/13/20 Multiple	04/01/20	264.53	70605	953.88
Kansas Gas Service	106	5289.106	Natural Gas	3/13/20 Multiple	04/01/20	625.07		
Kansas Gas Service	220	5289.220	Natural Gas	3/13/20 Multiple	04/01/20	64.28		
Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services	319001010000014	04/01/20	654.00	70606	21,613.12

Lamp, Rynearson & Assoc., Inc.	270	5209.270 Professional Services	320001010000002	04/01/20	6,102.59		
Lamp, Rynearson & Assoc., Inc.	300	5421.300 Street Maintenance	320001020000002	04/01/20	2,432.50		
Lamp, Rynearson & Assoc., Inc.	300	5472.300 R Park Development Plan	319001040000012	04/01/20	2,844.30		
Lamp, Rynearson & Assoc., Inc.	300	5472.300 R Park Development Plan	319001060000003	04/01/20	9,579.73		
The Legal Record	101	5204.101 Legal Printing	L85119	03/18/20	179.82	70584	226.90
The Legal Record	101	5204.101 Legal Printing	L85192	03/18/20	47.08		
The Legal Record	101	5204.101 Legal Printing	L85312	04/01/20	31.07	70607	114.18
The Legal Record	101	5204.101 Legal Printing	L853111	04/01/20	83.11		
LE Upfitter	102	5308.102 Clothing & Uniforms	7643	03/18/20	14.00	70585	14.00
Liftoff, LLC	101	5266.101 Computer Software	5099add5	04/01/20	92.88	70608	92.88
Mauer Law Firm PC	101	5215.101 City Attorney	3/17/20	04/01/20	4,294.00	70609	4,332.00
Mauer Law Firm PC	370	5457.370 CARS 2020 - Roe	3/17/20	04/01/20	38.00		
MEI Total Elevator Solutions	101	5210.101 Maintenance & Repair Building	847896	04/01/20	499.50	70610	2,393.50
MEI Total Elevator Solutions	101	5210.101 Maintenance & Repair Building	848322	04/01/20	1,894.00		
Midwest Public Risk	107	5126.107 Health/Dental/Vision Insurance	3/17/20	03/17/20	1,836.40	32521	1,836.40
Midway Ford Truck Center Inc	106	5211.106 Maintenace & Repair Equipment	R10030502401	04/01/20	398.17	70611	398.17
Missouri Organic	115	5235.115 Disposal Fees	8459	04/01/20	86.85	70612	86.85
Principal Life Insurance Co.	107	5130.107 City Paid Life/ST Disability	0001 3/17/20	04/01/20	990.41	70613	990.41
Purchase Power	101	5205.101 Postage & Mailing Permits	7903 3/20/20	04/01/20	352.92	70614	352.92
Wex Bank	104	5302.104 Motor Fuels & Lubricants	64417258	03/17/20	25.40	32520	550.77
Wex Bank	106	5302.106 Motor Fuels & Lubricants	64417258	03/17/20	525.37		
Rejis Commission	102	5214.102 Other Contracted Services	434583	03/18/20	22.50	70586	22.50
Rejis Commission	102	5214.102 Other Contracted Services	434866	04/01/20	229.69	70615	229.69
George Schlegel	101	5230.101 Art Commissioner	Recurring Check	04/01/20	100.00	70616	100.00
Southern Aluminum	290	5425.290 Other Capital Outlay	144073	03/18/20	7,608.00	70588	7,608.00
Staples	101	5301.101 Office Supplies	8057723897	03/18/20	70.45	70589	70.45
Staples	101	5301.101 Office Supplies	8057807471	04/01/20	132.98	70617	132.98
Terminix Processing Center	106	5214.106 Other Contracted Services	394942004	04/01/20	59.00	70618	59.00
Water District No 1 of Johnson Co	101	5287.101 Water	3/24/20 Multiple	04/01/20	56.22	70619	385.22
Water District No 1 of Johnson Co	106	5287.106 Water	3/24/20 Multiple	04/01/20	257.13		
Water District No 1 of Johnson Co	220	5287.220 Water	3/24/20 Multiple	04/01/20	71.87		
WCA Waste Corporation	115	5235.115 Disposal Fees	990000632852	04/01/20	726.55	70620	43,900.37
WCA Waste Corporation	115	5272.115 Solid Waste Contract	990000637586	04/01/20	43,173.82		
Miller Management Systems, LLC	101	5214.101 Other Contracted Services	Recurring EFT	03/20/20	1,855.00		1,855.00
					\$	112,139.01	

Item Number: Consent Agenda- II.-B.
Committee 4/6/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **February 17, 2020 Council Minutes**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
☐ February 17, 2020 Council Minutes	Cover Memo

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, February 17, 2020 6:00 P.M.

- | | | |
|--|---|--|
| <ul style="list-style-type: none">○ Mike Kelly, Mayor○ Trisha Brauer, Council Member○ Benjamin Dickens, Council Member○ Jan Faidley, Council Member○ Jennifer Hill, Council Member | <ul style="list-style-type: none">○ Jim Kelly, Council Member○ Tom Madigan, Council Member○ Claudia McCormack, Council Member○ Michael Rebne, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Jennifer Jones-Lacy, Asst. Admin.○ Kelley Nielsen, City Clerk○ John Morris, Police Chief○ Donnie Scharff, Public Works Director |
|--|---|--|

Admin
Madigan
Brauer

Finance
Faidley
McCormack

Safety
Dickens
Rebne

Public Works
Hill
Kelly

(Roeland Park Council Meeting Called to Order at 6:00 p.m.)

PLEDGE OF ALLEGIANCE

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

ROLL CALL

City Clerk Nielsen called the roll. CMBR McCormack was absent. Staff members present were City Administrator Moody, Assistant City Administrator Jones-Lacy, Public Works Director Scharff, Police Chief Morris, City Clerk Nielsen, and City Attorney Mauer.

MODIFICATION TO THE AGENDA

There were no modifications to the agenda.

CITIZEN COMMENTS

Stephanie Iser (5714 Cedar) Ms. Iser said she is part of a neighborhood group called Safe and Welcoming Roeland Park, which wants to make the City safer and more welcoming to the community. She said she was in support of the civic leadership and their work to ameliorate discriminatory language in homeowner's association covenants. She said she has spoken with Latino residents who have experienced racial bias and discrimination from fellow neighbors and it is felt through code violations reports, calling the police and avoiding houses during trick or treat. She would like to see city-sponsored education and training to understand racial bias and how to combat it.

Dulcinea Herrera (5230 Buena Vista) Ms. Herrera said as a Latina she knows many people do not feel welcome in their communities. She said they need to welcome everybody as the world becomes more diverse. She didn't understand why they needed to vote on the restrictive covenants and they should just be cancelled.

Miel Castagna-Herrera (5230 Buena Vista) Ms. Castagna-Herrera said the restricted covenants should have prevented them from buying their house as the deed says no Jews and no people of color. She was

shocked to know it still exists and that it should have been erased a long time ago. She said she hopes the Council agrees it needs to change.

Mr. Young (5412 W. 55th) spoke to the use of salt on the roadways and the damage it causes to infrastructure, the environment, including pets as they lick it off their paws and get sick. He said he has called the City three times and said he understands they want to keep people safe but shouldn't be used in excess. He said he has \$8,000 in salt damage on his car. He also would like to see corrosion inhibitors put into the salt.

I. CONSENT AGENDA

A. Appropriations Ordinance #944

B. February 3, 2020 Council Minutes

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (MOTION CARRIED 7-0)

II. BUSINESS FROM THE FLOOR

A. Applications/Presentations

1. Carbon Emissions Inventory and Tracking Software

Mayor Kelly said this presentation is part of Roeland Park's continued commitment to be a sustainable community, and he was excited to hear about this potential software from Dynamhex.

Sunny Sanwar, CEO of Dynamhex, and partner Patrick Hosty made a presentation on ways the City can track their emissions with the company's new software program. Mr. Sanwar spoke to climate change and what could be done locally to draw down emissions citywide. Their software allows people to log on and see their footprint in relation to the City and also get personalized solutions to help them lower their footprint. The City can use it for better planning and local businesses could use it to create value and citizens could use it in their own neighborhoods. Mr. Sanwar showed examples of the software's dashboard of the personalized impact of individual houses, schools, and buildings. The software also allows for integration with the Paris Accord or Metro KC Climate Action targets and will show personalized ways to reduce emissions. It also allows the City to see its current emissions so they can target ways to reduce emissions where they are the highest.

Mayor Kelly said they started this process as part of the Sustainability Committee which works to make the community healthier by conserving fiscal resources, making the government operate more efficiently and making the community healthier. He also said that they have limited resources with staff and to evaluate their emissions and the associated data would be out of their reach and felt this software might help with that.

Mr. Sanwar added his research is what led him to create the software as he recognized the amount of work that goes into collecting the data and standardizing the information. The software is designed to help the City understand what its emissions are, what should be done and how to plan it out. It is ready-made so that the user can talk about solutions instead of diagnosing the problem. It also has real-time availability of what is going on in the City and is not based off of studies from previous years.

CMBR Rebne asked if they had more fixed route transportation, how much they could cut their emissions rate. Mr. Sanwar said they would be able to estimate different bike paths, traffic intensity or a higher walkability index against its effect on current emissions.

CMBR Faidley wanted to know if there is a way to look at incentivizing for individuals or businesses for greater participation. Mr. Sanwar said traditionally the main barrier for engagement has been the steep learning curve. The idea of the software is to make it as user-friendly as possible to people and also localize it so they can understand it's about their neighborhood and town.

Ms. Jones-Lacy said she could see this as a Community Forum topic presentation in the future. The software allows the City to find out where they are with emissions and then to set their goals as an entity and begin to mark their progress. Roeland Park would be an early adopter and getting a great deal if they choose to participate. She said they are also making great progress thanks to Mayor Kelly and the Climate Action Coalition.

Mr. Sanwar said they are working with Exelon in Washington, D.C. and a lot of their insights are going to be in the product as America addresses climate change and this will also be available to apply in Roeland Park. Also included in the software are periodic reports and the real-time dashboard.

CMBR Kelly asked for more information about the company of Dynamhex. Mr. Sanwar said the company started in 2018 and is based off of his PhD research at KU Engineering School. The product has been in testing and development since 2014. He said that he has a technical background and his partner Patrick Hosty has a municipal finance background and they have joined to tackle a problem that needs both of their expertise.

CMBR Brauer knows there are many things they should do and should not. She asked if they have any data that shows proof of concept that individuals participating in the program and making adjustments actually move the needle. Mr. Sanwar said the data is not so much on individuals, but on the corporate side they do have clients that are benchmarking their impact and evaluate what they need to do for reductions.

Mayor Kelly said cities will see that the cost of doing nothing will be exponential and that being proactive and preparing themselves sets Roeland Park to be in a better place. He said he was excited and thanked them for choosing Roeland Park. He asked staff what direction they would like from the Council.

City Administrator Moody said they anticipated just a question and answer for this meeting. He felt the Council would like to take time to consider this proposal. He asked for the Governing Body to submit requests for additional information or questions to him and he will do his best to answer them.

CMBR Madigan said he was not comfortable with jumping into this yet. He said there were still outstanding questions on proof of concept and learning more about the company.

CMBR Rebne said this could be discussed at a Workshop to hear the answers to their questions and also get a full perspective before making a decision. He added he likes the prospect of it.

CMBR Faidley said this could be discussed at a Workshop and then moved to the Consent Agenda.

CMBR Hill said she would be comfortable moving this to New Business at the next Council meeting and their questions can be answered at that time. If they are still uncertain, then there is the opportunity to table it.

MOTION: CMBR MADIGAN MOVED AND CMBR REBNE SECONDED THE GOVERNING BODY FORWARD THEIR QUESTIONS TO CITY ADMINISTRATOR MOODY AND FOR THE ITEM TO BE PLACED ON THE NEXT GOVERNING BODY WORKSHOP. (MOTION CARRIED 6-1 WITH CMBR MADIGAN VOTING NO.)

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO AMEND THE MOTION TO FORWARD THE ITEM TO NEW BUSINESS AT THE NEXT COUNCIL MEETING. (MOTION CARRIED 5-2 WITH CMBRS MADIGAN AND KELLY VOTING NO.)

2. Discussion about Glass Recycling

Mayor Kelly welcomed representatives from Ripple Glass and thanked them for their purple presence in the Lowe's parking lot. Unfortunately due to contracts and policies outside of the City's control, the bin has been removed. The City would like to work with Ripple to find a new location for the bin or another solution for the recycling needs of Roeland Park residents.

Morgan Henderson, Metro Program Manager at Ripple Glass, and Piercyn Charbonneau, Manager of the Commercial Program introduced themselves to the Governing Body. Ms. Henderson said the support she has received from Roeland Park staff and the residents is unbelievable and they are dream city to work with. They are currently actively searching for another location. The Aldi is very supportive of having it in the lot but still need permission from corporate. She has also spoken with Mayor Kelly about The Rocks location. While it is an option it is not ideal and has the potential for illegal dumping. The area is a popular sledding spot for children and there is no business associated with the lot and poorly lit. Ripple likes to be in a business area to get the flow of shopping and dropping recycling off. They continue to work to find a new location, but the Mission Hy-Vee is the closest Ripple Glass container at this time.

Mayor Kelly said if can't find a central location he would be interested in exploring curbside and asked if Ripple would be interested in that. Mr. Charbonneau said they have been looking into that and that a number of cities around the metro are going to curbside glass recycling and Ripple is ready to begin that discussion.

CMBR Kelly asked what the objections are from the corporations to having a bin. Ms. Henderson said that Lowe's had changes to corporate policies and they felt that it was a liability issue. Locally the staff was supportive, but the corporate entity is not. CMBR Kelly asked if they provide liability insurance. Ms. Henderson said they have a signed agreement between the business and themselves where Ripple assumes the liability.

CMBR Rebne said he still supports the position at The Rocks but understands the reasoning behind not being able to have one there. He asked if there was anything as a Council they could do. Ms. Henderson said any support from the residents and the Council would help. CMBR Rebne said it's good to know that residents' voices make a huge difference.

CMBR Faidley said she had heard that Aldi was concerned about the loss of parking spaces. Ms. Henderson said the manager was concerned, but said it would be great if corporate is okay with it.

CMBR Dickens said he would like to explore the curbside pick-up. He asked if residents would have the opportunity to opt-out. Mr. Charbonneau said the opt-out program would be the easiest.

CMBR Hill said some residents have a privacy concern on the type of bin for recycling glass. Mr. Charbonneau said he has previously spoken with Mayor Kelly to discuss bin options. There are open totes and also a 32-gallon style bin option which is a roll cart and similar to the large trash curbside bins.

Mayor Kelly asked if they would like to move forward what is the next step. Mr. Charbonneau said he would love to set up a meeting to go over the numbers.

Mayor Kelly thanked Ms. Henderson and Mr. Charbonneau for coming to speak to them. He also reminded them that Ripple operates in nine states. Ms. Henderson said they are in over 100 communities regionally and there are over 100 big purple bins in the metro alone.

3. 2018 Certificate of Achievement for Excellence in Financial Reporting

Mayor Kelly congratulated Ms. Jones-Lacy on this being the 25th consecutive year for the City of Roeland Park having received this honor.

Ms. Jones-Lacy also said they have fantastic auditors and she can't claim responsibility for all 25 years and noted the work of her predecessors. She said they also received the Distinguished Budget Award for the first time in 2019 and have recently submitted again for 2020. She hopes to continue to show that Roeland Park is doing its due diligence and being fiscally responsible.

(Applause)

III. Mayor's Report

1. Miego Champions Proclamation

Mayor Kelly recognized the continuous success of the Bishop Miego High School teams which makes Roeland Park proud. They won state titles in Debate, Girls Basketball, Girls Soccer, Boys Soccer, and Football.

Coaches and team members were presented at the meeting and received a hearty round of applause.

(Photographs were taken)

MOTION: CMBR MADIGAN MOVED AND CMBR BRAUER SECONDED TO PROCLAIM THE WEEK OF FEBRUARY 17-21 AS BISHOP MIEGE HIGH SCHOOL STATE CHAMPIONS WEEK. (MOTION CARRIED 7-0)

IV. Workshop and Committee Reports

A. MARC - First Tier Suburbs (Jan Faidley and Claudia McCormack)

CMBR Faidley reported that she and Ms. Jones-Lacy attended the meeting held February 7th and there were four other communities who were recognized for the Community for All Ages. She said she was made quite aware of the amount of work that Roeland Park has done as a City for them to attain their gold

status. There was a special presentation made entitled “Unlocking the Unseen Potential of Kansas City” that explored the impact of high infrastructure costs on municipal services.

Ms. Jones-Lacy added that a point that was made is that there is another way to assess property taxes that may be more equitable based upon usage of infrastructure associated with the size of different pieces of land as well as its location. She is trying to get a copy of the presentation and will share that once she receives it.

V. Unfinished Business

A. Mowing Agreement or 2020

Mayor Kelly said the Governing Body had asked staff to provide updated information on the ingredients of fertilizers to be used by Jakes Lawn & Landscape.

Public Works Director Scharff put together information on some of the pre-emergent fertilizers which would be applied in the spring. One concern is that the granular has low solubility with water and does not break down as fast, which is to ensure that it stays where applied and does not end up as runoff. He also reviewed some of the other options. He noted the organic version is also a granular application. He noted going organic has a 60 percent efficiency rate and it takes longer to see results, which has been his experience.

Public Works Director Scharff said the standard application is \$2,500 and organic is \$4,700 with a yearly organic approach to be \$14,100.

CMBR Hill read a letter from former Councilmember Teresa Kelly who asked that they consider the least toxic approach for herbicide and fertilization practices for the City as there is a green purchasing plan in place that allows for paying more for environmentally safer products. She said that less toxic applications do take longer to work, and a new culture would be introduced, but it will also be an opportunity to educate and model new landscape care behaviors for the residents. She said the City’s leadership is part of the metro area leadership in conservation and climate change initiatives and this should be a priority for them. Ms. Kelly asked that they make Roeland Park a leader in decreasing toxic inputs that expose its residents, pets and the community watershed to unnecessary toxins.

CMBR Hill added that she has received similar e-mails to the one from Ms. Kelly. She understands it is cheaper to go with more toxic products, but does not believe that is what the community wants. She said they might have a few more dandelions, which in turn will help the bees which helps everything else. CMBR Hill said she too would like a green weed-free yard but does not want her children and dog playing in the chemicals. She said this should be a choice not based on aesthetics.

CMBR Dickens questioned if they go all organic and it does not treat certain weeds, then what is their option. (Public Works Director Scharff’s response inaudible due to static in recording.)

CMBR Faidley said they need to recognize that they also have an option of not treating at all. They would then be up against the public perception that greenspace needs to look like a golf course. She asked if they are willing to take the step to move towards more drought-resistant grass and ground covers that they know are better for them and the environment, and then do the work to educate the public. She said she is working on this in her yard right now.

CMBR Rebne asked CMBR Faidley if that would mean they change existing plantings. CMBR Faidley she said basically just to decide not to use chemicals. She added she would have a hard time voting for the hard chemicals adding that the best and safest option is not to treat.

CMBR Rebne asked if they choose not to treat, could they just keep the mowing cost and strike out the application of weed control. Public Works Director Scharff said if the direction from the Council was not to treat, then they would have the contractor only mow.

CMBR Madigan said he remembers organic weed control his father taught him was pulling weeds. He agreed that everything organic would be great. If they educate their people that greenspace is a greenspace, then that means you're going to have to weeds and vines. He said he would support CMBR Faidley's idea. He also remembered the people who complained of grass and weeds in the path in R Park. He said they do not have a money tree and as a City they cannot keep spending more and more money and not treating at all is the best for the environment.

CMBR Hill asked for more information about the purchasing plan that former CMBR Kelly mentioned. Ms. Jones-Lacy said there is a green purchasing plan and it is attached to the purchasing policy part of the agenda, Ordinances and Resolutions. In there, it states there is a preference towards purchases that are environmentally friendly.

CMBR Kelly said he appreciated his wife's e-mail being read. They need to fertilize the grass to help choke out the broadleaf weeds. At his house they mow more frequently to try to keep the weeds down and going to seed. He said he is definitely against the Strike Three application, but they do need to go with some sort of fertilizer.

CMBR Hill agreed with CMBR Kelly not to go cold turkey and they could end up with a big mud pit at the park. She would agree with continuing to use fertilizer and add some type of organic.

CMBR Kelly mentioned that in the agreement with the contractor it states, if ineffective, then they have to reapply at their cost. If the Council should select the organic fertilizer and it doesn't produce the results they expect he wanted to know if they should then penalize them for not going with their recommendation. Mayor Kelly said it is staff's recommendation if they do the organic application, then they remove that language from the mowing agreement.

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE 2020 MOWING SEASON CONTRACT WITH JAKE'S LAWN & LANDSCAPE.

MOTION: CMBR HILL MOVED AND CMBR KELLY SECONDED TO AMEND THE AGREEMENT WITH JAKE'S LAWN & LANDSCAPE TO UTILIZE AN ORGANIC FERTILIZER TREATMENT. (MOTION CARRIED 6-1 WITH CMBR MADIGAN VOTING NO.)

MOTION: CMBR KELLY MOVED AND CMBR HILL SECONDED TO REMOVE THE LIABILITY CLAUSE FOR A SECOND APPLICATION AT THEIR COST IF IT IS INEFFECTIVE FROM THE 2020 MOWING AGREEMENT. (MOTION CARRIED 7-0)

MOTION: CMBR KELLY MOVED AND CMBR MADIGAN SECONDED TO APPROVE JAKE'S LAWN AND LANDSCAPE FOR MOWING SERVICES AND ORGANIC FERTILIZER TREATMENTS FOR THE 2020

B. Traffic Signal Color Selection for the Roe 2020 Project

Mayor Kelly said they seeking direction on colors and coatings for traffic signal poles and mast arms on Roe Boulevard.

Public Works Director Scharff said they have bid out the traffic signal poles separately from the actual KDOT project. He reviewed the prices as outlined in the staff report.

CMBR Dickens asked if they went with a standard galvanized finish would there be a difference with the coatings. Public Works Director Scharff said the painting is just for aesthetics.

CMBR Faidley asked if the poles on Roe will remain galvanized. City Administrator Moody said the streetlights are specified to be the black anthracite. They are seeking direction on the four signals. They do not have as much of a visual impact as the streetlights and he believes that most people will not be able to tell the difference between standard black and anthracite on the traffic poles, therefore, he would recommend the standard black.

Mayor Kelly said that he wants people to get out of the car and utilize the street to walk and when you do you pay attention a little bit more to your surroundings. He said they have spent a lot of effort on the project, as well as time and resources and in making decisions they are thinking about the long-term health of the project and believes it should be cohesive.

CMBR Madigan said he did not have a problem with galvanized traffic signals as people are going to be looking at the streetlights not the poles.

Mayor Kelly asked if they could give staff their decision at the March 2nd meeting. Dan Miller, the City's engineer, said that might not be too late. He said there are two things to get the poles in production. One is a decision on the color and structural shop drawings. The drawings will be there by the end of the week and then they would only be waiting on the color choice by Council.

Mayor Kelly asked about the \$40,000 price difference between the poles. Mr. Miller said that was for the poles in total and not individually.

CMBR Faidley said Kansas City, Kansas has standard black and it looks nice.

Mayor Kelly asked if they could change the light poles to a black coating to match the traffic poles. Mr. Miller said he has already sent the plans to KDOT.

CMBR Hill said this project is to take them a long ways for a long time and believes it will make a difference to have two different coatings.

CMBR Brauer agreed with having a consistent look and feel and added there are a lot of moving parts and there will probably be other pieces that will have a price increase and they need to keep that in mind moving forward.

City Administrator Moody said he did not know what the price would be for the black anthracite on the streetlights yet because that is a part of the general bid. They do know the price for the traffic signals. He recommended if they can get a change to the plans to reflect the streetlights of basic black, then they would support doing signals in basic black. If they cannot get the change to the streetlights incorporated into the project, then proceed with black anthracite for the light poles.

MOTION: CMBR MADIGAN MOVED TO APPROVE THE GALVANIZED TRAFFIC POLES ON THE ROE 2020 PROJECT. (MOTION FAILED FOR LACK OF A SECOND.)

MOTION: CMBR HILL MOVED AND CMBR KELLY SECONDED TO AMEND THE MOTION TO BE ANTHRACITE BLACK TO MATCH THE REST OF THE CORRIDOR. (MOTION WITHDRAWN)

MOTION: CMBR HILL MOVED AND CMBR MADIGAN TO AMEND THE MOTION TO MOVE FORWARD WITH BASIC BLACK COATING ON THE SIGNALS IF THE STREETLIGHTS CAN BE CHANGED TO BASIC BLACK COATING AS WELL. IF NOT, TO APPROVE BLACK ANTHRACITE. (MOTION CARRIED 6-1 WITH CMBR BRAUER VOTING NO.)

MOTION: CMBR MADIGAN MOVED CMBR DICKENS SECONDED TO APPROVE STANDARD BLACK FOR THE TRAFFIC POLES ON THE ROE 2020 PROJECT AS AMENDED. (MOTION CARRIED 7-0)

VI. New Business

A. Parental Leave Policy

Ms. Jones-Lacy provided an update since the last Workshop where the Governing Body focused on having a 12-week or a 6-week parental leave policy. There was a request from neighboring communities for other examples. The only area city that has adopted a parental leave policy is Kansas City, Missouri which is a 6-week policy. Several Johnson County communities are also considering their own policy. Shawnee has drafted a preliminary policy and it is included in the packet. She found helpful information from the National Partnership for Women and Families and added they have a spreadsheet of all the communities they're aware of that have parental leave policies in the U.S. There are no set policies in Kansas. Ms. Jones-Lacy said she would forward their policy to them if it is passed. Of those she reviewed 34 percent provide less than six weeks paid leave, 46 percent provide six weeks, and 20 percent provide greater than six weeks.

CMBR Faidley asked for the policy of the state of Kansas. Ms. Jones-Lacy said a policy was put in place in 2018 with six weeks for birth mothers and three weeks for partners or adoptive parents.

CMBR Rebne recommending giving the same amount of leave to everyone, whether adopting, fostering, or actual birth. He felt they were not accounting for the health impacts to women and would like to see birth mothers being given longer paid leave.

CMBR Madigan also commented that a lot of adoptions are of children that are only days old and have to be cared for just as with a birth mother. He believes this policy is a great starting point and noted the City has a history of being the first to do things and they need to take this step forward.

The Governing Body expressed their agreement with CMBR Madigan.

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE PARENTAL LEAVE POLICY. (MOTION CARRIED 7-0.)

B. 2020 Super Pass Agreement and Swim Meet Letter of Understanding

Mr. Nichols said the only difference this year would be that Merriam is not a full participant. They would like to encourage anyone that is a pass holder that on days that Roeland Park hosts swim meets to use the Merriam facility free of charge with the hopes they will be able to rejoin the Super Pass agreement next year.

MOTION: CMBR FAIDLEY MOVED CMBR REBNE SECONDED TO APPROVE THE 2020 SUPER PASS AGREEMENT AND SWIM MEET LETTER OF UNDERSTANDING. (MOTION CARRIED 5-0.)

C. Review Agreement with Gather Media

Mayor Kelly said this is for an agreement with Gather Media for PIO services and congratulated Katie Garcia on starting her own company. Ms. Garcia previously represented Roeland Park with Sturges Word. He said they are excited to be able to continue working with her.

Ms. Jones-Lacy said the contract remains the same as the previous contract as well as the contract price.

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE AGREEMENT WITH GATHER MEDIA FOR PUBLIC INFORMATION OFFICER SERVICES. (MOTION CARRIED 5-0.)

D. Discuss Ordinance to Eliminate Discriminatory Language Included in Homeowner's Association Covenants

Mayor Kelly opened the conversation for a proposed amendment to the City's non-discrimination ordinance addressing discriminatory language that exists in homeowner covenants. In 2018, the City worked with Roe Manor Heights Homeowner's Association to vote to strike the restrictive deed covenants from the association. The Council expressed a desire to continue that process throughout the City in recognition of Roeland Park being a community for everyone and the restrictions have no place in their community.

CMBR Dickens said they have heard from some of their neighbors tonight about this in Public Comments. He agreed that it is long overdue and should have been remedied quite a while ago and this is the right step to take. They need to acknowledge that racism is not tolerated as part of their community. He has spoken to other communities that have restrictive covenants and believes that Roeland Park can lead the way for this.

CMBR Rebne said he appreciates CMBR Dickens for bringing this item up. CMBR Rebne read a statement into the record to fill in what he called as historical gaps.

"Racially restrictive covenants were instrumental in ensuring that most of Johnson County was built to segregate white people from black people and other people of color. The intent of this was to build wealth for developers to the perception of safety and comfort for white families. This had the corresponding impact of creating disinvestment, ultimately creating ghettos in some black and Latino neighborhoods. This incredibly unequal investment, in fact, continues today. Despite odds, black people

in Kansas City and nationwide have always fought for full democratic inclusion and equal access. Removing this covenant language as we are doing now is necessary but also easy for us. Black people took the real risk and sacrifice over decades. Let's acknowledge the real work has been done long before.

One narrative that illustrates this is told by Brian Gilmore in the online *Root* magazine. "Lorraine Hansberry's father of playwright Lorraine Hansberry, a successful Chicago businessman, purchased a house restricted to whites by racial covenant in Chicago. When the family ignored the 1928 covenant that excluded blacks and bought a house there, the Hansberrys were thrust, the playwright said later, into a "hellishly hostile 'white neighborhood'" where "howling mobs surrounded" their home. Hansberry was nearly killed when a cement slab was hurled through a window.

Conditions were so dangerous that Hansberry's mother, Nannie Perry Hansberry, patrolled the house at night with a "German luger" to protect her four children. Carl Hansberry joined forces with the NAACP to mount a legal challenge against the restrictive racial covenant, spending a small fortune in the process.

In the end, Carl Hansberry's persistence and courage paid off. On Nov. 12, 1940, over a decade of torment later, the U.S. Supreme Court ruled in favor of Hansberry, invalidating the racial covenant."

Shelley v. Kraemer, a case brought by a black family in St. Louis in 1948 was successful in making these covenants unenforceable nationwide.

Hansberry described "the emotional turmoil" of the struggle which left her father an "embittered exile in a foreign land..." He died young of a cerebral hemorrhage which she attributes to the extreme stress of his battle.

CMBR Rebne said he shared this example to make sure they know the black community has done the labor and suffering and won this long before now. He noted that a vast majority of whites did not support their work to invalidate the covenants. He said if they are genuine in their concern, then there is hard work ahead on the local level. He provided examples of steps they could take such as confirming through policy and practice they are welcoming to all; insisting that local businesses pay Roeland Park workers a living wage; pushing for an investment in fixed route mass transit; creating and managing affordable workforce housing; decoupling pathways to opportunity like school funding from property values; being intentional about hiring and electing people of color; explicitly forbidding with oversight racialized real estate steering; making sure the Police Departments receives and implements anti-biased training; and being explicit about the racial impact of all City policies.

Mayor Kelly said that City Attorney Mauer provided a memorandum regarding the approach of adding the prohibitions to the non-discrimination ordinance. He added that it would provide the enforcement mechanism that's within the NDO. Mr. Mauer explained that this is more than a symbolic change. They are not going back into every deed and striking out the language; however, what they are saying is the City of Roeland Park will not make that homeowner stand alone, bear all the legal fees, and that they will stand with the homeowner. A homeowner would be able to file a complaint to the City and know it will be investigated and make certain the racially restrictive covenants could never be enforced in Roeland Park.

CMBR Faidley thanked the Mayor, CMBR Dickens and the City Attorney Mauer for working out their approach to this. She has had residents of color tell her that they should not get rid of the language as it is part of their history and people need to know that this is what has happened and not to forget.

CMBR Madigan said they can pass the laws but it will not do away with racism, but they need to make the steps to let it be known.

CMBR Hill said the restrictive language is in deeds everywhere and it is a matter of finding them. They realized it would be cost prohibitive to get rid of it one by one, so this policy was created to find a way to deal with them as a whole. She said she was proud of CMBR Dickens that in his first two months on Council this is something amazing he's done.

There was consensus to move this forward to the March 2nd Council agenda under New Business.

E. Appoint Lisa Brunner to the Planning Commission

Mayor Kelly said Ms. Brunner comes highly recommended and thanked her for joining the Planning Commission.

Lisa Brunner (5311 W. 49th). Ms. Brunner said she just moved from Olathe. She previously lived in Roeland Park and added that Gretchen and Ardie Davis recommended her appointment. Her family lives in Roeland Park and she said it feels like coming home and is excited to part of this.

MOTION: CMBR MADIGAN MOVED AND CMBR FAIDLEY SECONDED TO APPROVE LISA BRUNNER AS THE WARD 1 REPRESENTATIVE TO THE PLANNING COMMISSION. (MOTION CARRIED 7-0.)

VII. Ordinances and Resolutions

A. Resolution 673 - City Purchasing Policy

Mayor Kelly said there were three changes made

- Eliminating sealed bids unless required by state and federal law.
- Changing the spending limit for department heads to \$5,000
- Eliminating a clause and requiring maintenance for public art per the Arts Committee request.

Ms. Jones-Lacy said an ethics clause is at the end to reinforce the importance of the staff and elected officials following ethical practices when it comes to procuring any service or goods for the City. The Arts Committee is working separately on a maintenance schedule for all public art in the City and will be presented to the Governing Body at a later date.

CMBR Faidley asked about the instances they would ask for a sealed bid. Ms. Jones-Lacy spoke with other cities and noted the standard practice is to do sealed bids for heavy construction. There is no reason they need to do that because they can be as transparent without having the sealed bids.

MOTION: CMBR KELLY MOVED AND CMBR HILL SECONDED TO ADOPT RESOLUTION 673. (MOTION CARRIED 7-0)

VIII. Reports of City Officials

City Administrator Moody said they had a water leak at the Community Center in the JCPRD childcare room. It cracked over the weekend and the area has been closed for an unspecified period of time. They have had a company come in to dry the area and perform clean-up and will replace the baseboards. He added that it was potable water.

Ms. Jones-Lacy said February 18th is the joint Planning Commission/Council meeting. They will be discussing the residential design standards and universal designs with their consultant.

City Administrator Moody asked if there was a consensus of the chairs they prefer. The Governing Body said the chair CMBR Madigan was sitting in was the most comfortable and is covered in pleather. City Administrator Moody said they will check to see if the chair comes in a faux leather.

IX. Adjourn

MOTION: CMBR MADIGAN MOVED AND CMBR REBNE SECONDED TO ADJOURN. (MOTION CARRIED 7-0)

(Roeland Park City Council Meeting Adjourned at 8:05 p.m.)

Kelley Nielsen, City Clerk

Mike Kelly, Mayor

Item Number: Consent Agenda- II.-C.
Committee 4/6/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **March 16, 2020 Council Minutes**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
☐ March 16, 2020 Council Minutes	Cover Memo

**CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, March 16, 2020 6:00 P.M.**

- Mike Kelly, Mayor
- Trisha Brauer, Council Member
- Benjamin Dickens, Council Member
- Jan Faidley, Council Member
- Jennifer Hill, Council Member

- Jim Kelly, Council Member
- Tom Madigan, Council Member
- Claudia McCormack, Council Member
- Michael Rebne, Council Member

- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. Admin.
- Kelley Nielsen, City Clerk
- John Morris, Police Chief
- Donnie Scharff, Public Works Director

Admin
Madigan
Brauer

Finance
Faidley
McCormack

Safety
Dickens
Rebne

Public Works
Hill
Kelly

(Roeland Park Council Meeting Called to Order at 6:03 p.m.)

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance)

Mayor Kelly thanked everyone for their patience during this atypical time. He called on everyone to be good citizens and to follow the recommendations of the CDC, the state Department of Health, and the Johnson County Public Health Director in helping to do their part to help flatten the curve of the COVID-19 virus.

ROLL CALL

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

A. Instructions to Access Online Meeting

Mayor Kelly said the agenda only deals with pressing business. He also gave instructions to the Councilmembers on the way to participate in the discussion during the video meeting.

MODIFICATION TO THE AGENDA

Mayor Kelly said Ordinance #992 would be discussed before the Consent Agenda.

CMBR Madigan requested the February 17 Council minutes be removed from the Consent Agenda and added to New Business.

I. CITIZENS COMMENTS

There were no citizen comments.

II. CONSENT AGENDA

A. Appropriations Ordinance #946

~~B. February 17, 2020 Council Minutes~~ (Moved to New Business Item D)

C. March 2, 2020 Council Minutes

MOTION: CMBR MCCORMACK MOVED AND CMBR HILL SECONDED TO APPROVE THE CONSENT AGENDA AS AMENDED. (MOTION CARRIED 8-0.)

III. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 992 - Remote Participation in Public Meetings

CMBR Faidley wanted to ensure the ordinance has taken into consideration the Kansas Open Meetings Act (KOMA).

Mayor Kelly said the amendment was drafted with the City Attorney so that any future meetings will be broadcast in Council Chambers so that they are in full compliance with KOMA.

City Attorney Roto said the Kansas Municipal League has posted a notice on their website that at this time they are aware of telecommunication meetings being held. As long as the meetings are available to the public where they can call in and are able to participate via chat they will be in compliance. The league will also be publishing a letter to give cities more guidelines as well as a temporary regulation going forward.

CMBR Madigan believed the temporary change should be approved for the next 30-60 days. He does find the changes vague and said he was not ready to remove the entire Council from a discussion on the choice of time, place, and method of a meeting. He believed the entire Governing Body should be involved in this type of decision and not just three people.

CMBR Faidley noted that when there is a special call meeting they do require three Councilmember signatures. In this instance, they have the City Administrator, Mayor and Council President make the decision. She suggested adding two additional people to agree to request a meeting in a format such as this.

Mayor Kelly said a special call is for the purpose of holding a meeting outside of the regular schedule in the ordinary course of business absent compelling circumstances. He said that the three individuals are representatives of the City, in terms of an emergency, and recognizes the pressing nature of the circumstances. With the restrictions of the COVID-19 virus there is such a fluid change to the ability of groups to get together and believed the three would be sufficient and encouraged the Council to adopt Ordinance #992 as written.

CMBR Hill agreed with the comments of Mayor Kelly. She noted in a special call meeting it is important to have the three Councilmembers, but in the situation of an emergency it is fine the way this has been handled.

MOTION: CMBR HILL MOVED AND CMBR MCCORMACK SECONDED TO APPROVE ORDINANCE NO. 992 - REMOTE PARTICIPATION IN PUBLIC MEETINGS. (MOTION CARRIED 8-0)

B. Ordinance 991 - Updates to the Special Events Code

Mayor Kelly said Ordinance No. 991 will amend the zoning code to allow for a special event permit for seasonal sales to be administratively approved going forward.

CMBR Rebne said this makes sense to be approved administratively, but believed for the first time a seasonal event is proposed by a business, they want to open it up to the public to make sure it is acceptable and the Council might want to have a say in an event they have not encountered before.

Mayor Kelly said the ordinance change was approved by the Planning Commission and any changes the Council would like to make must be approved by a two-thirds majority to override that recommendation.

Ms. Jones-Lacy said this was brought before the Planning Commission and currently there is an outstanding request from Lowe's who has had seasonal sales in the past. Walmart had their permit approved earlier. If this ordinance is approved, then Lowe's will be able to move forward. So far the only seasonal sale permit requests made to the City have been from Walmart and Lowe's.

CMBR Hill questioned the ten-day limit on seasonal sales. Ms. Jones-Lacy said the businesses have had to come before Council because of the limitation, but this ordinance amendment would preclude that from happening in the future and would be approved by the Building Official.

MOTION: CMBR MADIGAN MOVED AND CMBR DICKENS SECONDED TO APPROVE ORDINANCE NO. 991 (MOTION CARRIED 8-0)

IV. BUSINESS FROM THE FLOOR

A. Applications/Presentations

There was no business from the floor.

V. Mayor's Report

No reports were given.

VI. Workshop and Committee Reports

No reports were given.

VII. Reports of City Liaisons

No reports were given.

VIII. Unfinished Business

There was no unfinished business.

IX. New Business

A. Award Bid for R Park Phase 1 & Phase 2 Project

Mayor Kelly said this item gives the Governing Body an opportunity to add any of the five bid alternates Council would like to see approved. In addition to the information provided in the packet, all Council received a correspondence from one of the bidders, Mega. In comparing the bids, Gunter Construction had the low base bid and added that the bid alternates were not yet approved by the Council. The Parks Committee has recommended that all five bid alternates be approved.

Dan Miller, City Engineer, commented that the bids overall were very competitive and good for the City. The project as recommended with all the alternates is slightly under the construction budget. He said their job is in recommending an award since the bid alternates were not prioritized or how many alternates they might be able to afford, therefore, they have recommended an award from the lowest base bid.

The five alternates being discussed are:

- Fireplace
- Stone wall and pergola
- Grill and stone island
- Southeast wing of the pavilion
- Performance stage

CMBR Madigan said that he is in favor of these things being done at R Park, but said with the change in current events did not know that this is the time to be doing this. He noted that the Johnson County Commission is talking about reaching into reserves because of the shortfall on sales tax. He questioned how they would pay for this if the City takes a big economic hit.

CMBR Hill said she likes the fact that Mega has reached out to them and really wants the job and this says a lot to her about their work ethic. She asked if they have heard from Gunter Construction.

Mr. Miller said they have heard from Gunter. With their bid they supplied their qualifications, previous projects and subcontractors. They have provided everything that the contract requires for bid award.

City Administrator Moody said this project is being funded out of the Special Infrastructure Fund and the resources for this project are currently available in the fund. He added that there are additional projects the fund is planning to support. If future sales taxes did not come in as anticipated, then that could affect their ability to fund those projects. A portion of the R Park project and the pool project is anticipated to be funded with general obligation bonds.

Mayor Kelly asked City Administrator Moody to expand on why they are handling this as a time sensitive matter. Mr. Moody said this is a substantial City project and requires a complete construction season to complete. They would like to see the turf and seeding that is anticipated to occur following completion of the project to have the 2020 fall season and the 2021 spring season to establish before they see higher amounts of traffic at the park.

CMBR Rebne said in terms of people who bid on projects do they ever look at hiring union labor or pay prevailing union wages. City Administrator Moody said the project does not have any federal funding so it's not required to follow prevailing wage law and they don't require that the work be conducted by union contractors.

CMBR Faidley said she could see that Mega would be disappointed if they felt that the project was awarded based on the total bid. She wanted to know if it was clear at the outset that they were awarding based on the base amount. City Administrator Moody said the City purchasing policy does not require that the City award bids to the low bidder and it is not criteria to which they are bound. He said it is an indication to experienced bidders to know it is a project that they are not committed to doing all of the items but to the base portion, and they will consider doing the other elements if resources are sufficient to do them.

Mr. Miller said he has not worked with Gunter but they are a long-standing contractor. He knows other people that have worked with them. He has worked with Mega on projects and his opinion is that both contractors can complete the work. With regard to union contractors and prevailing wage, many contractors are union anyway. He said he is unsure about Gunter. He knows they're a WBE (Women Business Enterprise), but did not know for certain if they are a union.

CMBR Rebne said they seem to be very focused on the soccer field at R Park and they are moving the basketball hoop, but there is no real plan for the baseball diamond or the backstop. He asked if there was a reasoning for favoring one sport over another in the design.

Mayor Kelly said there has been a master planning process between the Council and the Parks Committee for the better part of two years considering the use of greenspace, the removal of asphalt, recognizing different types of play, and those considerations have gone into the planning.

City Administrator Moody added what is in Phase 1 and Phase 2 are the priorities developed by the Parks Committee and the Council. The Phase 3 plans include additional improvements in the northeast and southeast quadrants. There was a lot of previous discussion of ways to preserve greenspace and have nature as part of the park while also adding amenities that are more active.

Mr. Miller added that they are removing as part of Phase 1 and 2 the old asphalt north of the basketball goals. The basketball goal area remains with the project but they will take out the broken asphalt to the north and convert that area to greenspace. They are not doing anything by the baseball field.

CMBR Dickens said regarding the fireplace he is in favor of it, but asked what the safety procedures were. City Administrator Moody said the concern of safety regarding the fireplace has come up through discussion. They will not have a person posted at the fireplace even when they have a reservation, but it will have the same amount of patrol by way of the Police Department.

Mayor Kelly added that they have barbeque grills throughout the greater Johnson County community and in that respect it is not anything new. He believes aesthetically the fireplace is important to the overall design of the pavilion and noted it was strongly recommended by the Parks Committee that the feature be retained.

CMBR Hill said in speaking with the Parks Committee they were in favor of the fireplace first and foremost because of the aesthetics. There are also other newly-built structures around the area that have fire features and there have been no problems thus far. Ms. Hill asked if any of the other Councilmembers were interested in looking into Mega as another alternative.

Mayor Kelly said if they choose to go with all five bid alternates and Mega is the low bidder, then he would support Ms. Hill's suggestion as well.

CMBR Madigan agreed with CMBR Hill and the Mayor.

CMBR Faidley asked if Gunter has been notified that they had received the contract and were they told they were the low base bidder and were expecting to receive the contract.

Mr. Miller said that Gunter is aware they are the low base bidder. They were also at the Parks Committee meeting last week and said he didn't believe they have any reason to believe they will not be awarded the contract based on the bid recommendation by the Parks Committee.

CMBR Faidley said her only concern is they need to do this in a professional manner so it does not look like they're flip-flopping for less than \$3,000.

CMBR McCormack said that the process has already moved forward with Gunter and she would go with the original recommendation.

CMBR Madigan understands that Gunter is aware of the recommendation, but the Council does have the final authority.

Brian Gordon, President of Mega KC, addressed the Governing Body. (His comments were inaudible).

Ms. Jones-Lacy requested that Mr. Gordon type in his comments and they would be read into the record.

CMBR Dickens said that Gunter may have been under the impression they would have the bid, but as CMBR Madigan said it is for the Council to approve. He said he was still in favor of Mega and they are almost \$3,000 cheaper.

Mayor Kelly read Mr. Gordon's comments into the record. "Ethically the bid needs to be awarded to lowest and best bid. I'm confused because we were the low bid."

CMBR Hill asked if this was presented as the lowest bid overall or the lowest bid with the alternates. Mayor Kelly said that was not a presentation they made. They invited bids for the base bid and then for the alternates. He said by code that they are not required to accept the low bid although it is a good and prudent practice if they are for comparable services.

CMBR Faidley asked if this was clearly advertised that they were looking for a base bid and was this handled the best way as a City to look for the best person to do the job. City Administrator Moody said the approach they used in having a base bid plus alternates is a common best practice. If a contractor believes they will be awarded the contract because they have the lowest base bid, then they may put more of their expenses into the alternate and is one strategy for bidding. The City does not indicate they will award to the lowest base bidder.

CMBR Kelly asked if they say the bid would be awarded based on the base bid plus the five alternates then they could remove the alternates.

Mr. Miller said the bid form statement has a request for the base bid and the alternate bids where they put their prices in and it says, "The contract will be awarded to the lowest and best responsible bidder(s).

The City reserves the right to award the contract with the base bid and no bid alternate or with the base bid and any or all of the added alternates.”

CMBR Madigan said it troubles him that they are not required to go with the low bid as it is good business practice. If they go with only the base, then they should award to Gunter. If they will do the base and alternates, then it should go to Mega.

CMBR Hill asked if they have worked with either contractor previously. Mayor Kelly said as a City they have not worked with either company in the past. Mr. Miller stated he has worked with Mega and found them to be a competent contractor. The Mayor again stated if they are going to go with the base bid and the alternates, then they should move forward with Mega and they do at least have experience with their City Engineer knowing Mega is a competent contractor. He said this is not meant as a criticism to Gunter at all, but a reality of cost if they choose all five alternates.

MOTION: CMBR MADIGAN MOVED AND CMBR DICKENS SECONDED TO AMEND THE MOTION TO INCLUDE ALL FIVE ALTERNATES THE CONTRACT BE AWARDED TO MEGA. (MOTION FAILED 2-6 WITH CMBRS BRAUER, FAIDLEY, HILL, KELLY, MCCORMACK, REBNE VOTING NO.)

MOTION: CMBR HILL MOVED AND CMBR MCCORMACK SECONDED TO APPROVE AWARDDING BASE BID TO GUNTER CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF R PARK PHASE 1 & PHASE 2 AND ADDING ANY OF THE 5 BID ALTERNATES. (MOTION FAILED 4-5 WITH CMBRS FAIDLEY, MADIGAN, HILL, DICKENS AND MAYOR KELLY VOTING NO.)

For clarification the vote was resubmitted and remained in a 4-4 split and moved to Mayor Kelly to break the tie. Mayor Kelly voted no to move forward with Gunter.

CMBR Rebne understands that people would like to go with the lower bid and in reviewing Mega’s letter and their background he does not get the sense they would be losing and, in fact, be gaining service with Mega. He is also conscious of the fact that Gunter has been somewhat involved with the project from a supervisory standpoint and has a better understanding of what the Parks Committee and the residents are asking for.

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO AWARD THE BASE BID TO MEGA CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF R PARK PHASE 1 AND PHASE 2 ADDING ALL OF THE FIVE ALTERNATES COUNCIL WOULD LIKE TO SEE INCLUDED. (MOTION CARRIED 6-2 WITH CMBRS KELLY AND MCCORMACK VOTING NO.)

B. Approve Sanitary Sewer Easement at R Park

MOTION: CMBR MCCORMACK MOVED CMBR HILL SECONDED TO APPROVE A SANITARY SEWER EASEMENT AT R PARK. (MOTION CARRIED 8-0.)

C. Approve Purchase of Aquatic Center Chairs and Loungers

City Administrator Moody said the Pool Committee found both of the options attractive. They did provide a preference for Palette A as reflected in the agenda report.

MOTION: CMBR BRAUER MOVED AND CMBR REBNE SECONDED TO APPROVE THE PURCHASE OF NEW CHAIRS AND LOUNGES FOR THE POOL FOR PALETTE A. (MOTION CARRIED 8-0)

D. February 17, 2020 Council Minutes

CMBR Madigan said there seems to be some confusion on page 4 of the minutes. He made a motion to move the discussion to the next Workshop and subsequently CMBR Hill made a motion for an amendment to move it to New Business at the next Council meeting. There was no motion regarding the sending of questions to the City Administrator. He noted that CMBR Hill's motion amendment was approved. He said he and one other person voted nay on the amendment and believe he alone voted nay on the motion. He thinks it is incorrect as it stands.

Mayor Kelly suggested tabling the passing of the minutes and requested that staff listen to the recording and provide them with guidance at the next Council meeting.

MOTION: CMBR MADIGAN MOVED AND CMBR FAIDLEY SECONDED TO TABLE APPROVAL OF THE FEBRUARY 17, 2020 COUNCIL MINUTES UNTIL FURTHER REVIEW AND A RECOMMENDATION MADE BY STAFF. (MOTION CARRIED 8-0)

X. Workshop Items

There were no items discussed.

XI. Reports of City Officials

There were no reports given.

XII. Adjourn

Mayor Kelly again thanked everyone for their patience and continued cooperation as they move through the current challenging times. He said it is important as Governing Body members to show an example of proper decorum in this time and adhere to the guidance in place from various authorities in terms of social distancing. He stressed they continue looking forward with optimism, collegiality, and patience.

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

(Roeland Park City Council Meeting Adjourned at 7:24 p.m.)

Kelley Nielsen, City Clerk

Mike Kelly, Mayor

Item Number: Consent Agenda- II.-D.
Committee 4/6/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **March 20, 2020 Special Called Council Minutes**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
☐ March 20, 2020 Special Called Council Minutes	Cover Memo

CITY OF ROELAND PARK, KANSAS
SPECIAL COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Friday, March 20, 2020 6:00 P.M.

- | | | |
|--|---|--|
| <ul style="list-style-type: none">○ Mike Kelly, Mayor○ Trisha Brauer, Council Member○ Benjamin Dickens, Council Member○ Jan Faidley, Council Member○ Jennifer Hill, Council Member | <ul style="list-style-type: none">○ Jim Kelly, Council Member○ Tom Madigan, Council Member○ Claudia McCormack, Council Member○ Michael Rebne, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Jennifer Jones-Lacy, Asst. Admin.○ Kelley Nielsen, City Clerk○ John Morris, Police Chief○ Donnie Scharff, Public Works Director |
|--|---|--|

Admin
Madigan
Brauer

Finance
Faidley
McCormack

Safety
Dickens
Rebne

Public Works
Hill
Kelly

(Roeland Park Council Meeting Called to Order at 6:00 p.m.)

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance)

A. Instructions to Access Online Meeting

Ms. Jones-Lacy reminded everyone to mute microphones when not speaking to control feedback. For members of the public that wanted to be recognized they could use the “chat” function to enter their request. The Mayor would make the decision on when to take citizen comment.

Mayor Kelly thanked everyone for their patience as they continue to work through holding their meetings electronically.

ROLL CALL

City Clerk Nielsen called the roll. All Governing Body members were present with CMBR McCormack calling in shortly after the start of the meeting. Staff members present were City Administrator Moody, Assistant City Administrator Jones-Lacy, Public Works Director Scharff, Police Chief Morris, City Clerk Nielsen, and City Attorney Mauer.

Mayor Kelly thanked everyone for giving up time on a Friday night to handle the pressing matters of the City. He recognized they are facing unique challenges that Roeland Park has not seen in its existence. He also stated he is thankful for the dedication of City staff as well as the Governing Body members.

He said the City is following the Johnson County Emergency Operations Plan as well as the National Incident Management System (NIMS) during this emergency. They have utilized this system in the past following severe storms that have hit the City.

MODIFICATION TO THE AGENDA

There were no modifications to the agenda.

I. NEW BUSINESS

A. Discuss and Seek Direction on Sick Leave Use by Staff for Caregiving Arrangements, Provide Direction on Use of Sick Leave

Mayor Kelly noted that schools will be closed for the remainder of the school year and students are requiring care during that time.

City Administrator Moody said the use of sick leave for providing care to children out of school or that do not have daycare is incorporated into page 6 of the Summary Question and Answer Personnel Policy Directives document. Initially the directive provided to staff was they could use vacation or compensatory time in the care for children or others that were not sick. Changes to this out denoted by redline and would provide employees the opportunity to use sick leave to provide care even if the person isn't necessarily sick.

CMBR Faidley asked if from March 20th through April 24th would be a temporary measure and whether it is a significant enough time, did it need to be pushed out further. City Administrator Moody said the language incorporated is intended to provide guidance. It is also not anticipated that sick leave would be used in a long-term approach. It is to provide employees an opportunity to make the transition to provide for arrangements long-term.

CMBR McCormack proposed to extend the time to the end of the school year around May 15th. She realized they are trying to slow the effects of COVID-19 but did not believe this virus will pass quickly.

CMBR Rebne said he had similar concerns to CMBR McCormack's. He recognized that there are options and one of them is for grandparents to watch the children, but that has been posed as a potentially dangerous option, in addition, there are also limits on how many can gather at one place. He asked what the scenario would look like for someone who does not have sick leave through April 24th.

Mayor Kelly said the Paid Leave legislation was signed by the President and goes into effect on April 2nd. This would provide some additional support moving forward for those who may need to care for their family members. He said they should also consider what additional aid will be given either at the federal or state level. The approach they could take where they provide this opportunity gives them flexibility, and if appropriate, they can extend it through May.

CMBR Rebne asked what an employee is to do if they do not have enough sick leave and is it possible for some employees to work at home.

Mayor Kelly said the intent of this is to provide them a bridge until the end of April so they can consider where things are from a national perspective and also at the state level to see how it has impacted staff and sick time of the City.

CMBR Hill said it is a good idea to extend this to the end of the school. She said it would help them not to have an extra meeting just to extend the date.

CMBR Kelly commented his understanding was that this is intended for the short term while arrangements are being secured for long-term care and felt that four weeks is sufficient to figure this out as this is not designed for them to take care of their kids, but for them to make arrangements for someone to take care of them.

CMBR Madigan noted that not all of the employees' children are in Johnson County schools and may live in other counties.

CMBR McCormack commented in response to CMBR Kelly that the arrangements for children may not exist as far as childcare in groups of ten which may be changing and reducing. She said that finding childcare last minute not during a pandemic is difficult for anyone. She questioned whether they strike the part to arrange childcare or to participate in childcare, she finds that to be more relevant.

Mayor Kelly asked staff how much sick leave an average Roeland Park staff member has accrued. City Clerk Nielsen said each staff member accrues eight hours of sick time on the first day of each month, so it varies. Some employees have 94 hours and there are some that have 960 hours.

CMBR Faidley said that everyone realizes that sending children to the grandparents is one of the worst decisions to make because that is the age group that's most at risk of the virus.

CMBR Rebne said that rather than make a demand that an employee find childcare that may or may not be safe at a certain point, is there a way as a City they can support folks as they work to locate childcare. He suggested that they may be able to find resource lists and work as a community to help people figure this out if they can. He also did not want them to make it an expectation because then he believes they would be pressuring people to put their kids in harm's way.

CMBR Kelly asked if by implementing this there would be any areas that might be short on staff or put the City in a position to not be able to provide the services needed for all departments.

City Administrator Moody said provided the summary of the number of staff that have school-aged children he believes there are 11 of 32. Of the 11, 7 employees would be categorized as essential in either the Police Department or department directors. There is the potential to impact how quickly they are able to deliver service as people take advantage of the leave that is available to them. He does not believe it will bring a halt to City services and noted that there are some opportunities to work from home. The police staff is not included in this category. He said there will be situations where the perception is it's not fair. Mr. Moody said there is no way around that and added that it weighs on him as they are trying to be accommodating and provide direction with the document and giving thought to reasonable scenarios, but acknowledged they do not know all that could come up.

Mayor Kelly said he would like to see them limit the motion through the end of April, but clarified that he agreed with the sentiment through the end of year because of the possibility they might have to claw some of this back should they become short staffed. He believed that through the second April Council meeting would be a sufficient time to test this.

CMBR Hill said they need to focus on the motion of allowing employees to use their sick leave and further discussion can be held for other options for them and other things that may be coming down from the government. She said there has been a lot of talk about fairness and they need to step aside and focus on what does each person really need. Someone who has young children needs something different from

someone who is older. She said now is not the time to be greedy with what they will allow people to do and not do. She added that they all need to stick together and help each other.

CMBR Rebne said that his earlier comment was based on what he saw a resident type into the chat box which was the H.R. 6201 bill which provides for what they're discussing. He believes this ordinance and that bill gives their employees the right to use leave in order to take care of children who are out of school.

MOTION: CMBR MADIGAN MOVED AND CMBR REBNE SECONDED TO AMEND THE MOTION TO EXTEND THE USE OF SICK LEAVE THROUGH MAY 22, 2020. (MOTION CARRIED 7-1 WITH CMBR KELLY VOTING NO.)

MOTION: CMBR HILL MOVED AND CMBR REBNE SECONDED TO PERMIT EMPLOYEES TO USE SICK LEAVE WHILE MAKING ARRANGEMENTS FOR CHILDCARE DUE TO SCHOOLS AND DAYCARES BEING CLOSED THROUGH MAY 22, 2020, AS AMENDED. (MOTION CARRIED 8-0.)

B. Discuss and Seek Direction Related to Staff Compensations in Event of Closing Operations

Mayor Kelly said in the event operations are closed they wanted to get the Governing Body's direction concerning compensation of those members who would be affected by a shut-down.

City Administrator Moody said they put this agenda together before they had knowledge of the Paid Leave Act that's been signed by the President. He has expectations they will need to have a meeting in the future to approve how to administer that should operations be closed altogether and not just to the public. They are also seeking Council's direction on how to handle compensation to those employees.

Mayor Kelly said there is potential federal action that can help beginning April 2nd. The next Council meeting is April 6th. He recommended that in the event they close operations they continue payment to staff through April 6th and reevaluate at that time.

CMBR McCormack said they are all facing very uncertain times and tensions are high. They do not know what kind of limitations will be made going forward. She would have preferred to see proposals for setting aside a certain amount of money for residents, whereas, the focus is on the City's employees. She also said they do not know the financial or medical impact this will have on the community. She stated is main concern is about their citizens.

CMBR Madigan said he agreed with the comments made by CMBR McCormack. He said they need to think about the sick leave and vacation time that staff has that they can use if they are sent home. He asked Mr. Moody what he saw as a reason that everyone would need to be sent home.

City Administrator Moody said there are other parts of the country where there has been an order by the state to cease all operations and self-quarantine at home.

Mayor Kelly said to look at what has happened in New York, California, and Illinois that have a quarantine order in place for all non-essential services and would, therefore, put some of their employees at home.

CMBR Faidley asked if this were to happen would those non-essential employees no longer be considered as employees of the City.

Mayor Kelly said that a declaration of emergency does not mean that employees are necessarily sent home. It has been on a case by case basis for different cities depending on what they do from an operational standpoint.

CMBR Rebne said due to the community center closure it is happening to staff now. If they fire employees, then they are sending someone out that cannot find another job and how are they to keep staff once this crisis passes.

Mayor Kelly said releasing people from their employment if they are sent home is not the direction they are proposing.

CMBR Kelly said in response to CMBR Madigan that if an employee came to work and felt fine in the morning, then became sick during the day, at that point they would need to close the building and sanitize it to safeguard everyone.

CMBR Hill said she received an e-mail from her school district. They are still continuing to pay teachers, paras and essential employees to running the business of the school. She said as a City if they quit paying people they are not going to come back once this is over. She added that people cannot survive without income and they need to take the lead and continue paying their employees.

CMBR Dickens said it is not uncommon if circumstances beyond their control affect their ability to continue to pay people. A reduction in pay is a hard place to be in and they need to talk about it very soon.

CMBR Brauer had audio issues so Mayor Kelly read her comment into the record. "I hear you, Ben. I don't have any work at all because I only work with large crowds. I don't want our workers to feel that way."

MOTION: CMBR MADIGAN MOVED AND CMBR REBNE SECONDED TO CALL THE QUESTION. (MOTION CARRIED 8-0)

MOTION: CMBR DICKENS MOVED AND CMBR FAIDLEY SECONDED IF CITY OF ROELAND PARK OPERATIONS WERE CLOSED THAT STAFF COMPENSATION WOULD CONTINUE THROUGH APRIL 6, 2020, AND REEVALUATED AT THE CITY COUNCIL MEETING ON THAT DATE. (MOTION CARRIED 8-0)

II. Ordinances and Resolutions

A. Ordinance No. 993, an Ordinance Establishing a Procedure for an Emergency Proclamation as Chapter 1 Article 19 of the Municipal Code of the City of Roeland Park, Kansas

City Attorney Mauer said the City passed an ordinance allowing meetings to be done remotely and it seems to be working well. The idea of this ordinance is to create the authority to take the action. Following this will be a resolution to approve the acts already taken by City staff and the Mayor, which were an emergency and needed to be done. Mr. Mauer said there are many things that could go into this and many other ideas that could be addressed. They wanted to keep this as simple and as focused on this particular COVID-19 emergency confronting them. There will be time in the future to address other potential crises and disasters, to compare their plan to others, to shore it up and make necessary changes.

CMBR Rebne asked for clarification on the ability to impose a curfew. He said he can see where it makes sense in the current situation to be able to close buildings and businesses.

Mayor Kelly said they hope and expect that to be something they would not exercise. However, it is standard throughout the cities in Northeast Johnson County and throughout the county in the event of an emergency.

CMBR Rebne said this seemed to be more general crisis language and he was expecting to see something more specific to the COVID-19 crisis.

CMBR Faidley said in looking at what is happening in other places having a curfew may be necessary to get through this crisis.

CMBR Brauer stated she agreed with CMBR Faidley.

CMBR Madigan read a statement into the record. "I am not against the City having an emergency preparedness ordinance. I believe it is something that is needed. I believe that we, as a Governing Body, must model legal, ethical, and procedurally in any and all process. It is the process I have an issue with and a bit of the wording. After consulting with the County Attorney Don Jarrett, I believe by voting and enacting this ordinance we would be in violation of our own charter ordinances. First, we should add a section to the charter giving the Mayor the authority under an emergency preparedness ordinance authority to call an emergency. Secondly, we have to follow the guidelines in Charter Sections 33, 34, and 35 that would entail publishing for two consecutive weeks, and subsequently, the ordinance would take effect 61 days after the second publication. Third, I, like Mr. Jarrett, feel the definition of "emergency" or "disaster" is too broad. What exactly is a riot under this definition? If a business is closed does that mean it's closed to everyone, i.e. public, employees, owners? Would owners be allowed in to do paperwork, necessary work, maintain stability and/or secure their business? This is not a simple ordinance when it clearly gives the Mayor authority not defined in our City Charter. Each instance where the Mayor is given authority, with or without a vote of the Governing Body, is well-documented in our charter ordinances either with the added ordinance or a repeal of a section of the charter ordinance. All I'm asking that we do is to follow our own laws, the ordinances of the City of Roeland Park. Frankly, I believe we'll be okay for now following and adhering to the county, state, and federal regulations and guidelines until our ordinance becomes effective. Thank you."

City Attorney Mauer stated if they had the time and the ability to go through the process to amend the charter, publish it, and make it go into effect as the charter and the statutes set forth he would agree with CMBR Madigan. The problem is they do not have the time to do that as they have a situation in front of them that requires emergency reaction which the City staff is being required to do anyway. The following resolution is a list of items the staff, by requirement, had to do, but there is nothing in the current City code that says they have the authority to do that. The Mayor was called upon to make decisions and take stances that were in line with other cities and in line with Johnson County and the state of Kansas, but there was nothing in the code that gave him the authority to do that. After the crisis is over, they can go back and work through the plan CMBR Madigan advised and they can amend the charter and put forward a more detailed thoughtful plan. Today the City Administrator, staff, and Mayor are being required to do things that they do not have the support in the code nor do they have the backing of the City Council that says they approve what they are doing and what has been done. The intent of this Special Call meeting was to advise the Council to make sure everyone knew what had happened and what might be coming and

to get their expressed support for the City Administrator, staff, and the Mayor to continue to take care of the City and its residents.

CMBR Rebne clarified that what Mr. Mauer said is that they're already being told as a City to issue an ordinance to establish an emergency procedure.

Mr. Mauer reiterated that the purpose of the ordinance is to adopt the Johnson County plan, which to date that they have done is what Johnson County and the state of Kansas has dictated and required of them to do. The ordinance also gives the authority to the City to implement the plan. They have had voluntary compliance from restaurants to shut down in-house facilities, but they do not have the authority to keep a restaurant from opening their facilities.

Mayor Kelly can look at what other cities have done who have specific emergency preparedness as it relates to a flood or storm and they could get into more detail, but at this point it is a good ordinance and provides the authority that is necessary to keep the City safe and it also helps to present a united front for the actions that the county and the state have taken to try to slow the spread of the virus. He said he appreciates the work that has been done and the hours the staff has put into this. He is proud of the efforts taken by City staff, the Governing Body, and their residents.

CMBR Madigan said he would be more comfortable passing something like this that would sunset so they can come back and discuss this.

Mayor Kelly said he wished he knew when the COVID-19 crisis would be over, but asked that they take him at his word and his trust as a fellow Governing Body member that when this COVID-19 outbreak is over and that when they have released Roeland Park from the declaration that this would be put on the agenda.

CMBR Faidley said she understands that what makes Roeland Park unique is that they do have a strong Council and weak Mayor set-up. Therefore, any additional powers given to the Mayor are given with great thought. This situation has put the City staff and the Mayor in an already stressful situation, but realizes there is no mechanism in currently place and she would recommend moving forward with this ordinance.

MOTION: CMBR HILL MOVED AND CMBR REBNE SECONDED TO AMEND THE APPROVAL OF ORDINANCE NO. 993 AND ADD A SUNSET DATE OF SEPTEMBER 25, 2020. (MOTION FAILED 4-5 WITH CMBRS FAIDLEY, DICKENS, HILL, AND KELLY VOTING NO AND MAYOR KELLY VOTING NO TO BREAK THE TIE.)

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO APPROVE ORDINANCE NO. 993, AN ORDINANCE ESTABLISHING A PROCEDURE FOR AN EMERGENCY PROCLAMATION AS CHAPTER 1 ARTICLE 19 OF THE MUNICIPAL CODE OF THE CITY OF ROELAND PARK, KANSAS. (MOTION CARRIED 7-1 WITH CMBR MADIGAN VOTING NO.)

After passing of the ordinance, Mayor Kelly thanked the Governing Body for their trust and said he appreciated it.

B. Resolution 674- Ratifying Emergency Actions Implemented in Response to COVID-19 Pandemic

Mayor Kelly again thanked the staff for their long hours and the dedication of the Governing Body for their time on the actions that they have taken and will continue to take.

MOTION: CMBR KELLY MOVED AND CMBR HILL SECONDED TO APPROVE RESOLUTION 674 - RATIFYING EMERGENCY ACTIONS IMPLEMENTED IN RESPONSE TO COVID-19 PANDEMIC. (MOTION CARRIED 8-0.)

III. Reports of City Officials

No reports were given.

IV. Adjourn

Mayor Kelly again thanked everyone for their time, dedication to the City, and the robust, respectful conversation they have had.

MOTION: CMBR HILL MOVED AND CMBR MCCORMACK SECONDED TO ADJOURN. (MOTION CARRIED 8-0)

(Roeland Park City Council Meeting Adjourned at 7:21 p.m.)

Kelley Nielsen, City Clerk

Mike Kelly, Mayor

Item Number: New Business- VIII.-A.
Committee 4/6/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 4/2/2020
Submitted By: Keith Moody
Committee/Department: Admin
Title: **Amend SRO Agreement with Bishop Miego**
Item Type: Agreement

Recommendation:

Details:

Attached is an amended School Resource Officer agreement with Bishop Miego. With the school closing in March for the remainder of the year, the school has requested suspending the service through May 2020. The original agreement is structured so that Bishop Miego reimburses the City for costs equal to an entire year of employment of the School Resource Officer. The SRO works at the Roeland Park Police Department during summer break, however the Roeland Park PD provides an officer during church service year round, these hours nearly offset the SRO hours during summer break.

The SRO has been working shifts in the PD since the school closed. Church services have been suspended, therefore security has not been needed on the weekends.

Amending the agreement to suspend service for the months of April and May will equate to \$13,475 less revenue for the City.

Financial Impact

Amount of Request: \$13,475	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description		Type
☐	Current SRO Agreement	Cover Memo
☐	1st Amendment to the SRO Agreement	Cover Memo

SCHOOL RESOURCE OFFICER AGREEMENT

This Agreement, is entered into this 25 day of July, 2018, by and between the CITY OF ROELAND PARK, KANSAS, hereinafter referred to as "City", and the BOARD OF TRUSTEES OF BISHOP MIEGE HIGH SCHOOL located at 5041 Reinhardt Drive, Roeland Park, Kansas 66205, hereinafter referred to as "High School." The City and the High School may collectively be referred to in this Agreement as the "Parties." For and in consideration of the mutual promises, terms, covenants, and conditions set forth herein, the Parties agree as follows:

1. Purpose of Agreement. The purpose of this Agreement is for the City to assign uniformed law enforcement officers, vehicles, radios and all necessary equipment for the School Resource Officer ("SRO"). The SRO will work with school personnel in providing alcohol and other drug education, maintaining a safe campus environment, serving as a law enforcement problem-solving resource person, and providing the appropriate response during on-campus or school related criminal activity.
2. Term. This Agreement shall begin on the first day of school in August 2018 and shall be binding upon the Parties for a period of twelve (12) months thereafter, provided the term may be mutually extended by the Parties as they deem necessary to satisfy attendance requirements that may have been affected by weather or other factors. Beginning in August 2019, this Agreement shall automatically renew for an additional twelve (12) month period. During the days that schools are not in session, the SRO shall perform regular police duties at the station as determined by the Chief of Police.
3. Termination. This Agreement shall remain in place unless written notice of cancellation is provided from either party. Upon such written notice, this Agreement will terminate at the end of the annual term in which the notice was provided. Termination notice must be given at least sixty (60) days prior to the annual renewal date.
4. Relationship of Parties. The City and the assigned SRO shall have the status of an independent contractor to the High School for the purposes of this Agreement. The SRO assigned to the High School shall be considered to be an employee of the City and shall be subject to its control and supervision. The assigned SRO will be subject to current procedures in effect for the City police officers, including attendance at all mandated training and testing to maintain state law enforcement officer certification. The High School agrees to cooperate with the City in any administrative investigation regarding violations of such procedures by the officer assigned to the High School as an SRO. This Agreement is not intended to and will not constitute, create, give rise to, or otherwise recognize a joint venture, partnership, or formal business association or organization of any kind between the Parties, and the rights and obligations of the Parties shall be only those expressly set forth in this Agreement. The Parties agree that no person supplied by the High School to accomplish the goals of this Agreement is a City employee and that no rights under City civil service, retirement, or personnel rules accrue to such person.
5. Consideration. In consideration of the assignment of police officers to work with the High School as provided herein, the High School agrees to pay to the City for the SRO 12 monthly installments based upon the SRO's hourly rate for an assumed 2,080 hour work year plus the actual cost of benefits paid by the City during the term of the Agreement to include: unemployment, social security/medicare, short term disability, life insurance, retirement benefits (KPF/401), dental insurance, vision insurance, health insurance/HSA contributions, and workers

compensation insurance. The City will notify the High School of changes which occur in any of the identified expenses during the term of the Agreement and provide a revised monthly installment figure with supporting detail. Overtime work performed by the SRO at the request of the High School will be provided at a rate equal to the SRO's hourly rate multiplied by 1.5 plus social security/medicare and retirement benefits (KPF/401). Upon commencement of this Agreement, the High School will provide a one-time payment of \$4,000.00 for equipment and training to outfit the SRO for service.

6. SRO Responsibilities. The SRO assigned to the High School shall:

6.1 Provide a program of law and education-related issues to the school community, including parents, on such topics as: tobacco, alcohol, and other drug issues, addressing violence diffusion, violence prevention, and other safety issues in the school community.

6.2 Act as a communication liaison with law enforcement agencies; providing basic information concerning students on campuses served by the SRO.

6.3 Provide informational in-services and be a general resource for the staff on issues related to alcohol, and other drugs, violence prevention, gangs, safety and security.

6.4 Provide school and church services security at the Bishop Miede campus including St. Agnes Catholic Parish/School and the Horizons Academy.

6.5 Provide security during church services at St. Agnes Catholic Parish located at 5250 Mission Road, Roeland Park, Kansas 66205, for approximately ten (10) hours each week during the year.

6.6 Gather information regarding potential problems such as criminal activity, gang activity and student unrest, and attempt to identify particular individuals who may be a disruptive influence to the school and/or students.

6.7 Take the appropriate steps consistent with a Kansas law enforcement officer's duties when a crime occurs.

6.8 Present educational programs to students and school staff on topics agreed upon by both Parties.

6.9 Refer students and/or their families to the appropriate agencies for assistance when a need is determined.

6.10 Attempt to advise the school principal prior to taking legal action, subject to the SRO's duties under the law (unless in the SRO's opinion, circumstances prevent it).

6.11 Shall not act as a school disciplinarian, nor make recommendations regarding school discipline. The SRO is not to be used for regularly assigned lunchroom duties, as a regular hall monitor, bus duties or other monitoring duties. If there is an unusual/temporary problem in one of these areas, the SRO may assist the High School employee until the problem is solved.

Provided further that nothing required herein is intended to nor will it constitute a relationship or duty for the assigned SRO or the City beyond the general duties that exist for law enforcement officers within the state.

6.12 Although the fee paid by the High School is based upon services provided by the SRO officer, these services may be provided through all qualified officers.

7. Time and Place of Performance. The City will make all reasonable effort to have an SRO available for duty at his or her assigned school each day that school is in session during the regular school year. The City is not required to furnish a substitute SRO on days when the regular SRO is absent due to illness or law enforcement department requirements. The SRO shall remain a full-time uniformed law enforcement officer of and for the City, shall remain duly licensed and qualified to carry/use firearms and operate patrol cars, and shall otherwise be able to meet the physical demands of the services described herein. Notwithstanding anything herein to the contrary, in the event an officer should, for any reason, fail to remain so qualified, the City shall provide a substitute officer to perform the services until such time the unqualified SRO is able to resume his or her regular duties. The SRO's activities will be restricted to their assigned school grounds except for:

7.1 Follow up home visits when needed as a result of school related student problems.

7.2 School related off-campus activities when SRO participation is requested by the principal and approved by the City.

7.3 Responding to off-campus, but school related, criminal activity.

7.4 Responding to emergency law enforcement activities. Whether an emergency exists shall be determined by the City in its sole discretion, and the City reserves the exclusive right to request the SRO's immediate presence if such determination is made.

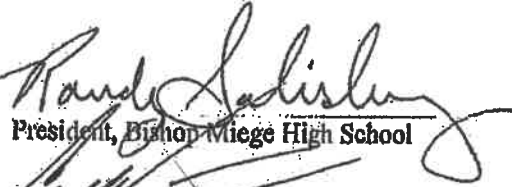
8. High School Responsibilities. The High School will provide the SRO an on-site office and such supplies and equipment as are necessary at his or her assigned school. This equipment shall include a telephone, filing space capable of being secured, and access to a computer.
9. Review and Revision of Agreement. The Parties agree to maintain an open line of communication regarding any necessary or desirable changes to this Agreement, however, no alterations, amendments, changes or additions to this Agreement will be binding upon either the City or the High School unless reduced to writing and signed by the Parties.

10. Signatures.

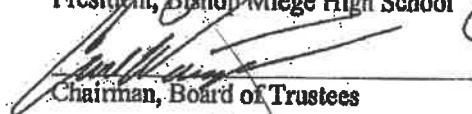
Dated: 7/25/2018

BISHOP MIEGE HIGH SCHOOL,

By:

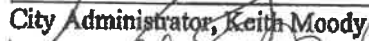

President, Bishop Miege High School

Attested by:

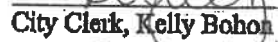

Chairman, Board of Trustees

CITY OF ROELAND PARK, KANSAS,

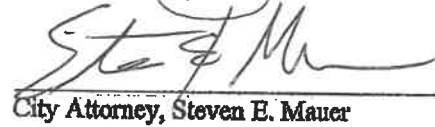
By:


City Administrator, Keith Moody

Attested by:


City Clerk, Kelly Bohon

Approved as to Form:


City Attorney, Steven E. Mauer

**FIRST AMENDMENT
TO
SCHOOL RESOURCE OFFICER AGREEMENT**

This AMENDMENT, dated effective as of April __, 2020, among **CITY OF ROELAND PARK, KANSAS** (the “City”) and **BOARD OF TRUSTEES OF BISHOP MIEGE HIGH SCHOOL** located at 5041 Reinhart Drive, Roeland Park, KS 66205 (the “**High School**”)(collectively, the City and the High School referred to herein as the “Parties”), constitutes an amendment to the SCHOOL RESOURCE OFFICER Agreement dated effective July 25, 2018, (“Agreement”).

WHEREAS unforeseen circumstances have impacted Section 2 and Section 5 of the Agreement and necessitated a modification to Section 2 and Section 5 through an Amendment to the Agreement;

WHEREAS, Section 9 of the Agreement allows the Parties to Amend the Agreement upon mutual agreement of the Parties and upon the Parties reducing the amendment to the Agreement to writing;

WHEREAS, the Parties desire to amend the Agreement upon the terms and conditions as set forth herein;

NOW, THEREFORE, it is agreed to by the Parties that the Agreement is amended as follows:

Section 2 is amended to read as follows:

2. Term. This Agreement shall begin on the first day of school in August 2018 and shall be binding upon the Parties for a period of twelve (12) months thereafter, provided the term may be mutually extended by the Parties as they deem necessary to satisfy attendance requirements that may have been affected by weather or other factors. Beginning in August 2019, this Agreement shall automatically renew for an additional twelve (12) month period. During the days the school is not in session, the Police Officer shall perform regular police duties at the station as determined by the Police Chief. **This term shall not include services for April or May of 2020.**

Section 5 is amended to read as follows:

5. Consideration. In consideration of the assignment of police officers to work with the High School as provided herein, the High School **agrees to pay to the City for the SRO 10 monthly installments based upon the SRO’s hourly rate plus the actual cost of benefits paid by the City during the term of the Agreement. However, the High School**

will not pay the installments for May and April 2020. Benefits paid by the City during the term of the Agreement include: unemployment, social security/medicare, short term disability, life insurance, retirement benefits (KPF/401), dental insurance, vision insurance, health insurance/HSA contributions, and workers compensation insurance. The City will notify the High School of changes which occur in any of the identified expenses during the term of the Agreement and provide a revised monthly installment figure with supporting detail. Overtime work performed by the SRO at the request of the High School will be provided at a rate equal to the SRO's hourly rate multiplied by 1.5 plus social security/medicare and retirement benefits (KPF/401). Upon commencement of this Agreement, the High School will provide a one-time payment of \$4,000.00 for equipment and training to outfit the SRO for service.

IN WITNESS WHEREOF, the undersigned do hereby set their hand and seal effective as of April __, 2020.

Dated: _____

BISHOP MIEGE HIGH SCHOOL,

By: _____
President, Board of Education

Attested by: _____
Clerk, Board of Education

CITY OF ROELAND PARK, KANSAS,

By: _____
City Manager, Keith Moody

Attested by: _____
City Clerk, Kelly Bohon

Approved as to Form: _____
City Attorney, Steven E. Mauer

Item Number: New Business- VIII.-B.
Committee 4/6/2020
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/6/2020
Submitted By: Keith Moody
Committee/Department: Public Works
Title: **Approve KDOT Authority to Award Contract Form for Roe Boulevard Project**
Item Type: Other

Recommendation:

Staff recommends approval of the attached "Authority to Award Contract" form from KDOT.

Details:

KDOT requires approval of an Authority to Award Contract form (attached) prior to awarding projects which depend upon local funding. The form reflects awarding just the base bid. The work reflected in the two alternates will be bid out and managed by the City under separate contract as the engineers and staff believe this work can be secured for far less than what was bid in the add alternates.

The local funding commitment of \$2.165 million shown in the Authorization to Award Contract form is lower than the \$2.9 million of local funding committed on 3/3/20 due to the actual KDOT contract award of \$6,827,378 being less than the construction cost estimate of \$7.55 million on 3/3/20.

The total project cost estimate on 3/3/20 was \$10.050 million, as of 3/27/20 the total project cost estimate (including mill/overlay north of 48th, landscaping throughout corridor, entryway signs and traffic signal removal) is \$9.941 million.

The 3/27/20 All in Cost Estimate sheet also reflects updated funding by source (bottom of page 2).

Financial Impact

Amount of Request:

Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
☐ KDOT Authority to Award Form for Roe Blvd Project	Cover Memo
☐ All in Cost Estimate as of 3-27-20	Cover Memo
☐ All In Cost Estimate as of 3-3-20	Cover Memo

Dwight D. Eisenhower State Office Building
700 S.W. Harrison Street
Topeka, KS 66603-3745
Julie L. Lorenz, Secretary
Michael J. Stringer, P.E., Chief



Phone: 785-296-3861
Fax: 785-296-6946
kdot#publicinfo@ks.gov
<http://www.ksdot.org>
Laura Kelly, Governor

4/6/2020

Project Number: 046 N-0661-01
STP-N066(101)

City of Roeland Park
Mr. Donnie Scharff
Interim Director of Public Works
4600 W 51st St
Roeland Park, KS 66205-

Dear Mr. Scharff:

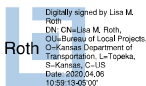
We are listing below the bidder and the low bid received at Topeka, Kansas on 03/25/2020 for the above numbered project.

CONTRACTOR	TYPE OF WORK	AMOUNT
MILES EXCAVATING, INC. BASEHOR, KS	Roeland Park: Roe Blvd from Johnson Dr to N CoL	\$6,827,378

This is considered satisfactory when compared with the engineer's estimate, and we believe that contracts should be awarded to the low bidder. If this bid is acceptable to the City, please sign the enclosed resolution and return it to this office. In order to guarantee the low bid, we must receive the expected resolution on or before 04/17/2020. Upon receipt of the signed resolution and approval by the Secretary of Transportation the contract will be awarded.

A combination of bid items and construction engineering less a maximum of \$4,662,500 Federal funds will require City matching funds in the amount of \$2,165,000. The City remittance should be made on or before 05/17/2020.

Sincerely,


Lisa M. Roth
Digitally signed by Lisa M. Roth
DN: cn=Lisa M. Roth,
ou=Bureau of Local Projects,
o=Kansas Department of
Transportation, l=Topeka,
s=Kansas, c=US
Date: 2020.04.06
10:59:13-05'00'

for Michael J. Stringer, P.E., Chief
Bureau of Local Projects

mjs/tls/lmr
Enclosures
c Mayor/City Manager
Ms. Rhonda Seitz, Chief of Fiscal Services
Mr. Leroy Koehn, P.E., District One Engineer

**AUTHORITY TO AWARD CONTRACT
COMMITMENT OF CITY FUNDS**

4/6/2020

2 Copies to City

Project Number: 046 N-0661-01

STP-N066(101)

WHEREAS bids were received at Topeka, Kansas on 03/25/2020 for the performance of work covered by plans on the above numbered project, and

WHEREAS the bidder and the low bid or bids on work covered by this project were:

CONTRACTOR	TYPE OF WORK	AMOUNT
MILES EXCAVATING, INC. BASEHOR, KS	Roeland Park: Roe Blvd from Johnson Dr to N CoL	\$6,827,378

WHEREAS bids are considered satisfactory and have been recommended by the Secretary of Transportation of the State of Kansas, hereinafter referred to as the SECRETARY, for consideration and acceptance of the work on this project as covered by such bid or bids.

A combination of bid items and construction engineering less a maximum of \$4,662,500 Federal funds will require City matching funds in the amount of \$2,165,000.

BE IT FURTHER RESOLVED that City funds in the amount of \$2,165,000 which are required for the matching of Maximum Federal Funds are hereby pledged by the City to be remitted to the Chief of Fiscal Services of the Department of Transportation of the State of Kansas on or before 05/17/2020 for use by the SECRETARY in making payments for construction work and engineering on the above designated project with final cost being determined upon completion and audit of the project.

The City certifies that no known or foreseeable legal impediments exist that would prohibit completion of the project and that the project complies with all applicable codes, standards and/or regulations required for completion.

Adopted this _____ day of _____, 20_____, at _____, Kansas.

Recommended for Approval:

City Engineer/Road Supervisor

_____, Mayor

Attest:

_____, Member

(Seal)

_____, Member

City Clerk

Base Bid**INVOICE*****Keep for your Records*****Due on or before 01/00/1900**

PRELIMINARY STATEMENT OF COSTS

046 N-0661-01

STP-N066(101)

Roeland Park: Roe Blvd from Johnson Dr to N CoL

Construction and CE Breakdown

Actual Bid	\$6,825,460
Water (for grading)	\$1,918
Sub-Total Actual Bid Amount	\$6,827,378
LPA CE Contract	\$0
Sub-Total Construction and CE	\$6,827,378
Federal-aid Non-Participating Const. Costs	\$886
Federal-aid Non-Participating CE	\$0
Participating PE Costs	\$0
Participating Railroad Costs	\$0
Participating ROW Costs	\$0
Participating Utility Costs	\$0
Federal Participating Project Costs	\$6,826,492
Total Project Costs	\$6,827,378

CE Breakdown

Total LPA CE	\$0
Federal Non-Participating CE	\$0
Federal Participating CE	\$0

Federal/City Funding Summary

Total Project Costs	\$6,827,378
100% City Funds Due to Non-Participating	\$886
Federal Participating Project Costs	\$6,826,492
CE Paid by KDOT	N/A
Fund 1- Available Funding	\$5,828,125
80% Federal Funds	\$4,662,500
20% City Funds	\$1,165,625
100% City Funds Due to Max Funding	\$998,367

Fund 1- Maximum Federal Funds 80/20**\$4,662,500****Key**

KDOT	Kansas Department of Transportation
LPA	Local Public Authority
CE	Construction Engineering (Inspection)
Const,	Construction

Totals

	City Funds	Federal Funds	State Funds	Total Funds
Federal Non-Participating Construction	\$886			\$886
Federal Non-Participating CE				\$0
CE Paid by KDOT				\$0
Fund 1- 80% Federal Funds		\$4,662,500		\$4,662,500
Fund 1- 20% City Funds	\$1,165,625			\$1,165,625
City Funds Due to Max Funding	\$998,367			\$998,367
Total	\$2,164,878	\$4,662,500	\$0	\$6,827,378

Amount to Bill City (Rounded Up)**\$2,165,000**


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[DOING BUSINESS](#)
[INSIDE KDOT](#)
[PROJECTS/PUBLICATIONS](#)
[PUBLIC INFORMATION](#)

BUREAU OF CONSTRUCTION & MATERIALS

As Read By Project (Bidders List by Individual Project)

Date: 03/25/2020

Contract Number: 520032131

Project Number: 046 N 0661-01

Federal Number: STP-N066(101)

Description: GRADING AND SURFACING

County: JOHNSON

State Ties: --

Total Records: 4

[Helpful Definitions](#)

Contractor Name	Bid Amount
MILES EXCAVATING, INC.	\$7,640,272.00
AMINO BROTHERS COMPANY INC	\$8,032,254.00
GUNTER CONSTRUCTION COMPANY	\$8,321,783.00
MEGAKC CORPORATION	\$8,722,251.00

TRAVELER INFORMATION

TRAFFIC & TRAVELER INFO
KANDRIVE
SAFETY INFORMATION
STATE MAPS
TOURIST INFORMATION

DOING BUSINESS

PERMITS
BIDDING & LETTING
COMMERCIAL VEHICLES
DESIGN CONSULTANTS
HIGHWAY CONTRACTORS

INSIDE KDOT

ABOUT KDOT
KANSAS CITY METRO
TOPEKA/LAWRENCE METRO
WICHITA METRO
DISTRICTS

PROJECTS/PUBLICATIONS

T-WORKS
PROJECTS/STUDIES
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PUBLICATIONS

PUBLIC INFORMATION

NEWS
OPEN RECORDS
MEDIA CONTACTS
PROPERTY DAMAGE CLAIMS

CONNECT WITH KDOT

MEDIA CONTACTS
CONTACT
FACEBOOK
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Project: Roe Blvd. from Johnson Drive to County Line

Date: 3/27/2020

	= Contract Prices- Not Final
	= Actual Costs
	= Estimated Costs

Item Description	Project Cost	Federal Share	City Share	CARS Eligible	Notes
1 Construction Cost (Base Bid)	\$ 6,825,462	\$ 4,662,500	\$ 2,162,962	\$ 1,081,481	3/25 KDOT Bid Letting (Base bid includes all seeding and sodding as well as installation of signals)
Contingency			\$ -	\$ -	No contingency in PS&E Estimate
Total KDOT Bid (Miles Excavating)	\$ 6,825,462				
Traffic Signal Pole Contract	\$ 172,803		\$ 172,803	\$ 86,402	Contract with Lemac
Gateway Allowance	\$ 207,600		\$ 207,600	\$ 103,800	From Gateway tab, preliminary
Landscaping Allowance (entire corridor)	\$ 254,500				From GBA PSE Cost Estimate
Mill and Overlay North of 48th Street	\$ 203,971				From GBA PSE Cost Estimate
Estimated Change Orders (set)	\$ 188,750	\$ -	\$ 188,750	\$ 94,375	City contingency, assume no Federal Eligible, assume CARS eligible
2 Engineering					
Concept Design	\$ 332,451	x	\$ 332,451		GBA contract
Final Design	\$ 480,823	x	\$ 480,823		From GBA Contract 1/22/2018, includes \$80,871 from Vireo
Consultant EDC	\$ -		\$ -		\$19,770 included in PE contract
3 Construction Inspection (Consultant)	\$ 350,106		\$ 350,106	\$ 175,053	From GBA CO Contract
4 Material Testing	\$ 105,213		\$ 105,213	\$ 52,607	1.5% of Const. Base Bid & CO
5 Project Administration	\$ 49,099		\$ 49,099		0.7% of Const. Base Bid & CO
6 Legal fees, Recording, Publications	\$ 41,657	x	\$ 41,657		From City 12/29/19
7 R/W and Easement Acquisition					
Ownerships	\$ -		\$ -		No updates have been invoiced
Appraisals					
Residential	\$ 56,250	x	\$ 56,250		75 Residential @ \$750
Commercial	\$ 18,400	x	\$ 18,400		16 Commercial @ \$1,150
Review Appraisals	\$ 7,200	x	\$ 7,200		8 tracts @ \$900/tract
Acquisition Fees					
Residential	\$ 45,000	x	\$ 45,000		75 Residential @ \$600
Commercial	\$ 16,800	x	\$ 16,800		16 Commercial @ \$1,050
Acquisition Payments	\$ 331,912	x	\$ 331,912		Actual from acquisition and condemnation
Appraiser's Panel Fees	\$ 10,350	x	\$ 10,350		Actual
8 Utility Relocations					
KCPL Traffic Signal Removal	\$ 189,333		\$ 189,333	\$ 94,667	JOCO confirms CARS Eligible 3/26

Project: Roe Blvd. from Johnson Drive to County Line

Date: 3/27/2020

	= Contract Prices- Not Final
	= Actual Costs
	= Estimated Costs

Item Description	Project Cost	Federal Share	City Share	CARS Eligible	Notes
Unallocated Utility Relocations	\$ 30,000	\$	30,000	\$ 15,000	Estimate, Every Traffic Signal Coord., should be CARS Eligible
9 Financing and Bonding	\$ -	\$	-		Project currently scheduled w/o bonding
10 Other - MARC Administration Fees	\$ 23,313	\$	23,313		Paid in 2017
Total Project Cost	\$ 9,940,994	\$ 4,662,500	\$ 4,820,023	\$ 1,703,384	
City Project Cost minus CARS Federal Cap	\$ 4,662,500		\$ 3,201,023		
Federal Share	\$ 4,662,500				
CARS Share (2020 CARS)	\$ 1,619,000				
Roeland Park Share	\$ 3,201,023				
	\$ 9,482,523				
Roeland Park Budget:	<u>Original Resource Allocation</u>	<u>Resource Allocation as of 1/3/2020</u>	<u>Resource Allocation as of 3/27/20</u>		Revised allocation based on notes below and Total Project Cost in C36. TIF1 remaing costs, compared to eligible on GBA sheet + 4/5 Traffic Signal removals
TIF1	\$ 1,107,577	\$ 2,997,487	\$ 2,888,283		TIF2 Maxed out
TIF2	\$ 545,000	\$ 545,000	\$ 545,000		Spent to date
Special Street Fund	\$ 665,986	\$ 226,211	\$ 226,211		JOCO Approved 2020 CARS
CARS*	\$ 1,212,250	\$ 1,619,000	\$ 1,619,000		Actual KDOT/MARC
STP*	\$ 4,662,500	\$ 4,662,500	\$ 4,662,500		
	\$ 8,193,313	\$ 10,050,198	\$ 9,940,994		

*Note: CARS grant funds will be paid out of and reimbursed to the Special Street Fund. The CARS Funding shown as of 3-27-20 has not been updated to reflect the potential for 50% of the Mill/Overlay North of 48th being covered by CARS in 2021.

Difference Between 1/3/20 Total Project Cost Estimate and 3/27/20 Total Project Cost Estimate: \$ (109,204)

Project: Roe Blvd. from Johnson Drive to County Line

Date: 3/3/2020

= Actual Costs

Item Description	Project Cost		Federal Share		City Share		CARS Eligible Notes		
1 Construction Cost (Base Bid)	\$	7,550,000	\$	4,662,500	\$	2,887,500	\$	1,443,750	GBA Estimate 12-6-2019
Inflation	\$	-			\$	-	\$	-	
Contingency (0%)	\$	-			\$	-	\$	-	No contingency in PS&E Estimate
Total GBA	\$	7,550,000							
Gateway Allowance	\$	207,600			\$	207,600	\$	103,800	From Gateway tab, preliminary
Estimated Change Orders (2.5%)	\$	188,750	\$	-	\$	188,750	\$	94,375	City contingency, assume no Federal Eligible, assume CARS eligible
2 Engineering									
Concept Design	\$	332,451	x		\$	332,451			GBA contract
Final Design	\$	480,823	x		\$	480,823			From GBA Contract 1/22/2018, includes \$80,871 from Vireo
Consultant EDC	\$	-			\$	-			\$19,770 included in PE contract
3 Construction Inspection (Consultant)	\$	350,106			\$	350,106	\$	175,053	From GBA CO Contract
4 Material Testing	\$	116,081			\$	116,081	\$	58,041	1.5% of Const. Base Bid & CO
5 Project Administration	\$	54,171			\$	54,171			0.7% of Const. Base Bid & CO
6 Legal fees, Recording, Publications	\$	41,657	x		\$	41,657			From City 12/29/19
7 R/W and Easement Acquisition									
Ownerships	\$	-			\$	-			No updates have been invoiced
Appraisals									
Residential	\$	56,250	x		\$	56,250			75 Residential @ \$750
Commercial	\$	18,400	x		\$	18,400			16 Commercial @ \$1,150
Review Appraisals	\$	7,200	x		\$	7,200			8 tracts @ \$900/tract
Acquisition Fees									
Residential	\$	45,000	x		\$	45,000			75 Residential @ \$600
Commercial	\$	16,800	x		\$	16,800			16 Commercial @ \$1,050
Acquisition Payments	\$	331,912	x		\$	331,912			Actual from acquisition and condemnation
Appraiser's Panel Fees	\$	10,350	x		\$	10,350			Actual
8 Utility Relocations									
KCPL Traffic Signal Removal	\$	189,333			\$	189,333	\$	94,667	JOCO confirms CARS Eligible 3/26

Unallocated Utility Relocations	\$	30,000		\$	30,000	\$	15,000	Estimate, Evergy Traffic Signal Coord., should be CARS Eligible Project currently scheduled w/o bonding Paid in 2017
9 Financing and Bonding	\$	-		\$	-			
10 Other - MARC Administraion Fees	\$	23,313		\$	23,313			
Total Project Cost	\$	10,050,198	\$	4,662,500	\$	5,387,698	\$	1,984,685
City Project Cost minus CARS					\$	3,768,698		
Federal Cap	\$	4,662,500						
Federal Share	\$	4,662,500						
CARS Share (2020 CARS)	\$	1,619,000						
Roeland Park Share	\$	3,768,698						
	\$	10,050,198						
Roeland Park Budget:	<u>Original Resource</u>	<u>Allocation</u>	<u>Resource Allocation</u>	<u>Resource Allocation</u>				Revised allocation based on notes below and Total Project Cost in C36. TIF1 remaing costs, compared to eligible on GBA sheet + 4/5 Traffic Signal removals TIF2 Maxed out Spent to date JOCO Approved 2020 CARS Actual KDOT/MARC
			as of 7/31/2019	as of 3/3/20				
TIF1	\$	1,107,577	\$	2,314,468	\$	2,997,487		
TIF2	\$	545,000	\$	545,000	\$	545,000		
Special Street Fund	\$	665,986	\$	226,211	\$	226,211		
CARS*	\$	1,212,250	\$	1,619,000	\$	1,619,000		
STP*	\$	4,662,500	\$	4,662,500	\$	4,662,500		
	\$	8,193,313	\$	9,367,179	\$	10,050,198		

*Note: CARS grant funds will be paid out of and reimbursed to the Special Street Fund.

Item Number: New Business- VIII.-C.
Committee 4/6/2020
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 1/28/2020
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Adoption of a Traffic Calming Policy**
Item Type: Other

Recommendation:

To approve a Traffic Calming policy.

Staff recommends adopting a traffic calming policy in order to provide clarity to the process of considering traffic calming requests as well as serving as an educational resource for all concerned. The policy reflects the standards to be employed as well as types and level of traffic calming.

Details:

There has been some discussions on the implementation of a traffic calming policy to assist Council in addressing traffic safety concerns expressed by residents/businesses. A policy such as this would establish the process for receiving and considering requests as well as criteria to follow in establishing what options are to be considered.

Staff has researched information from surrounding cities on the types of policies that are used and the reasoning to adopt such a policy. Roeland Park does currently work with the police department to address concerns of speeding motorists in the residential neighborhoods. The city purchased a portable speed trailer that can be placed off the street within the ROW that will monitor how fast motorists travel on our city streets. Information is collected by the system and a report is generated to assist the police department to identify if a need for additional enforcement exists as well as the time of day when enforcement would have the greatest impact.

Working closely with the police department and educating the public about traffic safety is a valuable tool to reduce traffic concerns in residential areas.

A draft Traffic Calming Policy was developed for Council considering based upon examples from

neighboring cities. Revisions were made based upon direction from Council to arrive at the attached policy.

Updated information from council workshop(2/17/2020)

Staff revised the following information in the draft Traffic Calming Policy:

- Additional paragraph addressing request for Neighborhood Traffic Study and provide survey for use by applicant within 30 days of receiving request(**Section II, Bullet 4**)
- Paragraph stating cities timeline for completion of study to be within 6 months, although if engineering data is needed, the study may take longer to complete.(**Last paragraph, page 4**)
- Additional language including Stop Sign Multi-Way Stop Applications, MUTCD standards. (**Section V, page 5,6**)

The addition of this information will address items that were not included in the previous version of the draft policy and will provide more clarification on the timing of a traffic study and acceptable traffic calming measures.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

The traffic calming policy attached reflects 3 levels of traffic calming: Education, Enforcement and Engineering. Engineering entails constructing physical elements into the street-scape, this level of calming involves additional steps and meeting common traffic engineering criteria. Appendix C lists the types of physical elements available, this is referred to as the "Traffic Calming Toolbox"

Per the policy, requests for a neighborhood traffic study can be initiated by the following:

- Resident will submit a written request to the city.
- If the request is valid, staff will issue a survey to residents that are affected by the traffic concern
- The survey will then be reviewed by city staff
- There needs to be 60% or more of support to proceed forward with any traffic studies
- If less than 60% of support is not achieved, then the process will not proceed forward.

The policy also contains criteria that must be met for a traffic calming study to be warranted (or completed).

To qualify for "Traffic Calming Toolbox" treatments a street must meet the following requirements and score more than 30 points on the point rating system described in Table 1-1:

- The street must be classified as a "2nd Collector" or "residential" by the City of

Roeland Park in Appendix B.

- No more than 2 travel lanes or 40-foot pavement width.
- Posted speed limit of 25 mph or less.
- No more than 5 percent long wheel-base vehicles.
- Greater than 500 AADT (Average Annual Daily Traffic) and less than **3,000 AADT** (based on a week-long study). The measured 85th percentile speed exceeds 25 mph by 6 mph or more.

Appendix D provides answers to Frequently Asked Questions.

Applying the Policy to Buena Vista:

The policy requires a request for traffic calming to be made, followed by the city providing a petition in the area of concern. 60% of the residents would need to sign the petition to move forward with performing a Neighborhood Traffic Study. Enforcement and education would be the first options.

Buena Vista is eligible for consideration based on the criteria in the document; the following would be required in a Neighborhood Traffic Study to determine eligibility for Traffic Calming.

- Collection of traffic counts
- Determination of the % of long wheel-base vehicles.
- A speed study to determine the 85% speed.

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
 Traffic Calming Policy	Cover Memo

Traffic Calming Program



City of Roeland Park
2/27/2020

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CITY OF ROELAND PARK TRAFFIC CALMING PROGRAM

I. INTRODUCTION

The City of Roeland Park's Traffic Calming Program reflects the City's commitment to the safety and livability of its residential neighborhoods. This policy was developed through a joint endeavor by two city departments: Public Works and Police. Under this policy, the Public Works Department will work with the Police Department and residents in a unique, cooperative and comprehensive effort to identify traffic problems in their neighborhoods and seek appropriate solutions. Citizen participation is encouraged, as it is an important part of all traffic safety programs. Experience in other cities has shown that traffic safety related initiatives that are implemented without involving the neighborhood are frequently unsuccessful.

The purpose of the Traffic Calming Program is to address neighborhood traffic concerns on residential streets. The goal is NOT traffic displacement onto other residential streets. The goal of the Traffic Calming Program is to promote safe and livable neighborhoods by reducing the negative impact of traffic in residential areas through education, enforcement and engineering. Although "livable" in terms of a neighborhood does not have a precise definition, a livable neighborhood can be described as having the following characteristics:

- Ability to feel safe and secure when using the street.
- Opportunity to interact with neighbors.
- Ability to experience a sense of home and privacy.
- A sense of community identification.
- Attractive streets.

Action(s) taken to address neighborhood traffic concerns are identified through a Neighborhood Traffic Study that can be initiated through several avenues, including resident request.

II. NEIGHBORHOOD TRAFFIC STUDY

Requests for a Neighborhood Traffic Study may be initiated by any of the following:

- Residents or property owner/neighborhood associations may request a Neighborhood Traffic Study by submitting a written request at City Hall. Upon receipt of a valid request, staff will prepare a survey for the applicant to distribute that lists the property ownerships facing the street segment(s) on which the request reported areas of concern. A street segment is defined as that part of a street between successive intersecting streets. The survey must be returned with at least sixty percent (60%) support. Surveys will be reviewed by city staff for validity by verifying signatures to property ownership. If 60% is not reached the process will end at that point.
- Police Department, Fire Department, schools or other similar service agencies may request that studies be undertaken to solve a specific concern with respect to traffic and pedestrian safety.
- City staff may initiate a Neighborhood Traffic Study to solve a specific concern with respect to traffic, pedestrian or operations. This concern may be identified through data collection and monitoring.

- The City's goal is to address the request for a Neighborhood Traffic Study and provide a survey for use by the applicant within 30 days of receiving the request.

At a minimum the request should identify: the purpose of the study; location; description of the perceived problem (i.e. excessive traffic speed or time of day the problem occurs, where, etc.); and a neighborhood representative (person of contact for the neighborhood). The neighborhood representative may be the applicant, or someone designated by the residents to represent the community. This person will also be responsible for the organization of any surveys and coordination with the City.

Each request is recorded into the City's database of traffic calming requests. Upon receipt of a Neighborhood Traffic Study request, City staff, including a representative of the Police Department (when applicable) will define boundaries of the impact area. The impact area includes properties which may be affected by actions taken to mitigate the concerns expressed in the request. Impact areas may include a single street segment or multiple streets depending on the nature of the concern. City staff will contact the neighborhood representative, if necessary, to clarify the nature and extent of the perceived problem (e.g. excessive speed, high traffic volume, cut-through traffic, and whether the problem is at mid-block or at an intersection).

After discussion with the requesting party and/or neighborhood representative, additional information will be gathered to help recognize the concern, rank the priority in relation to other traffic calming requests, and identify what action and treatment(s), if any, should be implemented. Information collected may include street width, street classification, crash records, travel speeds and other appropriate information to assist in addressing the concern.

When the necessary information has been acquired and it is determined a street is eligible for traffic calming, a Neighborhood Traffic Study will be completed by City staff to determine which course of action or combination of actions should be taken: education, enforcement, and/or engineering. The City may, at any point, bring in a third-party consultant to help with any or all portions of the study and recommendations. The results and recommendations of the Neighborhood Traffic Study will be conveyed to the neighborhood representative.

Neighborhood Traffic Studies will be completed as prioritized and directed by City Staff based on complexity and funding availability. The City's goal is to complete the study within 6 months of determining that a street is eligible. Study completion may be complicated by the need to obtain engineering data including traffic volumes, vehicle speeds, pedestrian activity and other data. Traffic data is not typically obtained during summer months, inclement weather, or holiday periods.

The Three E's of Neighborhood Traffic Safety

Education: Radar Trailer, Message Boards, Neighborhood Newsletters, Informational pamphlets, City Web-Site;

Enforcement: Assigned enforcement areas are conducted by the Police Department, planned return enforcement of completed program areas, random enforcement of areas with a low volume of violators;

Engineering: Review areas for atypical circumstances, investigate geometric modifications to the street which may include construction of traffic calming measures presented in the traffic calming toolbox, Appendix C.

III. EDUCATION

If the Neighborhood Traffic Study reveals traffic calming criteria has not been met, City staff will attempt to raise public awareness and convey reasonable traffic expectations in the impact area through education. The local traffic conditions will be explained to the residents and sources of neighborhood traffic safety information will be presented (city web-site, informational pamphlets, etc.). Another application into the program for the same area may not be submitted within two years from the date the traffic study was completed, unless City staff determines there have been significant changes to the transportation system that would impact the recommendation.

If there is an occasional problem that doesn't warrant enforcement or engineering measures, means of improving neighborhoods by reducing the negative impact of traffic through education will be discussed. Typically, most of the vehicles using residential streets are people who reside in the neighborhood. The City in conjunction with the Police Department will attempt to educate the residents on non-invasive methods of deterring traffic problems within a neighborhood. These methods may include neighborhood traffic safety campaigns, message boards, and radar speed display units. Neighborhood traffic safety campaigns usually consist of personalized letters or general flyers that are distributed to all residents in the neighborhood. The letters and flyers may cite statistics on speeding, or other findings summarized in the neighborhood traffic study for the area and appeal for compliance with traffic laws. Message boards may be used to raise driver awareness regarding neighborhood traffic concerns. Radar speed display units can be used to remind drivers that they are speeding, thus encouraging compliance with the speed limit. If an education approach is recommended in the Neighborhood Traffic Study, but not an engineered treatment or planned enforcement, another application into the program for the same area may not be submitted within two years from the date the traffic study was completed, unless City Staff determines there have been significant changes to the transportation system that would impact the recommendation.

If the problem is severe enough that enforcement and/or engineering treatments are recommended, the education techniques described above will still be discussed. The combination of education with enforcement and/or engineering is a benefit to the residents and an important aspect of the program. Since enforcement and engineering treatments may be recommended and not be supported, education could be the only initiative explored.

IV. ENFORCEMENT

City staff may coordinate with the Police Department to pursue an increased presence and traffic enforcement in the area.

Enforcement in assigned areas is conducted by the Police Department with planned return enforcement of completed program areas and random enforcement of areas with a low volume of violators.

Upon completion of any applied enforcement technique another application to the program for the same area cannot be submitted within two years from the date the traffic study was completed, unless City Staff determines there have been significant changes to the transportation system that would impact the recommendation.

V. ENGINEERING

TRAFFIC CALMING TREATMENTS

a. Background

If all education and enforcement initiatives are unsuccessful or inappropriate due to the nature of the concern the use of traffic calming treatments may be considered. Traffic calming treatments are physical measures that reduce the negative effects of motor vehicles, alter driver behavior, and improve conditions for non-motorized street users. It is the retrofitting of physical measures into the roadway to reduce traffic speeds, thereby generally making the street environment more safe and pleasant for pedestrians, other drivers, and residents.

The Manual on Uniform Traffic Control Devices (MUTCD), issued by the Federal Highway Administration, specifies the standards that traffic engineers follow for the design, installation and use of traffic signs, pavement markings, and traffic signals. It should be noted that the MUTCD specially states that YIELD or STOP signs “should not be used for speed control”. The installation of STOP signs and SPEED LIMIT signs are not considered traffic calming measures. If City Staff receives a request for the installation of a STOP sign, and determines an engineering study needs to be completed, the following criteria per the MUTCD will be evaluated:

1. Stop Sign Applications:

The use of STOP signs on the minor-street approaches should be considered if engineering judgment indicates that a stop is always required because of one or more of the following conditions:

- A. The vehicular traffic volumes on the through street or highway exceed 6,000 vehicles per day;
- B. A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street or highway; and/or
- C. Crash records indicate that three or more crashes that are susceptible to correction by the installation of a STOP sign have been reported within a 12-month period, or that five or more such crashes have been reported within a 2-year period. Such crashes include right-angle collisions involving road users on the minor-street approach failing to yield the right-of-way to traffic on the through street or highway.

2. Multi-Way Stop Applications:

The following criteria should be considered in the engineering study for a multi-way STOP sign installation:

- A. Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.
- B. Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.

C. Minimum volumes:

1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and
 2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but
 3. If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.
- D. Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.

Option: Other criteria that may be considered in an engineering study include:

- A. The need to control left-turn conflicts;
- B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
- C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and
- D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.

Traffic calming measures are intended to be self-enforcing. Traffic calming, by its nature, will impact neighborhoods and residents within the neighborhood the most. Thus, the implementation of any traffic calming treatment without overwhelming local support can have significant backlash. Traffic calming has several potential benefits as well as some potential disadvantages. Summarized below are a few benefits and disadvantages of traffic calming.

Benefits of Traffic Calming:

- Reducing speeds.
- Reducing collision frequency and severity.
- Increasing the safety for non-motorized users of the street.
- Enhancing the street environment (streetscape).
- Increasing the quality of life.
- Incorporating the preferences and requirements of people using the area along street(s).
- Reducing the negative impacts of vehicles on the environment and the neighborhood.

Disadvantages of Traffic Calming:

- Slight increase in emergency response time.
- Vehicles may be damaged, and people injured by inappropriate driver behavior (e.g., driving too fast or inattentive).

- Snow removal is more difficult and time consuming.
- Installation cost.
- Additional signage will be required.
- Additional lighting may be required.
- Increased maintenance.
- Annoying to some residents (noise and inconvenience).
- Some treatments can restrict resident access.
- Diverting traffic and causing problems in other areas.
- Could decrease parking.

Traffic calming treatments have been implemented in the United States since the 1980's. In Europe and Australia, some of these same treatments have been used long before the 1970's. Many of the successful traffic calming treatments used are into their second and third generation. There are more than 25 treatments commonly used around the world. Many of these treatments are used in the United States. The most effective traffic calming treatments are those that deflect vehicles vertically, horizontally, or both. Some of the treatments applicable for use in Roeland Park are shown in the Traffic Calming Toolbox, Appendix C. These techniques range from street chokers and chicanes to traffic circles. City staff may determine to use of one or more of these treatments as a possible solution for traffic concerns. However, the Neighborhood Traffic Study must show there is a need for traffic calming and that the street is suitable for treatment.

b. Qualification

Traffic calming treatments are typically the most expensive means of mitigation and have the most significant impact to residents.

Not all streets are suitable for traffic calming treatments. Suitability is based on speed, volume, street classification and several other criteria. To be qualified for traffic calming treatments a street must meet the all the following requirements and score more than 30 points on the point rating system described in Table 1-1:

- The street must be classified as either a “2nd Collector Street” or a “residential Street” by the City of Roeland Park in Appendix B.
- No more than 2 travel lanes or 40-foot pavement width.
- Posted speed limit of 25 mph or less.
- No more than 5 percent long wheel-base vehicles.
- Greater than 500 AADT (Average Annual Daily Traffic) and less than 3,000 AADT (based on a weeklong study).
- The measured 85th percentile speed exceeds 25 mph by 6 mph or more.

Table 1-1

Criteria	Basis
Speed	5 Points assigned for every mph greater than 5 mph above the posted speed [(85 th percentile speed – 5 mph – posted speed limit) x 5 points]
Volume	Average daily traffic volumes (weekday) 1 point for every 100 vehicles [AADT/100]

c. Concept

If (1) the data confirms the project meets the requirements for traffic calming treatments and (2) treatments are recommended by City staff and approved by Emergency Personnel, then a conceptual traffic calming plan and cost will be developed. The conceptual traffic calming plan and cost are anticipated to largely be contained within the Neighborhood Traffic Study, with some additional information, and the goal is to provide the plan within 30 days of Neighborhood Traffic Study completion. The conceptual plan is staff's recommendation but should not be considered the only solution nor binding. This recommendation will be reviewed by the residents in the impact area at a meeting with the date and time coordinated between the City staff and the neighborhood representative. Upon discussion, residents may request alternative treatments, suggest modifications to the recommendation or no improvements at all. Revisions may be made by the City because of this dialogue.

d. Final Ballot

Following the neighborhood meeting, staff will prepare a survey to be mailed to the property ownerships facing the street segment(s) on which the request reported areas of concern. The survey must be returned with at least sixty percent (60%) support. Surveys will be reviewed by city staff for validity by verifying signatures to property ownership. If 60% is not reached the process will end at that point.

e. Council Approval

The proposed plan will be presented to the City Council for approval.

f. Priority

Traffic calming projects are anticipated to be implemented on an annual basis. Implementation is based on a ranking system and available City funding. The ranking system prioritizes projects based on the rating score received.

g. Design

The project will be designed according to City standards, generally conforming to practices set forth by the Institute of Transportation Engineers (ITE) and any signage will be compliant with the Manual on Uniform Traffic Control Devices (MUTCD).

h. Construction

The project will be let, constructed, managed, and inspected in accordance with City standards.

i. Modification/Removal

Traffic calming measures may be removed or modified, at the discretion of the City, for any of the following reasons:

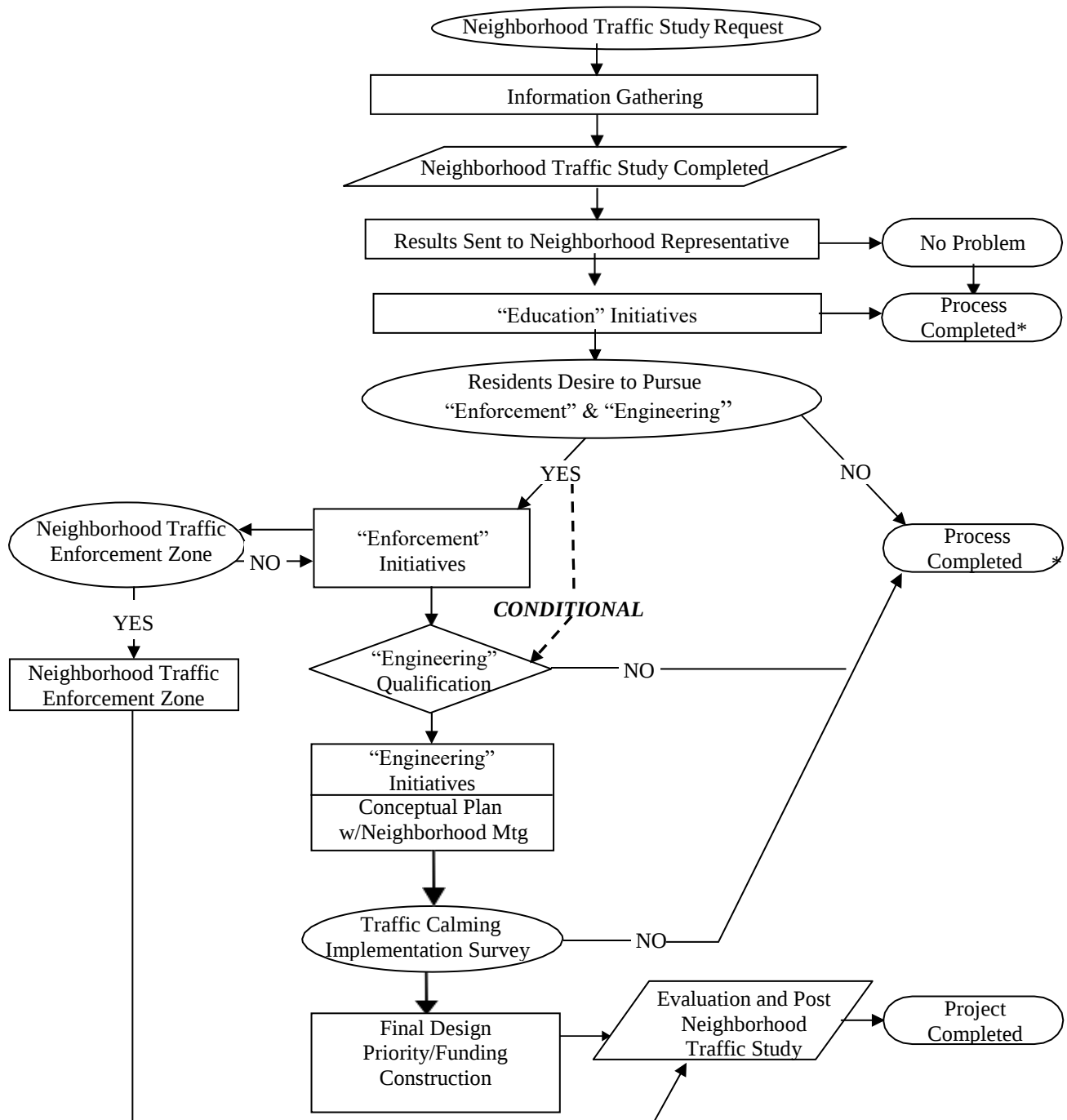
- If unacceptable impacts are identified through a subsequent traffic study.
- If a significant amount of traffic has been diverted to another street as determined by staff.
- Data collected indicates that the traffic calming goals have not been achieved.

VI. CONCLUSION

Any part of this program may be modified or altered by staff to help achieve the desired outcome of traffic behavior modification. This program is not intended to divert traffic to adjacent streets or affect traffic volumes.

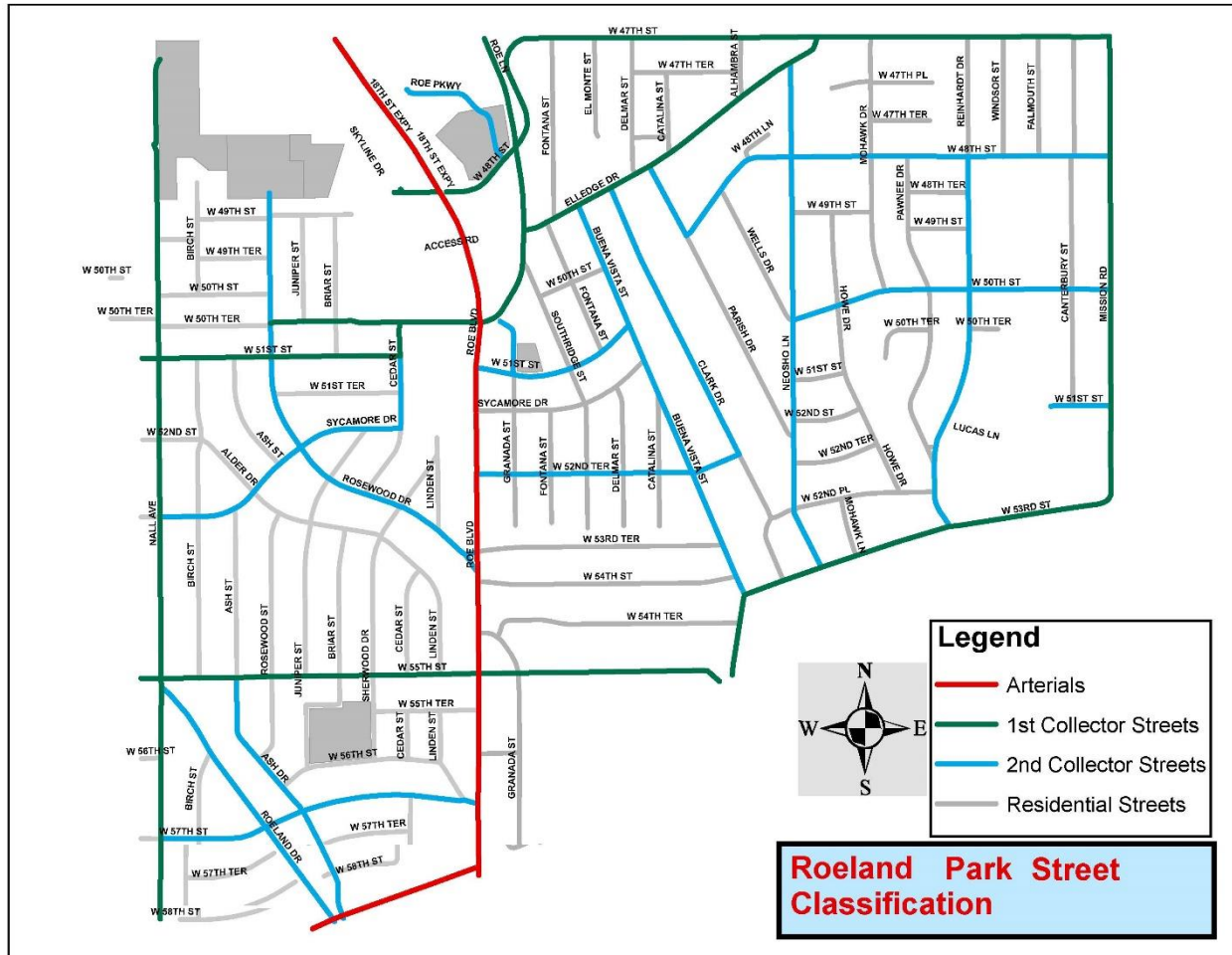
All parts of this program will abide by recognized design standards including the Manual of Uniform Traffic Control Devices (MUTCD) and others adopted by the City of Roeland Park, KS.

APPENDIX A. Neighborhood Traffic Safety Program Flow Chart



*After the process has been completed another application for the same area cannot be submitted for two years

APPENDIX B. Roeland Park Street Classification Map



APPENDIX C. Traffic Calming Toolbox

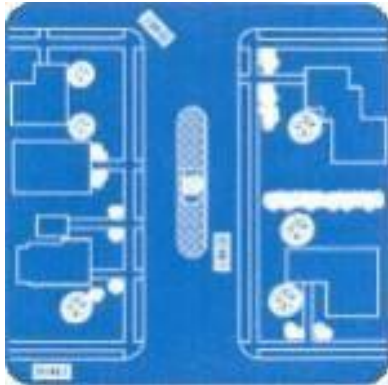
HORIZONTAL DEFLECTION

- Center Island Narrowing
- Chicanes
- Chokers
- Median Barriers
- Traffic Circle
- Roundabouts
- Realigned Intersection
- Neckdowns
- Forced Turn Islands

VERTICAL DEFLECTION

- Raised Crosswalks
- Raised Intersections
- Speed Tables
- Textured Pavement

CENTER ISLAND NARROWING



Description: A center island narrowing is a raised island located along the centerline of a street that narrow the travel lanes at that location. Center island narrowing are often landscaped to provide a visual amenity. Placed at the entrance to a neighborhood, and often combined with textured pavement, they are often called "gateway islands." Fitted with a gap to allow pedestrians to walk through at a crosswalk, they are often called "pedestrian refuges."

Purpose: To reduce traffic speed by narrowing the roadway with a median, and to increase pedestrian safety by providing a refuge halfway across the street, so that only one direction of traffic need be crossed at a time.

Advantages:

- Center Island Narrowing increase pedestrian safety;
- If designed well, they can have positive aesthetic value;

Disadvantages:

- Their speed-reduction effect is somewhat limited by the absence of any vertical or horizontal deflection;
- They may require elimination of some on-street parking.



CHICANES



Description: Chicanes are curb extensions that alternate from one side of the street to the other, forming S-shaped curves. Chicanes can also be created by alternating on-street parking, either diagonal or parallel, between one side of the street and the other. Each parking bay can be created either by restriping the roadway or by installing raised, landscaped islands at the ends of each parking bay.

Purpose: To slow vehicle speed mid-block using horizontal deflection.

Advantages:

- Chicanes discourage high speeds by forcing horizontal deflection;
- They are easily negotiable by large vehicles (such as fire trucks) except under heavy traffic conditions.

Disadvantages:

- They must be designed carefully to discourage drivers from deviating out of the appropriate lane;
- Curb realignment and landscaping can be costly, especially if there are drainage issues;
- They may require the elimination of some on-street parking



CHOKERS



Description: Chokers are curb extensions at midblock locations that narrow a street by widening the sidewalk or planting strip. If marked as crosswalks, they are also known as safe crosses. Two-lane chokers leave the street cross section with two lanes that are narrower than the normal cross section. One-lane chokers narrow the width to allow travel in only one direction at a time, operating similarly to one-lane bridges.

Purpose: To reduce vehicle speed mid-block and to increase pedestrian safety.

Advantages:

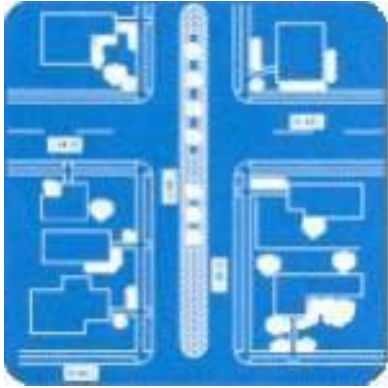
- Chokers are easily negotiable by large vehicles (such as fire trucks);
- If designed well, they can have positive aesthetic value;

Disadvantages:

- Their effect on vehicle speeds is limited by the absence of any vertical or horizontal deflection;
- They may require bicyclists to briefly merge with vehicular traffic;
- They may require the elimination of some on-street parking.



MEDIAN BARRIERS



Description: Median barriers are islands located along the centerline of a street and continuing through an intersection so as to block through movement at a cross street.

Purpose: To prevent cut through traffic.

Advantages:

- Median Barriers can improve safety at an intersection of a local street and a major street by prohibiting dangerous turning movements;
- They can reduce traffic volumes on a cut-through route that crosses a major street.

Disadvantages:

- They require available street width on the major street;
- They limit turns to and from the side street for local residents and emergency services.



TRAFFIC CIRCLE



Description: Traffic circles are raised islands, placed in intersections, around which traffic circulates.

Purpose: To slow vehicle speeds at intersections using horizontal deflection and a visual deterrent to higher speeds.

Advantages:

- Traffic Circles are very effective in moderating speeds and improving safety;
- If designed well, they can have positive aesthetic value;
- Placed at an intersection, they can calm two streets at once.

Disadvantages:

- They are difficult for large vehicles (such as fire trucks) to circumnavigate;
- They must be designed so that the circulating lane does not encroach on the crosswalks;
- They may require the elimination of some on-street parking;
- Landscaping must be maintained, either by the residents or by the municipality.



ROUNDBABOUTS



Description: Roundabouts require traffic to circulate counterclockwise around a center island. Unlike Traffic Circles, roundabouts are used on higher volume streets to allocate right-of-way between competing movements.

Purpose: Slows traffic and reduces injury crashes at high volume intersections.

Advantages:

- Roundabouts can moderate traffic speeds on an arterial;
- They are generally aesthetically pleasing if well landscaped;
- They enhanced safety compared to traffic signals;
- They can minimize queuing at the approaches to the intersection;
- They are less expensive to operate than traffic signals.

Disadvantages:

- They may be difficult for large vehicles (such as fire trucks) to circumnavigate;
- They must be designed so that the circulating lane does not encroach on the crosswalks;
- They may require the elimination of some on-street parking;
- Landscaping must be maintained, either by the residents or by the municipality.



REALIGNED INTERSECTIONS



Description: Realigned intersections are changes in alignment that convert T-intersections with straight approaches into curving streets that meet at right-angles. A former "straight-through" movement along the top of the T becomes a turning movement. While not commonly used, they are one of the few traffic calming measures for T-intersections, because the straight top of the T makes deflection difficult to achieve, as needed for Traffic Circles.

Purpose: To slow vehicles as they pass bulb out.

Advantages:

- Realigned Intersections can be effective reducing speeds and improving safety at a T-intersection that is commonly ignored by motorists.

Disadvantages:

- The curb realignment can be costly; and
- They may require some additional right-of-way to cut the corner.



NECKDOWNS



Description: Neckdowns are curb extensions at intersections that reduce the roadway width from curb to curb. They "pedestrianize" intersections by shortening crossing distances for pedestrians and drawing attention to pedestrians via raised peninsulas. They also tighten the curb radii at the corners, reducing the speeds of turning vehicles.

Purpose: To reduce speeds and provide pedestrian safety in areas with substantial pedestrian activity (downtown areas, etc.)

Advantages:

- Neckdowns improves pedestrian circulation and space;
- Through and left-turn movements are easily negotiable by large vehicles
- They create protected on-street parking bays;
- They reduce speeds, especially for right-turning vehicles.

Disadvantages:

- Effectiveness is limited by the absence of vertical or horizontal deflection;
- They may slow right-turning emergency vehicles;
- They may require the elimination of some on-street parking near the intersection;
- They may require bicyclists to briefly merge with vehicular traffic.



FORCED TURN ISLANDS



Description: Forced Turn Islands are raised islands that block certain movements on approaches to an intersection

Purpose: To slow vehicle speeds at intersections using horizontal deflection and a visual deterrent to higher speeds.

Advantages:

- Forced Turn Islands can improve safety at an intersection of a local street and a major street by prohibiting dangerous turning movements;
- They reduce traffic volumes.

Disadvantages:

- If designed improperly, drivers can maneuver around the island to make an illegal turning movement;
- They may simply divert a traffic problem to a different street.



RAISED CROSSWALKS



Description: Raised crosswalks are Speed Tables outfitted with crosswalk markings and signage to channelize pedestrian crossings, providing pedestrians with a level street crossing. Also, by raising the level of the crossing, pedestrians are more visible to approaching motorists

Purpose: To reduce vehicle speeds at crosswalks and to improve pedestrian safety.

Advantages:

- Raised Crosswalks improve safety for both pedestrians and vehicles;
- If designed well, they can have positive aesthetic value;
- They are effective in reducing speeds, though not to the extent of Speed Humps.

Disadvantages:

- Textured materials, if used, can be expensive;
- Their impacts on drainage needs to be considered;
- They may increase noise and air pollution.



RAISED INTERSECTIONS



Description: Raised intersections are flat raised areas covering an entire intersection, with ramps on all approaches and often with brick or other textured materials on the flat section. They usually raise to the level of the sidewalk, or slightly below to provide a "lip" that is detectable by the visually impaired. By modifying the level of the intersection, the crosswalks are more readily perceived by motorists to be "pedestrian territory".

Purpose: To slow vehicle traffic at an intersection.

Advantages:

- Raised Intersections improve safety for both pedestrians and vehicles;
- If designed well, they can have positive aesthetic value;
- They can calm two streets at once.

Disadvantages:

- They tend to be expensive, varying by materials used;
- Their impact to drainage needs to be considered;
- They are less effective in reducing speeds than Speed Humps, Speed Tables, or Raised Crosswalks.



SPEED TABLES



Description: Speed tables are flat-topped speed humps typically long enough for the entire wheelbase of a passenger car to rest on the flat section. Their long flat fields, plus ramps that are sometimes more gently sloped than Speed Humps, give speed tables higher design speeds than Speed Humps. The brick or other textured materials improve the appearance of speed tables, draw attention to them, and may enhance safety and speed-reduction.

Purpose: To reduce vehicle speed.

Advantages:

- They are smoother on large vehicles (such as fire trucks) than Speed Humps;
- They are effective in reducing speeds, though not to the extent of Speed Humps.

Disadvantages:

- They have questionable aesthetics, if no textured materials are used;
- Textured materials, if used, can be expensive;
- They may increase noise and air pollution.



TEXTURED PAVEMENT



Description: Textured and colored pavement includes the use of stamped pavement or alternate paving materials to create an uneven surface for vehicles to traverse. They may be used to emphasize either an entire intersection or a pedestrian crossing and are sometimes used along entire street blocks.

Purpose: To reduce vehicle speed.

Advantages:

- Textured Pavements can reduce vehicle speeds over an extended length;
- If designed well, they can have positive aesthetic value;
- Placed at an intersection, they can calm two streets at once.

Disadvantages:

- They are generally expensive, varying by materials used;
- If used on a crosswalk, they can make crossings more difficult for wheelchair users and the visually impaired.



APPENDIX D. FAQ

What is the effect of traffic calming on property values?

According to a study by the Institute of Transportation Engineers (ITE) "it cannot be demonstrated that installing speed humps will affect property values in any predictable way" (ITE, *The Economic Impact of Speed Humps on Housing Values*, January 2000). In addition, Horizontal treatments with landscaping are seen as an asset because of lower speeds and improved aesthetics.

What is the effect of traffic calming on emergency response?

The City, as well as its residents and businesses, place a very high priority on minimizing emergency response times. Emergency response personnel are generally not in favor of vertical deflection treatments because they are required to slow down. Horizontal treatments slow emergency vehicles to a varying degree. Studies show the following average delays to emergency vehicles for certain types of devices:

TYPE OF DEVICE	AMBULANCES	FIRE TRUCKS
Speed Hump	2.3-9.7 seconds	3-5 seconds
Traffic Circle	Not Available	1.3-10.7 seconds

Source: City of Portland

Any proposal of a traffic calming device along a roadway will be discussed with local emergency agencies for endorsement.

What is the effect of traffic calming on adjoining non-project streets?

Diversion of traffic to other streets following the installation of traffic calming treatments can be a positive or a negative result. A positive result involves diversion of traffic to collectors or arterials that are better able to handle traffic. An unacceptable variety of diversion sends traffic to adjacent residential streets.

Are there any impacts to transit and utility vehicles?

Some of the traffic calming options could potentially impact bus routes and utility vehicles such as trash trucks. Providers of these services will have to be consulted whenever neighborhoods are considered for traffic calming treatments.

Are there any impacts for other roadway users?

Traffic calming actions must consider other users such that there are no unintended negative safety impacts. These users are bicyclists, roller skaters, skate boarders, joggers, pedestrians, etc.

What about noise?

The noise resulting from vehicles braking and going over or around traffic calming devices may have an impact on the acceptability of these devices by residents living closest to them. The support of residents living immediately adjacent to locations where physical changes are proposed will be essential to the success of any project.

Will there be loss of parking?

It is often necessary to prohibit on-street parking in the immediate vicinity of the traffic control measure in order to accommodate realigned vehicle path or sight distance issues.

What about visual impacts and aesthetic concerns?

While some traffic calming devices can have favorable aesthetic impacts, others can be, by their nature, unattractive. Devices such as speed humps and diverters most often pose little opportunity for the incorporation of aesthetics and can have negative visual impacts. Some traffic calming actions require reflective devices, signs and striping which may negatively affect the aesthetics of a neighborhood.

Will there be an increased maintenance cost?

City maintenance costs will increase in two areas. Snow removal around the devices will increase cost and service time. In addition, devices such as speed humps will have to be reinstalled each time a residential street is overlaid.

Will landscaping be included?

The City will include landscaping in the design (if applicable). Maintenance of the landscaping will become the responsibility of the residents or the home association. Landscaping that is not maintained will be replaced with low or no maintenance items.

What are the liabilities of traffic calming?

While members of the public have a right to use public highways without obstruction and interruption, this right is subject to the power of local governments to impose reasonable restrictions for the protection of the public. The legal issues surrounding traffic calming fall into three categories: *statutory authority*, *constitutionality*, and *tort liability*. First, the local government must have legal authority to implement a given set of traffic calming measures on a given class of roadways. Second, the local government must respect the constitutional rights of affected landowners and travelers on the roadways. Finally, the local government must take steps to minimize the risk to travelers from the installation of such measures.

What is the effect on police enforcement?

The Police generally support traffic calming measures for their potential to control speeding and reduce collision severity. Engineering measures are self-enforcing, which takes some of the pressure off police officers to enforce traffic laws. Speed humps quietly enforce speed limits 24 hours a day. The police also support certain measures, those restricting access, for their potential to reduce crime. While traffic calming measures must have some effect on police response times, it does not seem to be an issue. Use of vehicles with small wheelbases and good suspensions makes the difference. New patrol cars can maintain speeds of 25 mph over 12- foot speed humps. The advantage of small wheelbases is also realized on the tight curves of traffic circles and chicanes.

Item Number: New Business- VIII.-D.
Committee 4/6/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 3/26/2020
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Award Bids for 2020 UBAS & Chipseal**
Item Type: Discussion

Recommendation:

Approve the 2020 Street maintenance surface treatments with Harbour Construction for chipseal not to exceed \$84,136.60 and also approve McAnany Construction for UBAS at a cost not to exceed \$511,211.90

Details:

Staff opened bids via video conference for the 2020 contracted surface treatments for UBAS and Chipseal on March 25th, 2020. Two bids were received for Chipseal. The engineers estimate was \$105,797.

Harbour Construction Bid - \$84,136.60

Vance Bros Bid - \$90,299.95

One bid was received for UBAS from McAnany Construction in the amount of \$511,211.90. The UBAS contract were bid out to include Roeland Park, The City of Westwood and City of Mission Woods similar to what was done in 2019. Westwood and Mission Hills will reimburse the city for their portion of the project. The engineers estimate for UBAS was \$527,185.49

Cost for each city:

Roeland Park - \$184,485

Mission Hills - \$142,798

Westwood - \$183,928.90

Total Project Cost - \$511,211.90

Partnering with neighboring cities on construction projects allows the potential for lower unit pricing, assist in keeping good relationships with our neighboring cities. Attached is a map of the street locations for UBAS & chipseal.

Financial Impact

Amount of Request: \$290,000	
Budgeted Item?	Budgeted Amount: \$290,000
Line Item Code/Description: 5421.300	

Additional Information

The city budgets \$370,000 annually for in-house and contracted street maintenance. PW staff typically budget \$80,000 for the in-house street maintenance. The remaining budget of \$290,000 is used for contracted street maintenance like chipseal and UBAS.

Total cost for UBAS and chipseal treatments for Roeland Park is \$268,721.60. Below are the streets for UBAS & Chipseal:

UBAS

- W 50th St - Southridge to Clark Dr
- Sycamore Dr - Roe Blvd to Buena Vista
- Granada St - Sycamore Dr to End
- Fontana St - Sycamore Dr to End
- El Monte St - Sycamore Dr to End
- Catalina St - Buena Vista to End
- Sycamore Dr - Alder Dr to Cedar St
- 57th Terr - Birch St to Roeland Dr

Chipseal

- W 50th Terr - Nall Ave to Rosewood Dr
- Rosewood Dr - 50th Terr to 51 St
- W 54 St - Roe Blvd to Buena Vista
- Fontana St - 47th St to Elledge Dr
- Delmar St - 47th St to Elledge Dr
- Catalina St - 47th Terr to Elledge Dr
- 48th St - Delmar St to Catalina St
- Alhambra St - 47th St to Elledge Dr
- Neosho Ln - Elledge Dr to 48th St
- 48th St - Parish Dr to Mohawk Dr

The contractor will start this work in June or July of this year.

How does item relate to Strategic Plan?

Continuing to invest in the maintenance of city infrastructure will keep our streets in good shape and the traveling motorists safe.

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
2020 Chipseal Recommendation	Cover Memo
2020 UBAS Recommendation	Cover Memo
2020 UBAS/Chipseal Street Locations	Cover Memo

March 30, 2020

Ms. Kelley Nielsen
City Clerk
City of Roeland Park, KS
4600 W. 51st Street
Roeland Park, KS 66205

Re: 2020 Chip Seal Street Maintenance Project

Dear Ms. Nielsen:

Bids were received for the above referenced project on Wednesday, March 25, 2020.

A total of two bids were received. The low bid was submitted by Harbour Construction, Inc. in the amount of \$84,183.60. The engineers estimate for the bid was \$105,797.00. Attached is a completed bid tabulation and list of proposed subcontractors. The contractor proposes to complete approximately 96% of the work with their own forces.

We have previously worked with Harbour Construction Inc. and found them to be a qualified contractor. After consultation with city staff we recommend that Harbour Construction Inc. be awarded the contract.

If you have any questions, or need additional information, please contact me at 636-484-2595.

Sincerely,

LAMP RYNEARSON



GREG VAN PATTEN, P.E.
CIVIL DESIGN GROUP LEADER

CC: Project File
Email C: Keith Moody, City Administrator
Donnie Scharff, Director of Public Works

COMPLETED BID TAB
2020 CHIP SEAL STREET MAINTENANCE PROJECT
ROELAND PARK, KANSAS
March 30, 2020



9001 State Line Rd., Ste. 200
 Kansas City, MO 64114
 [P] 816.361.0440
 [F] 816.361.0045
 LampRynearson.com

				ENGINEERS ESTIMATE		HARBOUR CONSTRUCTION, INC		VANCE BROTHERS	
Item No.	Item Description	Unit	Estimated Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization	LS	1	\$ 5,000.00	\$5,000.00	\$5,400.00	\$5,400.00	\$10,000.00	\$10,000.00
2	Chip Seal	SY	25007	\$ 3.50	\$87,524.50	\$2.80	\$70,019.60	\$2.85	\$71,269.95
3	Traffic Control	LS	1	\$ 5,872.50	\$5,872.50	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00
4	Restore Pavement Markings (White) (24") (Piano Keys) (Thermoplastic)	LF	120	\$ 20.00	\$2,400.00	\$14.70	\$1,764.00	\$12.75	\$1,530.00
5	Force Account	SET	1	\$ 5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
					\$105,797.00			\$84,183.60	\$90,299.95

March 30, 2020

Ms. Kelley Nielsen
City Clerk
City of Roeland Park, KS
4600 W. 51st Street
Roeland Park, KS 66205

Re: 2020 UBAS Street Maintenance Project

Dear Ms. Nielsen:

Bids were received for the above referenced project on Wednesday, March 25, 2020.

One bid was submitted by McAnany Construction Inc. in the amount of \$511,211.90. The amount for the Roeland Park bid items is \$184,485.00, for Mission Woods bid items is \$142,798.00 and for Westwood bid items is 183,928.90. The engineers estimate for the bid was \$527,185.49. Attached is a completed bid tabulation and list of proposed subcontractors. The contractor proposes to complete approximately 95% of the work with their own forces.

We have previously worked with McAnany Construction Inc. and found them to be a qualified contractor. After consultation with city staff we recommend that McAnany Construction Inc. be awarded the contract.

If you have any questions, or need additional information, please contact me at 636-484-2595.

Sincerely,

LAMP RYNEARSON



GREG VAN PATTEN, P.E.
SENIOR PROJECT ENGINEER

CC: Project File
Email C: Keith Moody, Roeland Park City Administrator
Donnie Scharff, Roeland Park Director of Public Works
John Sullivan, Westwood Public Works Director
Darrell Franklin, Mission Woods Mayor

**COMPLETED BID TAB
2020 UBAS STREET MAINTENANCE PROJECT
ROELAND PARK, KANSAS
March 30, 2020**



9001 State Line Rd., Ste. 200
Kansas City, MO 64114
[P] 816.361.0440
[F] 816.361.0045
LampRynearson.com

				ENGINEERS ESTIMATE		McAnany Construction	
Item No.	Item Description	Unit	Estimated Quantity	Unit Price	Total	Unit Price	Total
Roeland Park Quantities							
1	Mobilization	LS	1	\$ 5,000.00	\$5,000.00	\$5,400.00	\$5,400.00
2	Macrotexture	SY	21390	\$ 2.00	\$42,780.00	\$1.95	\$41,710.50
3	UBAS, Residential	SY	21390	\$ 6.50	\$139,035.00	\$5.95	\$127,270.50
4	Restore Pavement Markings (White) (24") (Stop Bar) (Thermoplastic)	LF	82	\$ 15.00	\$1,230.00	\$11.00	\$902.00
5	Restore Pavement Markings (White) (4") (Crosswalk) (Thermoplastic)	LF	40	\$ 2.00	\$80.00	\$6.50	\$260.00
6	Restore Pavement Markings (White) (24") (Piano Keys) (Thermoplastic)	LF	222	\$ 20.00	\$4,440.00	\$11.00	\$2,442.00
7	Traffic Control	LS	1	\$2,000.00	\$2,000.00	\$ 1,500.00	\$1,500.00
8	Force Account	Set	1	\$5,000.00	\$5,000.00	\$ 5,000.00	\$5,000.00
Mission Woods Quantities							
9	Mobilization	LS	1	\$1,554.12	\$ 1,554.12	\$ 3,000.00	\$ 3,000.00
10	Curb and Gutter (CG-1) (Remove and Rep	LF	82	\$ 35.00	\$ 2,870.00	\$ 65.00	\$ 5,330.00
11	Inlet Throat Repair	EA	2	\$1,000.00	\$ 2,000.00	\$ 1,500.00	\$ 3,000.00
12	Base Asphalt Repair	SY	955	\$ 40.00	\$ 38,200.00	\$ 50.00	\$ 47,750.00
13	Macrotexture	SY	9883	\$ 2.00	\$ 19,766.00	\$ 2.00	\$ 19,766.00
14	UBAS	SY	9883	\$ 6.50	\$ 64,239.50	\$ 6.00	\$ 59,298.00
15	Restore Pavement Markings (White) (24") (Stop Bar) (Thermoplastic)	LF	14	\$ 20.00	\$ 280.00	\$ 11.00	\$ 154.00
16	Traffic Control	LS	1	\$1,554.12	\$ 1,554.12	\$ 1,500.00	\$ 1,500.00
17	Force Account	Set	1	\$3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
Westwood Quantities							
18	Mobilization	LS	1	\$3,412.23	\$ 3,412.23	\$ 3,000.00	\$ 3,000.00
19	Base Asphalt Repair (3")	SY	510	\$ 40.00	\$ 20,400.00	\$ 50.00	\$ 25,500.00
20	Macrotexture	SY	17671	\$ 2.00	\$ 35,342.00	\$ 1.95	\$ 34,458.45
21	UBAS	SY	17671	\$ 6.50	\$114,861.50	\$ 5.95	\$ 105,142.45
22	Traffic Control	LS	1	\$3,412.23	\$ 3,412.23	\$ 1,500.00	\$ 1,500.00
23	Temporary Signing (CARS)	EA	2	\$1,000.00	\$ 2,000.00	\$ 800.00	\$ 1,600.00
24	Restore Pavement Markings (White) (24") (Stop Bar) (Thermoplastic)	LF	60	\$ 15.00	\$ 900.00	\$ 11.00	\$ 660.00
25	Restore Pavement Markings (White) (24") (Piano Keys) (Thermoplastic)	LF	156	\$ 20.00	\$ 3,120.00	\$ 11.00	\$ 1,716.00
26	Install Pavement Markings (White) (4")	LF	7136	\$ 0.80	\$ 5,708.80	\$ 0.75	\$ 5,352.00
27	Force Account	Set	1	\$5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
					\$527,185.49	\$511,211.90	

Greg VanPatten

From: Ben McAnany <benm@mcananyconstruction.com>
Sent: Monday, March 30, 2020 4:23 PM
To: Greg VanPatten
Subject: Subs Roeland Park UBAS

[EXTERNAL EMAIL]

Greg,

Chris Phillips Concrete Curb/throat repairs
Twin Traffic Striping/signage/traffic control

--

Ben McAnany

McAnany Construction Inc.

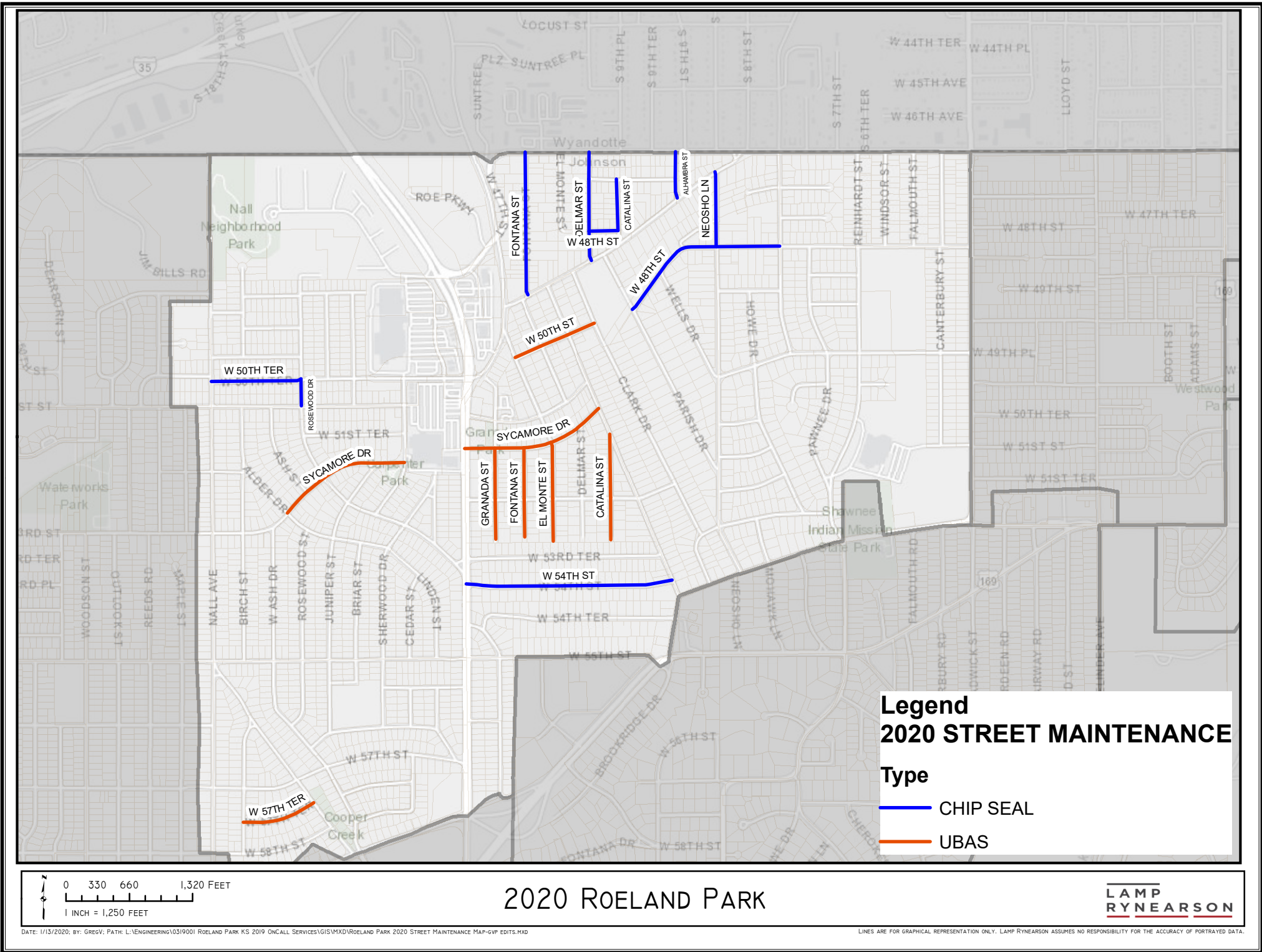
Owner

BenM@McAnanyConstruction.com

Office: 913-631-5440

Cell: 913-620-6936

www.mcananyconstruction.com



Item Number: New Business- VIII.-E.
Committee 4/6/2020
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/1/2020
Submitted By: Keith Moody
Committee/Department: Admin
Title: **Temporary Personnel Policies to Address COVID Related Absences**
Item Type: Resolution

Recommendation:

Staff recommends adopting temporary personnel policies to address COVID-19 related absences of staff.

Details:

Attached is a proposed Temporary Personnel Policy to address a variety of absence related situations that are/can/will occur related to the COVID-19 pandemic. The recommended policy has been developed to provide clarity (to the extent possible) to staff concerning how they will be paid under different circumstances. The direction previously provided by council on 3/20/20 was taken into consideration as the policy was developed. Complying with requirements of the Family First Coronavirus Response Act (FFCRA) has also influenced the proposed policy. Steve Mauer has provided a comparative analysis of the proposed policy and the FFCRA in order that the governing body has a better understanding of where the proposed policy exceeds the required benefits of the FFCRA. Also attached is a Q&A document developed by LKM to help cities understand and address FFCRA.

The proposed policy makes administration of the different COVID 19 related absences simpler than if we were to hold to the minimums of the FFCRA. Mr. Mauer's letter highlights where the proposed policy is more generous than required under the FFCRA. The proposed policy does not create additional expenses beyond what has been budgeted in 2020.

From 3/16/20 through 4/5/20 we have had two full time staff that have been off due to quarantine (140 hrs total) and 12 hours for child care. In addition the public works staff have had 3 employees off a week due to their rotating schedule, they are completing training virtually while at home.

If we find a need to adjust/amend the policy we can do that at a future meeting.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description		Type
☐	Proposed Temporary Personnel Policy Addressing COVID 19 Absenses	Cover Memo
☐	City Attorney Comparison of Proposed Temporary Personnel Policy to FFCRA	Cover Memo
☐	LKM Family First Leave Act Q & A	Cover Memo

Proposed Temporary Personnel Policies to Address COVID 19 Related Absences and Pay in Compliance with the Families First Coronavirus Response Act (FFCRA)

Relevant Dates: 3/16/20 Kansas Schools Closed, 3/22/20 Stay Home Order Issued, FFCRA goes into effect 4/1/20)

1. Employee is Ill or Quarantined Related to COVID-19.

Between March 16, 2020 and December 31, 2020 an employee is entitled to use up to 80 hours of paid COVID 19 Sick Leave (pay code FFCRA-SL in ADP) at the employee's regular rate of pay when the employee is unable to work because the employee is ill or quarantined (pursuant to Federal, State, or local government order or advice of a health care provider) and/or is experiencing COVID-19 symptoms and seeking a medical diagnosis. Employees who have exhausted C19-SL leave may use other accrued paid leave. If an employee has exhausted all their accrued paid leave the City Administrator may advance the employee up to 80 hours of regular sick leave accrual with the intent that the advance will be repaid by 12/31/21.

In the event the employee has exhausted their 80 hours of COVID 19 Sick Leave but the employee can work from home during quarantine or illness related to COVID-19 pursuant to an agreement to work from home, the City will continue to pay the employee based upon their regular scheduled hours and current rate of pay.

2. Employee is Caring for a Family Member Who is Ill or Quarantined related to COVID-19.

Between March 16, 2020 and December 31, 2020 an employee is entitled to use up to 80 hours of paid COVID 19 Sick Leave (pay code FFCRA-SL in ADP) at the employee's regular rate of pay when the employee is unable to work because the employee is caring for a family member who is ill or quarantined (pursuant to Federal, State, or local government order or advice of a health care provider) and/or is experiencing COVID-19 symptoms and seeking a medical diagnosis. Employees who have exhausted C19-SL leave may use other accrued paid leave. If an employee has exhausted all their accrued paid leave the City Administrator may advance the employee up to 80 hours of regular sick leave accrual with the intent that the advance will be repaid by 12/31/21.

In the event the employee has exhausted their 80 hours of COVID 19 Sick Leave but the employee can work from home during quarantine or illness related to COVID-19 pursuant to an agreement to work from home, the City will continue to pay the employee based upon their regular scheduled hours and current rate of pay.

3. Employee is Caring for a Child who is out of School/Daycare, and not ill, due to COVID-19.

Between March 16, 2020 and December 31, 2020 an employee is entitled to use up to twelve weeks (480 hours) of paid COVID 19 Child Care Leave (pay code FFCRA-CCL in ADP) at the employee's regular rate of pay when the employee is unable to work because the employee is unable to work because of a bona fide need to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19. Employees who have exhausted C19-CCL leave may use other accrued paid leave. If an employee has exhausted all their accrued paid

leave the City Administrator may advance the employee up to 80 hours of regular sick leave accrual with the intent that the advance will be repaid by 12/31/21.

If an employee can work from home while caring for a child out of school or daycare related to COVID-19 pursuant to an agreement to work from home, the City will continue to pay the employee based upon their regular scheduled hours and current rate of pay.

4. Employee is not Working Their Regular Shift due to the City Closing Operations to Prevent the Spread of COVID-19.

Between March 22, 2020 and May 30, 2020 or upon lifting of the Stay at Home Order, whichever occurs first, employees not able to come to work due to the City closing operations to prevent the spread of COVID-19 will be paid based upon their current pay and their normal weekly work schedule. This time is referred to as COVID 19 Operation Closure Leave (pay code FFCRA-OCL) in ADP.

If an employee can work from home during the operations closure related to COVID-19 pursuant to an agreement to work from home, the City will continue to pay the employee based upon their regular scheduled hours and current rate of pay.

5. Temporarily Suspend 240-hour Vacation Accrual limit.

Between March 22, 2020 and December 31, 2021, the City will suspend the 240-hour vacation accrual limit. This is to accommodate staff who have not been able to use vacation due to COVID-19.

Memorandum

To: Keith Moody, City Administrator for Roeland Park
From: Alex Felzien, Steve Mauer
Date: 4/3/2020
Re: Roeland Park Personnel Policy Compared with the Families First Coronavirus Response Act

This memorandum was prepared to highlight where the proposed changes to the Roeland Park Personnel Policy conflict or are otherwise not parallel to the Families First Coronavirus Response Act (FFCRA). The employer requirements for the FFCRA are listed on the [Department of Labor website](#).

1. Employee is Ill or Quarantined Related to COVID-19.

Between March 16, 2020 and December 31, 2020 an employee is entitled to use up to 80 hours of paid COVID 19 Sick Leave (pay code FFCRA-SL in ADP) at the employee's regular rate of pay when the employee is unable to work because the employee is ill or quarantined (pursuant to Federal, State, or local government order or advice of a health care provider) and/or is experiencing COVID-19 symptoms and seeking a medical diagnosis. Employees who have exhausted FFCRA-SL leave may use other accrued paid leave. If an employee has exhausted all their accrued paid leave the City Administrator may advance the employee up to 80 hours of regular sick leave accrual with the intent that the advance will be repaid by 12/31/21.

If an employee can work from home during quarantine or illness related to COVID-19 pursuant to an agreement to work from home, the City will continue to pay the employee based upon their regular scheduled hours and current rate of pay.

Roeland Park Policy Compared to FFCRA Guidelines:

The FFCRA guidelines allow for two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay when an employee is ill, quarantined related to COVID-19 and/or is experiencing COVID-19 symptoms and seeking a medical diagnosis. The Roeland Park policy allows for 80 hours of paid sick leave without limiting the time period the hours can be taken, which could conceivably be used over a period longer than the two-week limitation found in FFCRA. Additionally, FFCRA caps the employees' regular rate of pay at \$511 per day and

\$5,110 in the aggregate (over a 2-week period). The Roeland Park policy does not cap the employees' regular rate of pay at any amount.

2. Employee is Caring for a Family Member Who is Ill or Quarantined related to COVID-19.

Between March 16, 2020 and December 31, 2020 an employee is entitled to use up to 80 hours of paid COVID 19 Sick Leave (pay code FFCRA-SL in ADP) at the employee's regular rate of pay when the employee is unable to work because the employee is caring for a family member who is ill or quarantined (pursuant to Federal, State, or local government order or advice of a health care provider) and/or is experiencing COVID-19 symptoms and seeking a medical diagnosis. Employees who have exhausted FFCRA-SL leave may use other accrued paid leave. If an employee has exhausted all their accrued paid leave the City Administrator may advance the employee up to 80 hours of regular sick leave accrual with the intent that the advance will be repaid by 12/31/21.

If an employee can work from home during quarantine or illness related to COVID-19 pursuant to an agreement to work from home, the City will continue to pay the employee based upon their regular scheduled hours and current rate of pay.

Roeland Park Policy Compared to FFCRA Guidelines:

The FFCRA guidelines allow for two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual who is ill or quarantined. The Roeland Park policy is more generous than the FFCRA guidelines mandate because it offers employees in this circumstance to receive their regular rate of pay. The Roeland Park policy allows for 80 hours of paid sick leave without limiting the time period the hours can be taken, which could conceivably be used over a period longer than the two-week limitation found in FFCRA. Additionally, FFCRA caps the employees' regular rate of pay at \$200 per day and \$2,000 in the aggregate (over a 2-week period). The Roeland Park policy does not cap the employees' regular rate of pay at any amount.

3. Employee is Caring for a Child who is out of School/Daycare, and not ill, due to COVID-19.

Between March 16, 2020 and December 31, 2020 an employee is entitled to use up to 480 hours of paid COVID 19 Child Care Leave (pay code FFCRA-CCL in ADP) at the employee's regular rate of pay when the employee is unable to work because the employee is unable to work because of a bona fide need to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19. Employees who have exhausted FFCRA-CCL leave may use other accrued paid leave. If an employee has exhausted all their accrued paid leave the City Administrator may advance the employee up to 80 hours of regular sick leave accrual with the intent that the advance will be repaid by 12/31/21.

If an employee can work from home while caring for a child out of school or daycare related to COVID-19 pursuant to an agreement to work from home, the City will continue to pay the employee based upon their regular scheduled hours and current rate of pay.

Roeland Park Policy Compared to FFCRA Guidelines:

The FFCRA guidelines allow for two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19. An employee in this circumstance could qualify for up to an additional ten weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable. The Roeland Park policy allows for 480 hours of paid sick leave without limiting the time period the hours can be taken, which could conceivably be used over a period longer than the two-week limitation found in FFCRA and the ten-week expanded family medical leave period allowed for by FFCRA. Additionally, FFCRA caps the employees' regular rate of pay at \$200 per day and \$12,000 in the aggregate (over a 12-week period: two weeks of paid sick leave followed by up to ten weeks of paid expanded family and medical leave). The Roeland Park policy does not cap the employees' regular rate of pay at any amount.

4. Employee is not Working Their Regular Shift due to the City Closing Operations to Prevent the Spread of COVID-19.

Between March 22, 2020 and May 30, 2020 or upon lifting of the Stay at Home Order, whichever occurs first, employees not able to come to work due to the City closing operations to prevent the spread of COVID-19 will be paid based upon their current pay and their normal weekly work schedule. This time is referred to as COVID 19 Operation Closure Leave (pay code FFCRA-OCL) in ADP.

If an employee can work from home during the operations closure related to COVID-19 pursuant to an agreement to work from home, the City will continue to pay the employee based upon their regular scheduled hours and current rate of pay.

Roeland Park Policy Compared to FFCRA Guidelines:

If an employee has not worked their regular shift due to a change in scheduling made before April 1, 2020, FFCRA would not apply because FFCRA became effective April 1, 2020.

Additional Guidance

Currently, there is no reimbursement for municipalities paying FFCRA mandated sick leave. The policy surrounding this legislation is ever-changing and reimbursement could be available to Roeland Park in the future. However, there are no assurances that Roeland Park would be reimbursed for any FFCRA paid sick leave due to its policy being more generous than required by FFCRA.

Q & A to Supplement Federal COVID-19 Response Act Summary

Prepared by Amanda L. Stanley General Counsel

Contact astanley@lkm.org with Questions

Updated 3/30/20

I. COVID-19 Emergency Family and Medical Leave Act

Who is an employee under the new Federal COVID-10 Emergency Family and Medical Leave Act from a city perspective?

Any employee who has been employed for at least 30 calendar days. So, if the employee wanted to take leave starting April 1st, the employee would have to have been on the employer's payroll as of March 2, 2020.

Are any employees excluded?

The Secretary of Labor has the authority to exclude health care providers and emergency responders. Additionally, an employer whose employee is a health care provider or emergency responder may choose to exclude such employee from the application of this act.

Who is a health care provider?

A health care provider has been defined by the Department of Labor as anyone employed at any doctor's office, hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or medical testing, pharmacy, or any similar institution, employer, or entity. This includes any permanent or temporary institution, facility, location, or site where medical services are provided that are similar to such institutions.

This definition includes any individual employed by an entity that contracts with any of the above institutions, employers, or entities institutions to provide services or to maintain the operation of the facility. This also includes anyone employed by any entity that provides medical services, produces medical products, or is otherwise involved in the making of COVID-19 related medical equipment, tests, drugs, vaccines, diagnostic vehicles, or treatments. This also includes any individual that the Governor determines is a health care provider necessary for the state's response to COVID-19.

To minimize the spread of the virus associated with COVID-19, the Department of Labor encourages employers to be judicious when using this definition to exempt health care providers from the provisions of the FFCRA.

Who is an emergency responder?

For the purposes of employees who may be excluded from paid sick leave or expanded family and medical leave by their employer under the FFCRA, an emergency responder is an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility. This also includes any individual that the Governor determines is an emergency responder necessary for that state's response to COVID-19.

To minimize the spread of the virus associated with COVID-19, the Department of Labor encourages employers to be judicious when using this definition to exempt emergency responders from the provisions of the FFCRA.

Do cities qualify for the under 50 employee or over 500 employee business exemptions?

No

Under the Emergency COVID-19 Family and Medical Leave Act what is paid?

The first 10 days are not paid. The Department of Labor has stated that an employee can use the new paid leave under the Emergency Sick Leave Act for these first 10 days. The employee could also elect to use any other accrued vacation leave, personal leave, or medial or sick leave for these 10 days.

The remaining 10 weeks must be paid at not less than 2/3 of the employee's salary BUT the total amount for the 10 weeks cannot exceed \$10,000.

Could a city choose to pay the employee's full salary?

Yes

Could a city allow an employee to use accrued vacation or sick leave time to make up the difference?

Yes.

What about an employee with a varying schedule?

If the employee's schedule varies to the point the employer is unable to determine with certainty the number of hours the employee would have worked, then the employer should calculate the average number of hours the employee was scheduled over the 6 month period prior to the date the employee takes leave. If the employee did not work in the last six months, the employer must pay the hours the employee reasonably expected to work at the time of hiring.

Do you have to restore the employee to the same position when the leave ends?

Generally, yes. There are exceptions if an employer employs 25 or few employees and the position held by the employee no longer exists due to economic conditions or other changes in the operating condition of the employer.

What reasons can an employee take leave under this new Emergency Medical Leave Act?

Employees who are unable to work or telework because they must care for a minor child if the child's school or place of care has been closed, or if the childcare provider of that child is unavailable due to a COVID-19 emergency.

Also, all the other regular FMLA reasons also apply if your city is generally subject to FMLA.

If a child is out of school and the employee could work a reduced schedule, can the employer require the employee do that instead of taking advantage of this leave?

Most likely no. Under the traditional FMLA, an employer cannot require an employee take a reduced workload instead of utilizing FMLA; however, the employer and the employee could agree to have the employee take the COVID-19 FMLA intermittently. The Department of Labor is encouraging employers and employees to collaborate to achieve flexibility and meet mutual needs.

Does this mean all leave under the FMLA is now paid leave?

No. The only type of FMLA leave that is now paid is the new COVID expanded leave for when the employee must care for a child whose school or place of care is closed, or the child care provider is unavailable.

II. Emergency Paid Sick Leave Act**From a city perspective, who is covered?**

All employees

Are any employees excluded?

The Secretary of Labor has the authority to exclude health care providers and emergency responders. Additionally, an employer whose employee is a health care provider or emergency responder may choose to exclude such employee from the application of this act.

Who is a health care provider?

A health care provider has been defined by the Department of Labor as anyone employed at any doctor's office, hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or medical testing, pharmacy, or any similar institution, employer, or entity. This includes any permanent or temporary institution, facility, location, or site where medical services are provided that are similar to such institutions.

This definition includes any individual employed by an entity that contracts with any of the above institutions, employers, or entities institutions to provide services or to maintain the operation of the facility. This also includes anyone employed by any entity that provides medical services, produces medical products, or is otherwise involved in the making of COVID-19 related medical equipment, tests, drugs, vaccines, diagnostic vehicles, or treatments. This also includes any individual that the Governor determines is a health care provider necessary for the state's response to COVID-19.

To minimize the spread of the virus associated with COVID-19, the Department of Labor encourages employers to be judicious when using this definition to exempt health care providers from the provisions of the FFCRA.

Who is an emergency responder?

For the purposes of employees who may be excluded from paid sick leave or expanded family and medical leave by their employer under the FFCRA, an emergency responder is an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility. This also includes any individual that the Governor determines is an emergency responder necessary for that state's response to COVID-19.

To minimize the spread of the virus associated with COVID-19, the Department of Labor encourages employers to be judicious when using this definition to exempt emergency responders from the provisions of the FFCRA.

When does the employer have to provide leave? When an employee is unable to work or telework due to any of the following reasons:

1. The employee being subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to a quarantine or isolation order related to COVID-19. The individual does not have to be a family member. Individual is not defined and could be anyone.
5. The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the childcare provider of such son or daughter is unavailable, due to COVID-19 precautions; or
6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Can you require documentation of these?

Yes

How much leave must be paid?

Full time employees are entitled to 80 hours.

For reasons 1, 2, 3 get full pay

For reasons 4, 5, 6 get 2/3rds pay

Part-time employees are entitled to a number of hours equal to the number of hours the employee works on average over a two-week period.

For reasons 1, 2, 3 get full pay

For reasons 4, 5, 6 get 2/3rds pay

An employee is only entitled to 2 total weeks. For example, the employee may not take two weeks for self-quarantine and then another 2 weeks to care for a child.

What is a Full Time Employee?

For purposes of the Emergency Paid Sick Leave Act, a full-time employee is an employee who is normally scheduled to work 40 or more hours per week.

Is there a maximum amount?

Yes. The employee is only entitled to a maximum of two weeks BUT if the two weeks are because the employee is actually sick the max payout is \$5,110. If the employee uses the two weeks to care for someone else, or to care for a child out of school, the max payout is \$2,000 for the two weeks.

Can I require the employee use currently accrued sick leave for this new leave?

No. This is an extra two weeks. The employer must allow the employee to use this new leave first.

What notice does the city have to post?

A notice is provided by the Secretary of Labor. This notice must be placed in a conspicuous place on its premises. An employer may satisfy this requirement by emailing or direct mailing this notice to employees or by posting the notice on an external website. Notices are available at

https://www.dol.gov/sites/dolgov/files/WHd/posters/FFCRA_Poster_WH1422_Non-Federal.pdf

Can I fire someone for taking this leave?

No.

Does this Act cover employees who have had hours cut due to office closures or social distancing?

It depends. This is a very fact specific analysis. Was the office closed because of a local quarantine or isolation order or merely as a precaution? For example, if your county issued a stay-at-home order necessitating the closing of the office, the employee is likely eligible to use this new sick leave for hours missed post April 1st. If the city limited office hours as a precaution, or as a way to practice social distancing, the employee might not be eligible. The city will have to look at each employee as of April 1st and evaluate if that particular employee meets one of the five eligibility reasons for taking leave pursuant to this new Act.

Does this leave have to be taken for 2 consecutive weeks?

No. The employee may use this leave any time between April 1 and December 31, 2020. Unless the employee is teleworking, paid sick leave for qualifying reasons related to COVID-19 must be taken in full-day increments. It cannot be taken intermittently if the leave is being taken because:

1. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;

2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
4. The employee is caring for an individual who either is subject to a quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
5. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services

Unless the employee is teleworking, once the employee begins taking paid sick leave for one or more of these qualifying reasons, the employee must continue to take paid sick leave each day until the employee has either (1) used the full amount of paid sick leave or (2) no longer have a qualifying reason for taking paid sick leave. If the employee no longer has a qualifying reason for taking paid sick leave before the employee exhausts the paid sick leave, the employee may take any remaining paid sick leave at a later time, until December 31, 2020, if another qualifying reason occurs.

Sick leave may be taken intermittently if it is being taken to care for a child whose school or place of care is closed, or whose child care provider is unavailable, because of COVID-19 related reasons.

III. Things Applicable to Both Laws

When does this go into effect?

The paid leave provisions are effective April 1, 2020 and apply to leave taken between April 1, 2020 and December 31, 2020. Any leave given prior to April 1st will not count towards this new leave requirement.

Are Local Governments Eligible for Tax Credits to pay for these?

No.

Are these wages subject to all federal withholdings?

Yes, they are subject to most withholdings; however, they are not subject to the 6.2% social security payroll tax typically paid by employers on employee's wages. This is both the employer portion and the employee portion. A city does still need to withhold and match the Medicare Portion. (There is the consensus opinion of the law; however, we are still awaiting IRS guidelines that could change this interpretation)

As an employer, can I make terminations before this law goes into effect?

Kansas remains an at-will state. If there are employees who are no longer needed due to a changing environment, those employees can still be terminated before this law goes into effect. Talk to your city attorney about your options. Most employees will qualify for unemployment; however, in Kansas there is a requirement that the employee has earned a minimum amount in wages. If you have questions about a particular employee, please call your city attorney.

If an employee was furloughed on or after April 1st, can the employee still get paid sick leave or expanded FMLA Leave?

No. If the city furloughs employees because it does not have work for the employees, these employees will not be eligible for paid sick leave or expanded family and medical leave but the employees may be eligible for unemployment insurance benefits. This is true even if the city closed the employee's worksite pursuant to a Federal, State, or local directive.

If the city reduces an employee's scheduled work hours, can the employee use paid sick leave or expanded family and medical leave for the hours that he or she is no longer scheduled to work?

No. The Department of Labor has determined this is because the employee is not prevented from working those hours due to a COVID-19 qualifying reason, even if the reduction in hours was somehow related to COVID-19.

The employee may, however, take paid sick leave or expanded family and medical leave if a COVID-19 qualifying reason prevents the employee from working a full schedule.

When Does this Law Expire?

December 31, 2020

Where can I find a copy of the Bill?

<https://www.congress.gov/bill/116th-congress/house-bill/6201/text#HDC8838D40C3C4652AAF325D708952511>

Item Number: New Business- VIII.-F.
Committee 4/6/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 3/12/2020
Submitted By: Tom Madigan and Michael Rebne
Committee/Department: Admin.
Title: **Appointments to the Ad-Hoc Historical Committee**
Item Type: Other

Recommendation:

To appoint Barbara Wall, Kevin Martin, Chris Wolfe and Jim Grebe to the ad-hoc historical committee.

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
 Barbara Wall	Cover Memo

- 📁 Chris Wolff
- 📁 Kevin Martin
- 📁 Jim Grebe

- Cover Memo
- Cover Memo
- Cover Memo

Online Form Submittal: Committee Volunteer Form

noreply@civicplus.com <noreply@civicplus.com>

Sat 2/15/2020 10:06 AM

To: Nielsen, Kelley <knielsen@roelandpark.org>; Jones-Lacy, Jennifer <jjoneslacy@roelandpark.org>

Committee Volunteer Form

Date	2/15/2020
First Name	Barbara
Last Name	Wall
Address	4815 Birch St
City	Roeland Park
State	Kansas
Zip	66205
Email	
Phone	
Place of Employment	Retired
How long have you been a resident of Roeland Park?	47 years
How much time do you have to devote per month?	As many as needed
Board & Committee Interest	As a citizen, I want to make a contribution to my city.
Select a Board or Committee	Ad-Hoc Historical Committee
Additional Comments	Having a degree in education and business with an emphasis in sociology, I am interested in history and thr people and events that create it.
Resume	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

Online Form Submittal: Committee Volunteer Form

noreply@civicplus.com <noreply@civicplus.com>

Mon 2/24/2020 12:01 PM

To: Nielsen, Kelley <knielsen@roelandpark.org>; Jones-Lacy, Jennifer <jjoneslacy@roelandpark.org>

Committee Volunteer Form

Date	2/24/2020
First Name	Chris
Last Name	Wolff
Address	5246 Buena Vista
City	Roeland Park
State	Ks
Zip	66205
Email	
Phone	
Place of Employment	UMKC
How long have you been a resident of Roeland Park?	18yrs
How much time do you have to devote per month?	10 hours
Board & Committee Interest	Historical Committee
Select a Board or Committee	Community Engagement
Additional Comments	<i>Field not completed.</i>
Resume	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

Online Form Submittal: Committee Volunteer Form

noreply@civicplus.com <noreply@civicplus.com>

Wed 3/4/2020 4:10 PM

To: Nielsen, Kelley <knielsen@roelandpark.org>; Jones-Lacy, Jennifer <jjoneslacy@roelandpark.org>

Committee Volunteer Form

Date	3/4/2020
First Name	Kevin
Last Name	Martin
Address	5241 Reinhardt Drive
City	Roeland Park
State	KS
Zip	66205
Email	
Phone	
Place of Employment	H&R Block
How long have you been a resident of Roeland Park?	3 Years
How much time do you have to devote per month?	2-3 Hours, but can be greater depending on the time of year
Board & Committee Interest	I am interested in serving my community in any way I can, especially where there's a need that I'm suited to fill. I work full-time, so I may have limited availability at certain points, but am interested in getting more involved.
Select a Board or Committee	Ad-Hoc Historical Committee
Are you a high school student between the ages of 14 and 18?	No
Additional Comments	I chose the Historical committee mainly because I'm interested in learning what they do, but I am willing to be flexible.
Resume	<u>Kevin Martin Resume 2020.docx</u>

Email not displaying correctly? [View it in your browser.](#)

Online Form Submittal: Committee Volunteer Form

noreply@civicplus.com <noreply@civicplus.com>

Sat 3/7/2020 3:48 PM

To: Nielsen, Kelley <knielsen@roelandpark.org>; Jones-Lacy, Jennifer <jjoneslacy@roelandpark.org>

Committee Volunteer Form

Date	3/7/2020
First Name	Jim
Last Name	Grebe
Address	4820 W. 57th St.
City	Roeland Park
State	KS
Zip	66205
Email	
Phone	
Place of Employment	NA
How long have you been a resident of Roeland Park?	40 years
How much time do you have to devote per month?	8 hours
Board & Committee Interest	RP history committee. I am interested in preserving the history of Roeland Park.
Select a Board or Committee	Ad-Hoc Historical Committee
Are you a high school student between the ages of 14 and 18?	No
Additional Comments	<i>Field not completed.</i>
Resume	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

Item Number: Reports of City Officials:- X.-A.
Committee 4/6/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 4/6/2020
Submitted By: Jennifer Jones-Lacy
Committee/Department:
Title: **Weekly COVID-19 Update**
Item Type: Report

Recommendation:

Please see attached.

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
☐ Weekly Update for the Week of 3.30.20	Cover Memo

Memo



To: Governing Body

From: Jennifer Jones-Lacy, Asst. City Administrator/Finance Director

CC: Keith Moody, Donnie Scharff, John Morris, Kelley Nielsen

RE: COVID-19 Update for the Week of March 30th – April 2nd

Below is a summary of activities that took place for the week related to the COVID-19 Pandemic in Roeland Park.

General

- Governor issued a Stay at Home Order for all of Kansas until April 19th
- Mayor issued a [Declaration of Emergency](#) for the week of March 30th
- All city events, activities, meetings and municipal court are cancelled through April 24th. The quarterly community forum is scheduled for Monday, April 27th and the Governing Body needs to decide whether to cancel or reschedule that as well.
- Members of the Governing Body [issued additional guidance](#) to RP businesses who are operational. The City is promoting this info on our website, social and through an email to the RP Business Breakfast network.
- Local regional partners announced an effort to support small businesses through the [KC COVID-19 Small Business Relief Loan Fund](#). The City is promoting this info on our website, social and through an email to the RP Business Breakfast network.
- Johnson County Legislature approved \$400,000 to purchase additional COVID tests for the County and they plan to use ETC to administer a random sampling of County residents to gather better data on where the virus exists and how it spreads in the County. [Read more in the SMP](#).
- Council meetings will continue to be conducted using GoToMeeting with the addition of Council Workshops until further notice. We will also start accepting public comment and will provide instructions in Novus on how to participate in public comment for those interested in doing so.
- The State has [issued additional clarification](#) as to what business are considered essential.

Administration/Neighborhood Services

- Administrative Assistants and City Administrator continue to work in the office five days/week. The Asst. City Administrator, City Clerk, Code Enforcement Officer and Building Official are working remotely from home. The Building Official will be in the office for on-site inspections on Wednesdays. The Code Enforcement Officer will do daily rounds through the City for code activity and will note actions. We are employing a gentler approach to code enforcement during this difficult time for so many of our residents. City Clerk and Asst. Administrator will be in the office as needed for administrative tasks, typically once/week.
- Staff has prepared the April/May newsletter which includes a myriad of resources for residents who may need support at this time including info on filing for unemployment, community food banks, stress management and resources for small businesses. The issue will be mailed out the week of April 6th.

Police Department/Municipal Court

- Judge Torline would like to start promoting the acceptance of pleas by mail or email by sharing the judge and prosecutor's contact info online and through the JOCO Bar website to avoid large backlogs upon return to normal business. If the social distancing recommendations exceed beyond May, both the judge and prosecutor recommend additional dockets and court dates in June and July to clear the backlog if needed.
- Johnson County Sheriff's office issued Health Order Enforcement protocol for police departments including a spreadsheet for each municipality to record complaints of businesses not following the order. Guidance was to educate and provide info to business owners to help determine who is/is not essential. Also included some guidance from the State Attorney General on the orders.
- Thanks to a partnership with St. Luke's Health System, they are providing COVID-19 testing to first responders at cost (\$34/test). To be tested, the officer must be exhibiting symptoms of the virus as resources remain scarce. However, this is good news for our law enforcement.

Public Works

- Public Works crews will work split shifts with half of the crew conducting typical field work one week, each in their own vehicles, and the other half doing online training and any administrative tasks available from home. They would then switch off each week to avoid interaction and contact with one another during the crisis.

Aquatics Center

- The sale of all passes will be suspended until at least May 1st when staff knows more about when and if the facility can open on time.
- We are still on target to complete the installation and testing of Civic Rec software prior to the beginning of the season.
- Midwest Pool Management is proceeding with an anticipated open date of Memorial Day weekend. Commercial Aquatics prepped the pump room for fill. All maintenance of the pool area is proceeding in planning for opening day.

Community Center

- JCPRD staff are working remotely while the facility remains closed to the public. Outgoing voicemails have been updated and staff continue to monitor voicemail/return patron phone calls. The Maintenance Supervisor continues to be on site daily to conduct some additional cleaning and maintenance of the facility during the closure. The part-time attendants are working as needed to assist with this effort.
- All rentals have been cancelled through April 23rd with appropriate account credits and/or refunds given.
- The fitness room has been closed until further notice. All memberships have been frozen until a time we can resume operations. When operations resume memberships will be activated and membership expiration dates adjusted.
- All recreation programming has been suspended until May 1st. JCPRD is allowing registration online via www.jcprd.com.
- The sites rainout line (notification line) alerts patrons to our closure and that any future updates will be provided via the notification line.

