

AGENDA
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park, City Hall 4600 W. 51st Street
February 21, 2022 6:00 PM

- | | | |
|--|--|--|
| <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"> • Michael Poppa, Council Member • Tom Madigan, Council Member • Kate Raglow, Council Member • Michael Rebne, Council Member | <ul style="list-style-type: none"> • Keith Moody, City Administrator • Erin Winn, Asst. Admin. • Kelley Nielsen, City Clerk • John Morris, Police Chief • Donnie Scharff, Public Works Director |
|--|--|--|

Admin

Hill

Raglow

Finance

Madigan

Rebne

Safety

Faidley

Poppa

Public Works

Dickens

Brauer

Pledge of Allegiance

A. Instructions on Logging into Meeting Remotely

Roll Call

Modification of Agenda

Public Hearing

Establishment of TIF4 - 10 min

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 #992
- B. Council Minutes February 7, 2022

III. Business From the Floor

A. Applications / Presentations

- 1. ARPA Update from Witt O'Brien - 15 min

IV. Mayor's Report

- A. Women's History Month Proclamation - 2 min
- B. Public Schools Week Proclamation

V. Workshop and Committee Reports

VI. Reports of City Liaisons

- A. Aquatic Center Advisory Committee - 5 min
- B. The 47 Committee - 5 min

VII. Unfinished Business

- A. Continue Discussion of Tree Preservation Regulations Policy - 20 min

VIII. New Business

- A. Award Contract for 2022 Street Maintenance - Chipseal - 5 Minutes
- B. Award Contract for 2022 Street Maintenance - UBAS - 5 Minutes
- C. Reappoint Amy Stoecker to the BZA and Mark Kohles to the Planning Commission- 5 min

IX. Ordinances and Resolutions:

- A. Ordinance 1026 - Removing City Owned Property from TIF3 - 5 min
- B. Ordinance 1027 - Establishing TIF District 4 - 5 min
- C. Ordinance 1028 - Ending Indoor Masking - 5 minutes

X. Workshop Items:

XI. Reports of City Officials:

- A. COVID Report and Mitigation Update - 5 min

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 2/21/2022
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 will be held remotely. Below are instructions for joining the meeting by phone, online or both.

Kelley Nielsen is inviting you to a scheduled Zoom meeting.

Topic: City Council and Governing Body Workshop Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://zoom.us/j/97767592270?pwd=VWNXbjNkejlVb0JBaStWMDF5WXpoZz09>

Meeting ID: 977 6759 2270

Passcode: council

One tap mobile

+16699006833,,97767592270# US (San Jose)

+12532158782,,97767592270# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 977 6759 2270

Find your local number: <https://zoom.us/j/adPknyVL7e>

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: Public Hearing- -
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 2/17/2022
Submitted By: Keith Moody
Committee/Department:
Title: **Establishment of TIF4 - 10 min**
Item Type: Presentation

Recommendation:

A public hearing is a statutorily requirement when considering the establishment of a Tax Increment Financing (TIF) district. The hearing is an opportunity for the public to provide comment on the creation of the proposed district.

Details:

The proposed TIF 4 district is comprised of land owned by the City. It is currently part of the TIF 3 district. Moving the area owned by the City into a distinct district ensures that tax increment generated inside of that area is used to support redevelopment inside of that area vs being part of the larger TIF 3 district. Kevin Wempe with Gilmore and Bell will make a brief presentation addressing the requirement of the TIF statutes and how this property meets those requirements.

This area, as with all areas included in each of the City's TIF districts qualifies for inclusion in a TIF based upon the fact that the land is with in an Enterprise Zone. Resolution 318 attached created the Enterprise Zone in Roeland Park.

Establishing the TIF 4 district is the first step in a process. Approval of a Project Plan will follow and that step starts the 20 year clock on the life of a TIF district.

Financial Impact

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

Additional Information

TIF district 2 was retired at the end of 2021. TIF district 1 will retire in 2024 and TIF district 3 will retire in 2025.

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
❏ Resolution Calling Public Hearing for Creation of TIF 4	Cover Memo
❏ Presentation on Creation of a TIF District	Cover Memo
❏ Roeland Park Enterprise Zone Map	Cover Memo
❏ Resolution 318 Creating the Roeland Park Enterprise Zone	Cover Memo

RESOLUTION NO. 695

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING REGARDING THE ESTABLISHMENT OF A REDEVELOPMENT DISTRICT PURSUANT TO K.S.A. 12-1770 ET SEQ.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

Section 1. The City of Roeland Park, Kansas (the "City") is considering the establishment of a redevelopment district pursuant to K.S.A. 12-1770 *et seq.*, as amended (the "Act").

Section 2. Notice is hereby given that a public hearing will be held by the City to consider establishment of a redevelopment district on **February 21, 2022** in the City Council chambers located in City Hall, 4600 W. 51st Street, Roeland Park, Kansas 66205, commencing at 6:00 p.m. or as soon thereafter as the matter may be heard.

Section 3. A map of the proposed redevelopment district is attached hereto as **Exhibit A**. The boundaries of the proposed redevelopment district are legally described in **Exhibit B** hereto. A description and map of the proposed redevelopment district are available for inspection and copying in the offices of the City Clerk, City Hall, 4600 W. 51st Street, Roeland Park, Kansas 66205, Monday through Friday (other than holidays) between 8:00 a.m. and 5:00 p.m.

Section 4. The proposed district plan for the proposed redevelopment district is described in a general manner as follows:

A redevelopment district containing up to two project areas consisting of some or all of the following uses: one or more commercial or residential facilities and all related infrastructure improvements, including site work, parking facilities, storm water, streets, sidewalks, traffic signals, sanitary sewers, water lines, gas lines, electric lines, landscaping, rock excavation, grading, retaining walls, and all related expenses to redevelop and finance the project, and all other associated public and private infrastructure and other items allowable under the Act.

Section 5. The City Council will consider the findings necessary for the establishment of a redevelopment district after conclusion of the public hearing.

Section 6. The City Clerk is hereby authorized and directed to publish this resolution once in the official city newspaper not less than one week or more than two weeks preceding the date set for the public hearing. The City Clerk is also authorized and directed to mail a copy of this resolution via certified mail, return receipt requested to the board of county commissioners, the board of education of any school district levying taxes on property within the proposed redevelopment district, and to each owner and occupant of land within the proposed redevelopment district, not more than 10 days following the date of the adoption of this Resolution.

Section 7. This Resolution shall become effective upon its adoption by the City Council.

ADOPTED by the City Council of the City of Roeland Park, Kansas on January 18, 2022.

[SEAL]

Attest:



Kelley Nielsen, City Clerk



Mike Kelly, Mayor

MAP OF PROPOSED REDEVELOPMENT DISTRICT



EXHIBIT B

LEGAL DESCRIPTION OF PROPOSED REDEVELOPMENT DISTRICT

The following property located in Johnson County, Roeland Park, Kansas:

Proposed TIF 4 Boundary

Legal Description

All of that part of the North Half of Section 4, Township 12 South, Range 23 East, situate in the City of Roeland Park, Johnson County, Kansas, being described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence South 2°31'58" East, along the East line of the Northwest Quarter of said Section 4, a distance of 594.35 feet to the Point of Beginning; thence North 78°00'03" East, departing the East line of the Northwest Quarter of said Section 4, a distance of 247.12 feet to a point on the Western right-of-way line of Roe Lane, as now established; thence South 12°03'57" East, along the Western right-of-way line of said Roe Lane, a distance of 317.23 feet to a point of intersection in the Western right-of-way line of said Roe Lane; thence South 12°03'57" East, departing the Western right-of-way line of said Roe Lane, a distance of 100.00 feet; thence South 63°47'03" West a distance of 79.73 feet; thence Southwesterly, along a curve to the left that is non-tangent with the exit of the last described course, having a radius of 300.00 feet, a central angle of 25°01'43", and an arc distance of 131.05 feet to a point on the Northwestern right-of-way line of W. 48th Street, as now established; thence along the Northwestern right-of-way line of said W. 48th Street the following (5) courses: 1) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 38°45'18" West, a radius of 300.00 feet, a central angle of 1°58'16", and an arc distance of 10.32 feet; 2) South 36°46'32" West a distance of 112.40 feet; 3) South 52°33'03" West a distance of 4.61 feet; 4) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 43°02'55" West, a radius of 210.00 feet, a central angle of 19°00'11", and an arc distance of 69.65 feet; 5) South 52°33'03" West a distance of 34.42 feet to the intersection with the Northeastern right-of-way line of Roe Boulevard, as now established; thence along the Northeastern right-of-way line of said Roe Boulevard the following three (3) courses: 1) North 20°45'27" West a distance of 8.36 feet; 2) Westerly and Northwesterly along a curve to the right that is non-tangent with the exit of the last described course, having a radius of 210.00 feet, a central angle of 76°28'50", and an arc distance of 280.32 feet; 3) thence North 32°26'59" West a distance of 275.64 feet; thence North 44°06'13" East, departing the Northeastern right-of-way line of said Roe Boulevard, a distance of 396.21 feet; thence North 78°00'03" East a distance of 126.88 feet to the Point of Beginning. Containing 322,276 square feet, or 7.40 acres, more or less.

The bearings in this description are based on the Kansas State Plane Coordinate System, North Zone, NAD83.

This description prepared by:
Kellan M. Gregory, KS PLS #1577
Lamp Rynearson
9001 State Line Road
Kansas City, Missouri 64114
Kansas CLS-350



Tax Increment Financing: District Creation

City of Roeland Park, Kansas
February 21, 2022

2405 Grand, Suite 1100
Kansas City, Missouri 64108
Phone: 816-221-1000

TIF: An Overview

-  Redevelopment tool used for industrial, commercial, residential, and intermodal transportation projects.
-  Uses incremental property tax revenues, sales tax and transient guest tax to pay certain eligible costs
-  Revenues are used to pay for redevelopment project costs either by paying bonds or by “pay as you go”

Eligible Areas and Eligible Costs

Eligible Areas

- Conservation area
- Blighted area
- *Pre-1992 Enterprise Zone*

Eligible Costs

- Land Acquisition
- Site work and horizontal infrastructure
- Parking and landscaping
- Vertical construction costs generally *ineligible*

Key Terms: Base Year and Tax Increment

Base Year Assessed Valuation (BYAV)

- Determined on date district is established

Tax Increment

- Property taxes collected in excess of BYAV
- Begins upon establishment of district
- Excludes certain ineligible mill levies (USD and State)

TIF Fund

- Increment deposited in separate TIF Fund
- Funds can be utilized only upon adoption of TIF Plan

Two-Step Process

Step One: Establish District

- Establishes geographic area
- Sets BYAV

Step Two: Adopt TIF Project Plan

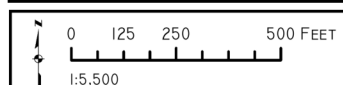
- Can be multiple project areas/plans with a district
- Permits spending of TIF Funds
- Begins 20-year statutory TIF clock

Step One: TIF District Process

- ✓ Resolution calling for Public Hearing on District – Day 1
- ✓ Mailed Notice to Taxing Districts & Property Owners – Day 5
- ✓ Publish Notice – Day 25
- ✓ Public Hearing on District – Day 35
- ✓ *Ordinance Approving District – Day 35*
- ✓ County/USD Protest Period (if applicable) – Day 35 to 65

Step Two: TIF Project Plan Process

- ✓ TIF Plan prepared and submitted to City – Day 60
- ✓ Negotiation of Redevelopment Agreement
- ✓ Planning Commission Conformance Finding
- ✓ Resolution for Public Hearing on TIF Plan – Day 70
- ✓ Mailed Notice to Taxing Districts & Property Owners – Day 75
- ✓ Publish Notice – Day 91
- ✓ Public Hearing on TIF Plan – Day 101
- ✓ Ordinance Approving TIF Plan & Redevelopment Agreement
(Requires 2/3 vote) – Day 101



LAMP
RYNEARSON

A RESOLUTION REQUESTING THAT AN AREA IN THE CITY OF ROELAND PARK, KANSAS BE DESIGNATED AS AN ENTERPRISE ZONE AS AUTHORIZED BY K.S.A. 12-17, 109; K.S.A. 12-17,110; K.S.A. 12-17, 112; K.S.A. 79-32,153; AND K.S.A. 79-3642.

WHEREAS, the area described in Attachment "A" hereto and incorporated herein by reference is within the corporate limits of the City of Roeland Park, Kansas, and

WHEREAS, the area described in Attached "A" has a population of 911 persons which is 11.4% of the total population of the City and

WHEREAS, the area described in Attachment "A" comprises 125.0 acres which represents 11.9% of the total land area of the City, and

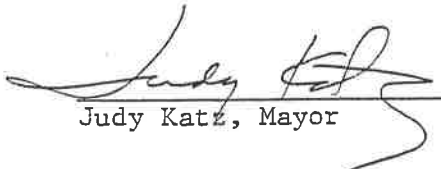
WHEREAS, the residential population of the area described in Attachment "A" decreased by 10% or more during the 10 year from 1970 to 1980, and

WHEREAS, the Governing Body of the City finds that there is substantial deterioration, abandonment or demolition of commercial structures within the area and specifically finds that one commercial structure within the area has been demolished, that another commercial structure within the area has been unoccupied for several months, that other commercial buildings within the area have deteriorated and that much of the area has previously been determined to be a blighted area as defined by K.S.A. 12-1771.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS that the area described in Attachment "A" hereto meets the requirements for designation as an enterprise zone.

BE IT FURTHER RESOLVED, that the Secretary of the Department of Economic Development be and is hereby requested to approve the area described in Attachment "A" hereto as an authorized enterprise zone as authorized and provided by Kansas Statutes Annotated.

Passed by the governing body and approved by the Mayor this 30th day of August, 1989.


Judy Katz, Mayor

Attest:


John J. Miller, City Clerk

ATTACHMENT "A"
BOUNDARIES OF ENTERPRISE ZONE FOR
THE CITY OF ROELAND PARK, KANSAS

An Enterprise Zone all within the City of Roeland Park, Johnson County, Kansas, more particularly described as follows:
Beginning at the platted Northeast Corner of Lot 11, Block 9, ROE HIGHLANDS, a subdivision in the City of Roeland Park, Kansas, thence southerly on the platted East Line of said Lot 11, Block 9, ROE HIGHLANDS, and its southerly prolongation to the platted South Right-of-Way Line of 49th Street; thence westerly on the platted Southerly Right-of-Way Line of 49th Street to the platted Northeast Corner, Lot 1, Block 12, ROE HIGHLANDS; thence southerly on the platted East Line of Block 12, ROE HIGHLANDS, and its southerly prolongation to a point on the platted Southerly Right-of-Way Line of 50th Street Terrace, said point also being on the platted North Line, Lot 1, Block 1, ROE HIGHLANDS; thence easterly on the platted North Line, Lot 1, Block 1, ROE HIGHLANDS, to the platted Northeast Corner of said Lot 1, Block 1, ROE HIGHLANDS; thence southerly on the platted East Line, Lot 1, Block 1, ROE HIGHLANDS, to the Southeast Corner thereof, said point also being the platted Northwest Corner, Lot 5, Block 1, ROE HIGHLANDS; thence easterly on the platted North Line of Lots 5 through 10, inclusive, Block 1, ROE HIGHLANDS, to the platted Northeast Corner of said Lot 10, Block 1, ROE HIGHLANDS; thence southerly on the platted East Line, Lot 10, Block 1, ROE HIGHLANDS, to the platted Southeast Corner thereof; thence southwesterly to the platted Northeast Corner Lot A, Block 14, ROELAND PARK; thence southerly on the platted East Line of Lot A, Block 14, ROELAND PARK to its platted Southeast Corner thereof; thence Southerly to the platted Northeast Corner of Lot A, Block 15, ROELAND PARK; thence southerly and southwesterly on the platted East and South Lines of Lot A, Block 15, ROELAND PARK to its platted Southwest Corner thereof; thence southerly on the Southerly Prolongation of the platted West Line of Lot A, Block 15, ROELAND PARK, to the platted North line of Lot 9, Block 22, ROELAND PARK; thence easterly, southerly and southwesterly on the platted North, East and Southeast Lines, Lot 9, Block 22, ROELAND PARK, to the point of intersection of the platted Southeast Line of Lot 9, Block 22, ROELAND PARK, and the Westerly Prolongation of the platted North line of Lot 1, Block 23, ROELAND PARK; thence southeasterly on the platted North line of Lot 1, Block 23, ROELAND PARK and its Westerly Prolongation, to the platted Northeast Corner thereof, said point also being the platted Northwest Corner of Lot 17, Block 23, ROELAND PARK; thence easterly on the platted North Line, Lot 17, Block 23, ROELAND PARK, and its easterly prolongation to a point on the platted Easterly Right-of-Way Line of Linden Street thence northerly on the platted Easterly Right-of-Way Line of Linden Street to the platted Northwest Corner, Lot 1, Block 27, ROELAND PARK; thence easterly on the platted North Line of Lot 1, Block 27, ROELAND PARK, and the platted North Line of Lot 27, Block 27, ROELAND PARK, to the platted Northeast Corner of said Lot 27, Block 27, ROELAND PARK; thence easterly on the

easterly prolongation of the platted North Line of Lot 27, Block 27, ROELAND PARK, to the platted West Line of Block 19, SOUTHRIDGE; thence southerly on the platted West Line of Block 19, SOUTHRIDGE, to the platted Southwest Corner thereof; thence easterly on the platted South Line, Block 19, SOUTHRIDGE, to the platted Southeast Corner thereof; thence easterly to the platted Southwest corner of Block 18, SOUTHRIDGE; thence northerly on the platted West Line of Blocks 18 and 12, SOUTHRIDGE, to the platted Northwest corner of Lot 10, Block 12, SOUTHRIDGE; thence southeasterly and easterly on the platted North Line, Lots 10, 11, 12, and 13, Block 12, SOUTHRIDGE, to the platted Northeast Corner of said Lot 13, Block 12, SOUTHRIDGE; thence northerly to the platted Southeast Corner; Lot 11, Block 9, SOUTHRIDGE; thence northwesterly on the platted East Line of Lots 11, 12, 13, 14, 15, 16, and 17, Block 9, SOUTHRIDGE, to the platted Northerly Corner of said Lot 17, Block 9, Southridge; said point also being the platted Southeast corner of Lot 21, Block 9, SOUTHRIDGE; thence northeasterly on the platted East Line of Lots 21 through 24, Block 9, SOUTHRIDGE, and their Northeasterly prolongation to the platted West Line of Block 2, SOUTHRIDGE; thence northwesterly and northerly on the platted West Line of Lots 10, 11, 12, 13, 14, 15, and 16, and Lots 2 and 1, Block 2, SOUTHRIDGE, to the platted Northwest Corner, Lot 1, Block 2, SOUTHRIDGE; thence northerly to the platted Southwest Corner of Block 1, SOUTHRIDGE; thence northerly and southwesterly on the platted West Line of Lot 1, SOUTHRIDGE, to the platted Northwest Corner thereof; said point also being the platted Southwest Corner of Lot 13, BEERS' THIRD ADDITION; thence Northwesterly on the platted West Line of Lots 13, 12, 11, 10, 9, 8 and 7, BEERS' THIRD ADDITION, and their Northerly Prolongation to a point of intersection with the North Line, Northeast One-Quarter, Section 4, Township 12 South, Range 25 East, Johnson County, Kansas; thence westerly on the North Line, Northeast One-Quarter, Section 4, Township 12 South, Range 25 East, to the Northwest Corner thereof; thence South $89^{\circ}58'57''$ west on the North Line, Northwest One-Quarter, Section 4, Township 12 South, Range 25 East, to the platted Northwest Corner of ROE VILLAGE; thence South $00^{\circ}20'17''$ East, 795.79 feet to a point; thence North $89^{\circ}40'49''$ East, 928.26 feet to a point; thence South $00^{\circ}19'11''$ East, 80.00 feet to a point; thence North $89^{\circ}40'49''$ East, 275.00 feet to a point; thence South $17^{\circ}08'46''$ West, 466.5 feet, more or less, to a point on the platted North Line of Block 9, ROE HIGHLANDS; thence easterly on the platted North Line of Block 9, ROE HIGHLANDS, to the platted Northeast Corner of Lot 11, Block 9, ROE HIGHLANDS, said point being the Point of Beginning

Item Number: Consent Agenda- II.-A.
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Appropriations Ordinance #992**
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 #992	Cover Memo

Appropriation Ordinance - 1/3/2022 - #989

4600 West Fifty-First Street

Roeland Park, Kansas 66205

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

Thursday, February 17, 2022

Appropriation Ordinance - 2/21/2022 - #992

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 21st day of February, 2022.

Attest:

City Clerk

Mayor

Total Appropriation Ordinance

\$

118,467.85

Appropriation Ordinance - 2/21/2022 - #992

Vendor	Dept	Acct #	Description	Invoice Description	Check /EFT		Amount	Chk #	Check Amount
					Date				
Vendor	Dept	Account	Account Description	Reference	Date	Distribution	Amount	Check #	Check Amount
Advance Auto Parts	102	5260.102	Vehicle Maintenance	5167 2/2/22	02/09/22		28.12	73156	28.12
Advance Auto Parts	106	5260.106	Vehicle Maintenance	512820412	02/16/22		123.92	73173	123.92
Airgas USA, LLC	106	5318.106	Tools	9986136178	02/16/22		22.36	73174	22.36
American Equipment Co.	106	5211.106	Maintenace & Repair Equipment	43995	02/16/22		390.08	73175	8,382.08
American Equipment Co.	360	5315.360	Machinery & Auto Equipment	68624	02/16/22		7,992.00		
AT&T	101	5202.101	Telephone	3241 1/21/22	02/09/22		94.99	73157	94.99
Black & McDonald	101	5220.101	Street Light Repair & Maintenance	761270915	02/16/22		1,909.17	73176	3,225.84
Black & McDonald	101	5222.101	Traffic Signal Expense	761270915	02/16/22		1,316.67		
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	1069217	02/16/22		719.70	73177	1,190.00
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	1069318	02/16/22		43.95		
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	1069410	02/16/22		93.85		
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	1069470	02/16/22		307.50		
Breeden Holdings, LLC	106	5260.106	Vehicle Maintenance	1069436	02/16/22		25.00		
Broadmoor Bistro	101	5206.101	Travel Expense & Training	1	02/15/22		84.00	32728	84.00
Central Salt	270	5303.270	Sand and Salt	PSI1948290	02/16/22		2,626.17	73178	2,626.17
Occupational Health Centers of the	102	5207.102	Medical Expense & Drug Testing	1013725107	02/16/22		300.00	73179	300.00
Everygy	106	5290.106	Street Light Electric	1275 2/1/22	02/16/22		1,540.47	73180	1,540.47
Fastsigns Overland Park	550	5275.550	Education and Outreach	20185004	02/09/22		294.07	73158	294.07
Galls, LLC	102	5308.102	Clothing & Uniforms	20228994	02/16/22		36.15	73181	1,736.95
Galls, LLC	102	5308.102	Clothing & Uniforms	20364678	02/16/22		228.45		
Galls, LLC	102	5308.102	Clothing & Uniforms	20371496	02/16/22		351.00		
Galls, LLC	102	5308.102	Clothing & Uniforms	20398757	02/16/22		561.92		
Galls, LLC	102	5308.102	Clothing & Uniforms	20398766	02/16/22		263.96		
Galls, LLC	102	5308.102	Clothing & Uniforms	20398773	02/16/22		146.97		
Galls, LLC	102	5308.102	Clothing & Uniforms	20398785	02/16/22		148.50		
Gilmore & Bell, P.C.	400	5214.400	Other Contracted Services	8047489	02/16/22		700.00	73182	700.00
Gordon CPA, LLC	101	5213.101	Audit Fees	495211	02/16/22		2,000.00	73183	2,000.00
Holiday Outdoor Decor	370	5457.370	CARS 2020 - Roe	5686	02/16/22		689.11	73184	689.11
Cory Honas	102	5260.102	Vehicle Maintenance	2/1/2 AutoZone	02/09/22		21.67	73159	21.67
Innerspace Storage Corporation	115	5211.115	Maintenace & Repair Equipment	20221462003	02/16/22		187.00	73185	187.00
Johnson County Wastewater	101	5288.101	Waste Water	2/3/22 Multiple	02/16/22		36.17	73186	235.80
Johnson County Wastewater	106	5288.106	Waste Water	2/3/22 Multiple	02/16/22		132.29		
Johnson County Wastewater	220	5288.220	Waste Water	2/3/22 Multiple	02/16/22		67.34		
Johnson County Department of Co	103	5227.103	Prisoner Care	JAN2021	02/09/22		70.00	73160	70.00
Key Equipment & Supply	106	5211.106	Maintenace & Repair Equipment	KC202407	02/09/22		616.00	73161	3,764.03
Key Equipment & Supply	106	5211.106	Maintenace & Repair Equipment	KC202408	02/09/22		3,148.03		
Kiefer Aquatics	220	5308.220	Clothing & Uniforms	INV001148708	02/09/22		546.25	73162	782.50
Kiefer Aquatics	220	5313.220	Safety Supplies/Equip	INV001148708	02/09/22		236.25		
Kansas One-Call System, Inc.	101	5220.101	Street Light Repair & Maintenance	2010445	02/16/22		91.20	73187	91.20

Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services	32200101000001	02/16/22	9,815.00	73188	42,843.20
Lamp, Rynearson & Assoc., Inc.	300	5421.300	Street Maintenance	321001100000003	02/16/22	5,431.42		
Lamp, Rynearson & Assoc., Inc.	290	5425.290	Other Capital Outlay	32000103000018	02/16/22	1,389.00		
Lamp, Rynearson & Assoc., Inc.	270	5430.270	Residential Street Reconstruction	320001040000020	02/16/22	2,112.00		
Lamp, Rynearson & Assoc., Inc.	270	5454.270	Sidewalk Improvements	321001080000005	02/16/22	767.50		
Lamp, Rynearson & Assoc., Inc.	270	5460.270	CARS 2022 - 53rd Street	321001060000004	02/16/22	6,880.28		
Lamp, Rynearson & Assoc., Inc.	270	5463.270	2023 CARS - Elledge b/t Roe Ln & 4	321001070000007	02/16/22	15,623.50		
Lamp, Rynearson & Assoc., Inc.	300	5475.300	Stairway	320001060000010	02/16/22	824.50		
League of Kansas Municipalities	108	5206.108	Travel Expense & Training	3160	02/16/22	75.00	73189	75.00
The Legal Record	101	5204.101	Legal Printing	L94987	02/16/22	37.08	73190	148.54
The Legal Record	101	5204.101	Legal Printing	L94988	02/16/22	39.61		
The Legal Record	101	5204.101	Legal Printing	L95005	02/16/22	71.85		
Mack True Value Hardware	106	5318.106	Tools	2/4/22	02/16/22	51.02	73191	51.02
MARC	101	5305.101	Dues, Subscriptions, & Books	2022 Invoice	02/09/22	236.00	73163	236.00
Mauer Law Firm PC	550	5214.550	Other Contracted Services	2/14/22	02/16/22	8,759.00	73192	16,435.00
Mauer Law Firm PC	101	5215.101	City Attorney	2/14/22	02/16/22	5,833.00		
Mauer Law Firm PC	101	5215.101	City Attorney	2/14/22	02/16/22	1,843.00		
Municode	101	5214.101	Other Contracted Services	369710	02/16/22	550.00	73193	550.00
NAPA Auto Parts	106	5306.106	Materials	4227236825	02/16/22	20.69	73194	20.69
T2 Holdings, LLC	102	5214.102	Other Contracted Services	100299025	02/16/22	24.33	73195	48.67
T2 Holdings, LLC	105	5214.105	Other Contracted Services	100299025	02/16/22	24.34		
Ripple Glass, LLC	115	5211.115	Maintenace & Repair Equipment	25	02/16/22	1,635.00	73196	1,635.00
Staples	101	5301.101	Office Supplies	8065028792	02/16/22	228.14	73197	383.82
Staples	101	5301.101	Office Supplies	8065125788	02/16/22	155.68		
Strasser True Value	106	5318.106	Tools	2/10/22	02/16/22	38.00	73198	231.93
Strasser True Value	106	5318.106	Tools	400646	02/16/22	193.93		
Town & Country Building Services	101	5214.101	Other Contracted Services	28520	02/09/22	745.00	73164	745.00
US BANK	106	5210.106	Maintenace & Repair Building	Scharff 2/4/22	02/04/22	110.25	32727	9,247.16
US BANK	550	5274.550	Personal Protective Equipment	Winn 2/4/22	02/04/22	164.15		
US BANK	550	5274.550	Personal Protective Equipment	Winn 2/4/22	02/04/22	180.57		
US BANK	550	5275.550	Education and Outreach	Winn 2/4/22	02/04/22	101.43		
US BANK	550	5277.550	Testing	Winn 2/4/22	02/04/22	546.28		
US BANK	550	5277.550	Testing	Winn 2/4/22	02/04/22	393.98		
US BANK	550	5277.550	Testing	Winn 2/4/22	02/04/22	180.60		
US BANK	550	5277.550	Testing	Winn 2/4/22	02/04/22	5,203.44		
US BANK	104	5302.104	Motor Fuels & Lubricants	Winn 2/4/22	02/04/22	145.00		
US BANK	102	5305.102	Dues, Subscriptions, & Books	Morris 2/4/22	02/04/22	100.00		
US BANK	109	5316.109	K9 Expenses	Morris 2/4/22	02/04/22	129.95		
US BANK	109	5317.109	Special Law Enforcement Expenses	Morris 2/4/22	02/04/22	262.88		
US BANK	109	5317.109	Special Law Enforcement Expenses	Morris 2/4/22	02/04/22	64.95		
US BANK	109	5317.109	Special Law Enforcement Expenses	Morris 2/4/22	02/04/22	213.42		
US BANK		9999	Undistributed	Fee 2/4/22	02/04/22	44.91		
US BANK		9999	Undistributed	Nichols 2/4/22	02/04/22	295.89		
US BANK		9999	Undistributed	Nielsen 2/4/22	02/04/22	963.92		

US BANK		9999	Undistributed	Vandos 2/4/22	02/04/22	145.54		
USIC Locating Services, LLC	101	5220.101	Street Light Repair & Maintenance	488279	02/09/22	959.38	73165	1,050.40
USIC Locating Services, LLC	370	5457.370	CARS 2020 - Roe	488279	02/09/22	91.02		
KPERS	101	2040.101	KPERS Accrued Employee	2/3/22 PR	02/08/22	2,240.58	EFT	2,240.58
KPERS	101	2040.101	KPERS Accrued Employee	2/3/22 PR	02/08/22	3,207.69	EFT	3,207.69
KPERS	101	2050.101	Insurance Withholding Payable	2/3/22 PR	02/08/22	121.85	EFT	121.85
KP&F	101	2045.101	KP&F Employee Withholding Payab	2/3/22 PR	02/08/22	1,964.15	EFT	1,964.15
KP&F	101	2045.101	KP&F Employee Withholding Payab	2/3/22 PR	02/08/22	6,315.51	EFT	6,315.51
KP&F	101	2050.101	Insurance Withholding Payable	2/3/22 PR	02/08/22	39.83	EFT	39.83
Wex Bank	106	5302.106	Motor Fuels & Lubricants	5226 2/7/22	02/07/22	483.10	EFT	483.10
Wex Bank	102	5302.102	Motor Fuels & Lubricants	6429 2/7/22	02/07/22	2,203.43	EFT	2,203.43
						<u>\$118,467.85</u>		

Item Number: Consent Agenda- II.-B.
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Council Minutes February 7, 2022**
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
☐ Council Minutes February 7, 2022	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 7, 2022, 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">○ Tom Madigan, Council Member○ Michael Poppa, Council Member○ Kate Raglow, Council Member○ Michael Rebne, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Erin Winn, Asst. City Administrator○ Kelley Nielsen, City Clerk○ John Morris, Police Chief○ Donnie Scharff, Public Works Director |
|--|---|--|

Admin
Hill
Raglow

Finance
Madigan
Rebne

Safety
Faidley
Poppa

Public Works
Dickens
Brauer

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

Pledge of Allegiance

Mayor Kelly called the City Council meeting to order and led everyone in the Pledge of Allegiance. The meeting was held virtually.

Roll Call

Asst. City Administrator Winn called the roll. CMBR Brauer and CMBR Rebne were not present. Staff members present were City Administrator Moody, City Attorney Mauer, Assistant City Administrator Winn, Public Works Director Scharff, Police Chief Morris, and Parks & Recreation Superintendent Nichols.

Modification of Agenda

No modifications were made to the agenda.

I. Citizen Comments

Todd Zimmer (5621 Roe) Mr. Zimmer spoke on the mask mandate. He thanked the Governing Body for the work they are doing to keep all of them safe, but he hoped they would not extend the mask mandate at this time. He said that people have been doing the right thing and staying home when they are sick, but they need to start seeing each other's smiling faces again.

II. Consent Agenda

- A. Appropriations Ordinance #991**
- B. Council Minutes January 3, 2022**
- C. Special Called City Council Meeting Minutes January 12, 2022**
- D. Council Minutes January 18, 2022**
- E. Approve 2022 Super Pass Agreement**
- F. Approve 2022 Swim Meet Letter of Understanding**

MOTION: CMBR DICKENS MOVED AND CMBR POPPA SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (THE MOTION CARRIED 6-0.)

III. Business from the Floor

A. Applications/Presentations

1. 4th Quarter Social Media Report by Katie Garcia

Katie Garcia, the City's Public Information Officer (PIO) provided fourth quarter social media highlights for 2021. She reviewed stats noting major focuses were on capital projects, the work of the committees, the new Citizens Academy, and COVID information. Instagram was also added as another platform for Roeland Park. Also, the City's open rate on Constant Contact is about 10 percent above average as well as their click-through rates.

Top posts from last year showed there was a lot of interest in the Aquatics Center improvements and had the highest engagement. The City's taser policy, the accident at the pool, fireworks, the hiring of Ms. Winn, the Symphony, and Easter eggs. Ms. Garcia noted the good variety of topics all had strong engagement.

Ms. Garcia said they utilize Twitter, Facebook, and Instagram for social media and their overall audience grew 15 percent in the fourth quarter. Engagement is up and there was a high response to their videos. Their total fan base is up over their competitor cities which shows how engaged the community is.

Citizens Academy hosted by City Administrator Moody and Ms. Garcia had the most five-star ratings. There were 14 participants in the program and they received very positive feedback.

Mayor Kelly thanked Ms. Garcia for her help in getting the community engaged and for listening to their request to have more videos and he is pleased to see how it's working.

IV. Mayor's Report

A. Black History Month Proclamation

Mayor Kelly said the national theme for 2022 is "Black Health and Wellness. He also spoke to the importance of their Racial Equity Committee, their work and also the contributions of staff and the community.

CMBR Faidley also wanted to add the American Jazz Museum as an organization to the list in the proclamation. She said it ties into Black history and the wealth of musicians that performed in Kansas.

Motion: CMBR POPPA MOVED AND CMBR MADIGAN SECONDED TO APPROVE FEBRUARY 2022 AS BLACK HISTORY MONTH IN ROELAND PARK. (THE MOTION CARRIED 6-0.)

V. Workshop and Committee Reports

No reports were given.

VI. Reports of City Liaisons

A. Racial Equity Committee

Ms. Winn presented on behalf of Haile Sims for the Racial Equity Committee. She said they are in the second month of their education series. In January, they shared the viewing of a podcast from “Seeing White.” There is also a conversation with the Kansas City, Kansas Police Department which is up on their webpage. In March, Emily Cramer will be leading a discussion on gender and race.

The committee has provided direction for an assessment with regard to workforce development, making sure that Roeland Park is open and inclusive, training and education resources, and engagement activities with the Police Department.

The committee has also given direction that they would like the City to proceed with the legislative approach on racially restrictive covenants and would like to have it addressed by the state and not just for Roeland Park.

CMBR Faidley asked with regard to the legislative approach have they been in conversation with Senator Corson on a possible bill as well as speaking with Representative Xu.

City Attorney Mauer said they have drafted legislation to allow the City, if approved, to file a new plat or amended declarations that remove the covenants. It has been reviewed by the Recorder of Deeds, the County Surveyor, and is now at the County Attorney’s office. They want to make sure that this fix for Roeland Park does not become a headache for the county. As soon as they get something that will work and can be implemented by Johnson County, they will reach out to Mr. Corson, and other state representatives, and whoever else can help them on this matter.

Mayor Kelly said that Representative Rui Xu is aware of this effort and is willing to participate.

CMBR Poppa said he did not expect this to be a bill that was brought forward this year. Mr. Mauer said it would not because of the timing to bring new items forward to the legislature.

B. Sustainability Committee

Judy Hyde from the Sustainability Committee said they have had several guest presenters at their group. They have reviewed the transportation plan and would like to see a potential collaboration with Roeland Park and nearby cities as well as Kansas City, Kansas.

On September 17, 2022, from 9 a.m. to noon, they will hold a Sustainability Fair at the Sylvester Powell Community Center. Both for profit and non-profit organizations will be sponsoring booths to provide information to the community about environmental best practices. There will also be family-friendly activities and demonstrations.

Ms. Hyde said for those who might be interested, the Sustainability Committee is open to new members.

She also offered her congratulations to all who worked on the Complete Streets Ordinance. She said the draft received a high rating and will be used as a guide for safe streets in Roeland Park.

Ms. Hyde continues to post articles in the City newsletter and their Facebook page. Their meetings are still being held virtually on the first Thursdays of the month.

Mayor Kelly also thanked the Sustainability Committee for their work on the Complete Streets ordinance.

CMBR Faidley also thanked Ms. Hyde for stepping up to the task and for the tree canopy article she submitted to the City newsletter.

C. MARC - First Tier Suburbs

CMBR Faidley's meeting notes are in the agenda packet.

D. MARC - Bike & Pedestrian

CMBR Faidley's meeting notes are in the agenda packet.

VII. Unfinished Business

There was no Unfinished Business discussed.

VIII. New Business

A. Approve Firewall Replacement

Mayor Kelly said this item is being proposed by Johnson County DTI.

City Administrator Moody said this item is part of their regular capital replacement program which includes technology/computer-related replacements.

CMBR Faidley asked if the staff anticipated any supply chain issues on the hardware side. City Administrator Moody said there have not been any concerns expressed to them from DTI. The replacements are housed at their facility and DTI is the one to provide the maintenance.

MOTION: CMBR DICKENS MOVED AND CMBR POPPA SECONDED TO APPROVE FIREWALL UPGRADE AS PROPOSED BY DTI. (THE MOTION CARRIED 6-0)

B. Approve Purchase to Replace Patrol Vehicles.

Mayor Kelly said this item is for two hybrid Explorers to replace gas-only units. He noted this was an objective of CMBR Hill. Shawnee Mission Ford came in with the lowest price and the contract has been awarded to them by the State of Kansas for patrol units.

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPROVE THE ORDER OF TWO HYBRID EXPLORERS FOR THE POLICE DEPARTMENT AT A TOTAL COST OF \$74,658. (THE MOTION CARRIED 6-0.)

IX. Ordinances and Resolutions:

A. Ordinance 1024 - Complete Streets

Mayor Kelly said there has been a lot of work on this ordinance by Council, staff, the Sustainability Committee, their Complete Streets Specialist Paul Wojciechowski. He said their overall score increased

from 49 to 80 when graded by Smart Growth America. He said he is looking forward to the opportunity to work through the process and hopes the ordinance will do the work to make their streets safer and be more multi-modal and pedestrian friendly.

Mr. Wojciechowski said it has been an honor working on this. Mayor Kelly said with his help their 80 score is the highest in the metro area and they are all excited to begin instituting the Complete Streets principles.

CMBR Faidley said she too was appreciative of Mr. Wojciechowski's efforts as well as the work of the Judy Hyde and the Sustainability Committee. She noted the invaluable work of BikeWalkKC which contributed a great deal to this process. She thanked City staff members, their traffic engineer, City engineer, and also the Public Works Department. As a result of this plan, the streets will be safer for everyone in Roeland Park.

MOTION: CMBR FAIDLEY MOVED AND CMBR HILL SECONDED TO ADOPT THE COMPLETE STREET ORDINANCE. (THE MOTION CARRIED 6-0.)

B. Ordinance 1025 - Indoor Masking

Mayor Kelly said extending would take them to March 16th as the current mandate is set to expire February 16th. He noted that cities around them have extended theirs and would recommend continuing for consistency's sake.

City Administrator Moody said there is current information provided from the Johnson County dashboard. He said the ordinance is the same with the exception of the date to the March 16th deadline.

CMBR Dickens noted there has been a sharp downward trend nationally. He will vote for the extension for another month but said if they continue to see same kind of trend, he could find himself not voting for another extension. He hopes to see a continued downward trend when they revisit this again in a month and said officially it is time to move on. He keeps sounding on the importance of vaccines and wants to see that message continue.

CMBR Hill said the statistics are down for the Omicron variant, but it is still well above the Delta. She said they are nowhere near the time for removing masks.

CMBR Madigan thanked CMBR Dickens for his statements and agreed with them fully.

CMBR Poppa said they are moving to an endemic period, but they are not there. He asked if they should look at a percentage of cases and possibly 10 percent.

Mayor Kelly said if they continue through March 16 and should cases get to a point where remove they can remove the requirement, they have the ability to do so prior to the 16th.

CMBR Faidley said consistency across the communities is important and the least they can do is to align with the March date. She added that what is missing is the effect that this spike surge of Omicron has put on the healthcare system, and it has not receded. She said they are leaving that out of the discussion, and they need to look at what the numbers still are, what the doctors are saying, and it is

just too early. CMBR Faidley said she also took letters to business owners, and everyone was relieved and thankful the Governing Body was taking this issue on. She also said that signage has not gone out.

CMBR Raglow agreed with CMBR Faidley that it is too soon despite the numbers. She also noted that March 16th is the start of spring break for many and there will be traveling, so possibly they should wait until even after to see how numbers are trending once people are back from traveling.

CMBR Hill said when CMBR Poppa asked about a percentage, she suggested going with the school districts which is 3 percent. She also said she saw a large sign at Walmart and agreed with CMBR Raglow about her comments on spring break.

CMBR Dickens said he does intend to vote for the extension. He added he works in healthcare, has conversations with physicians he works with who say masking is helpful and not a bad thing. He is painfully aware the health system is overloaded and that hospitalization stays are 90 percent of unvaccinated individuals.

Mayor Kelly said he appreciates everything they are doing to mitigate the effects of the pandemic. He advocates they listen to the science, review the data, and listen to Dr. Areola from Johnson County DHE.

MOTION: CMBR HILL MOVED AND CMBR RAGLOW SECONDED TO ADOPT ORDINANCE 1025 EXTENDING THE MASK REQUIREMENT UNTIL MARCH 16, 2022. (THE MOTION CARRIED 6-0.)

X. Workshop Items

There were no Workshop items discussed.

XI. Reports of City Officials:

A. COVID Report and Mitigation Update

Ms. Winn said this report was put together with City Intern Moorhead. She reported that they are at an 18.8 percent positivity rate and still in high community transmission. She also said the second order of business signs are in.

They had 425 households sign up for KN95 masks and that distribution went smoothly. She will also be looking at prioritizing distribution to at-risk populations such as educators and seniors.

They do have some at-home tests, but PCR tests at the Community Center and pharmacies, she would like to hold off distribution until they get all of their orders in.

Mayor Kelly thanked Ms. Winn and Ms. Moorhead for their work on the report. He said it is encouraging to see numbers drop as well as the positivity percent, but they are still higher than they would like. He said it is prudent to hold distribution for at-home tests to meet demand. He said he appreciates them looking at the Johnson County numbers but would suggest they look at the MARC dashboard as Roeland Park is close to Kansas City and the metro cities and that information might be more pertinent than comparisons to their more western counterparts in Johnson County.

CMBR Raglow asked how long the testing site would be at the Community Center. Ms. Winn said it is managed by the health department, but it is expected to end in March, but they have an option to extend that should they choose to.

CMBR Madigan agreed with Ms. Winn on the distribution of at-home tests.

B. 2021 Johnson County Utility Assistance Report

Ms. Winn said the organization has had a surplus of funds and is going through state and federal dollars first before utilizing municipality funds. The City has pledged \$15,000 for 2022.

CMBR Faidley asked how they are getting the word out of the funds availability to their residents. Ms. Winn said it was previously included in the newsletter and in a social media blast, but she is happy to include that as a reminder again.

CMBR Madigan asked if the funds are available all year for air conditioning and heat. Ms. Winn said she will check into that.

Mayor Kelly asked if the Community Center serves as an extreme weather center for heating and cooling. City Administrator Moody said it is not published for that purpose, but people are free to come by when it is open during the week.

Ms. Winn said they have a new court clerk and Mayor Kelly welcomed her to the team.

Police Chief Morris thanked the Governing Body for approving their two new cars. He said he has recently hired three officers but still needs one more for a full staff.

Adjourn:

MOTION: CMBR MADIGAN MOVED AND CMBR FAIDLEY SECONDED TO ADJOURN. (MOTION CARRIED 6-0)

(Roeland Park City Council Meeting Adjourned at 7:06 p.m.)

Kelley Nielsen, City Clerk

Mike Kelly, Mayor

Item Number: Applications/Presentations- A.-1.
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 2/16/2022
Submitted By: Erin Winn
Committee/Department: Administration
Title: **ARPA Update from Witt O'Brien - 15 min**
Item Type: Report

Recommendation:

Informational only.

Details:

Matt Hanson from Witt O'Brien's will provide an update on the Treasury file rule on use of the ARPA funding. The City received \$500,000 last summer and will receive its second tranche of \$500,000 sometime after June 2022.

To date, \$20,713 has been spent on a combination of masks, test kits, business signage and professional services. Staff is meeting with Mission Electronics next week to finalize the audiovisual upgrade package for the Council Chamber and Community Center. These upgrades will be paid for with ARPA dollars and will cost somewhere between \$30,000 and \$40,000.

At the direction of Council last fall, staff is pursuing utilizing ARPA dollars as the local match for County stormwater infrastructure grant opportunities. Public infrastructure is an allowable use for ARPA funding, one of the highest citizen priorities according to our most recent survey, and is a prudent choice for funding due to the one-time nature of both the project and the funds.

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
 Final rule presentation	Cover Memo

CORONAVIRUS LOCAL FISCAL RECOVERY (CLFR) FINAL RULE BRIEFING

Roeland Park
February 21, 2022



CORONAVIRUS LOCAL FISCAL RECOVERY FUND (CLFR)

Timeline

- Final Rule issued January 6, 2022
- The Final Rule takes effect April 1, 2022
- If a use of funds complies with the final rule, Treasury will not take action to enforce the interim final rule, regardless of when the funds were used (e.g., if the IFR would not permit that use of funds); **recipients can take advantage of the expanded flexibilities in the final rule now**
- Until April 1, the interim final rule remains in effect; funds used consistently with the IFR while it is in effect are in compliance with the SLFRF program

Balance to be issued not sooner than June 2022

Costs incurred March 3, 2021 thru December 31, 2024 (limited exceptions)

Costs expended by December 31, 2026

CORONAVIRUS LOCAL FISCAL RECOVERY FUND (CLFR)

Statutory Uses Remain Unchanged

- To respond to the COVID-19 public health emergency or its negative economic impacts;
- To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to such eligible workers of the recipient, or by providing grants to eligible employers that have eligible workers who performed essential work;
- For the provision of government services, to the extent of the reduction in revenue of such recipient due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year of the recipient prior to the emergency; and
- To make necessary investments in water, sewer, stormwater or broadband infrastructure.



CORONAVIRUS LOCAL FISCAL RECOVERY FUND (CLFR)

Key New Feature/Flexibility in the Final Rule

- Up to \$10 million (or total award amount) standard allowance for revenue loss
 - Can use for government services in addition to COVID response
 - Federal compliance requirements still apply
 - Standard exclusions still exist

CORONAVIRUS LOCAL FISCAL RECOVERY FUND (CLFR)

Other Key New Features in the Final Rule

- Providing a broader set of eligible uses for impacted and disproportionately impacted populations
- Clarifying that reasonably proportional capital expenditures may be allowable (e.g., affordable housing, hospitals)
- Streamlining options to provide premium pay by broadening the share of essential workers who can receive premium pay without a written justification
- Expanding water and sewer projects that are eligible
- Broadening eligible broadband investments to allow recipients to address access, affordability & reliability challenges

CORONAVIRUS LOCAL FISCAL RECOVERY FUND (CLFR)

Restore and Bolster Public Sector Capacity

- **Recipients may use these funds to restore and bolster public sector capacity, which supports governments' ability to deliver critical COVID-19 services.**
 - Public safety, public health, and human services staff
 - Payroll and covered benefits for public safety, public health, health care, human services and similar employees of a recipient government through the period of performance
 - Worker retention incentives, including reasonable increases in compensation
 - Supporting use of evidence, program evaluation, data, and outreach
 - Address administrative needs caused or exacerbated by the pandemic (e.g., backlogs from pandemic shutdowns, adapting government operations to the pandemic)

CORONAVIRUS LOCAL FISCAL RECOVERY FUND (CLFR)

Non-Federal Match and Cost-Share Requirements

- The final rule provides clarity on use of SLFRF funds to meet non-federal match and cost-sharing requirements of other federal programs.
 - Funds available under the “revenue loss” eligible use category generally may be used to meet the non-federal cost-share or matching requirements of other federal programs
 - SLFRF funds beyond those that are available under the “revenue loss” eligible use category above may not be used to meet the non-federal match or cost-share requirements of other federal programs other than as specifically provided for by statute (e.g., the Infrastructure Investment and Jobs Act for Bureau of Reclamation and certain broadband deployment projects)

RESTRICTIONS ON USE

For states and territories:

- SLFRF may not be used to directly or indirectly offset a reduction in net tax revenue resulting from a change in state or territory law, as required by the American Rescue Plan

For all recipients except for Tribal governments:

- SLFRF may not be used for deposits into pension funds, as required by the American Rescue Plan
- A “deposit” is defined as an extraordinary contribution to a pension fund for the purpose of reducing an accrued, unfunded liability
- Recipients may use funds for routine payroll contributions to pensions of employees whose wages and salaries are an eligible use

For all recipients:

- Funds may not be used for debt service, replenishing rainy day funds/financial reserves, or satisfaction of a settlement or judgment
- Uses of funds may not undermine COVID-19 mitigation practices in line with CDC guidance and recommendations
- Uses of funds may not violate Uniform Guidance conflict-of-interest requirements or other applicable laws

CORONAVIRUS LOCAL FISCAL RECOVERY (CLFR) FINAL RULE BRIEFING

QUESTIONS?



Item Number: Mayor's Report- IV.-A.
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 2/17/2022
Submitted By: Kelley Nielsen
Committee/Department: Admin.
Title: **Women's History Month Proclamation - 2 min**
Item Type: Other

Recommendation:

Women's History Month Proclamation 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
☐ Women's History Month Proclamation	Cover Memo



Proclamation

Women's History Month

Whereas, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of Roeland Park, Kansas and our Nation in countless recorded and unrecorded ways; and

Whereas, American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

Whereas, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

Whereas, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

Whereas, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

Whereas, American women have served our country courageously in the military; and

Whereas, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

Whereas, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history:

Now, therefore, I, Mike Kelly, Mayor of the City of Roeland Park, Kansas, do hereby proclaim March 2022 to be

Women's History Month

in Roeland Park, and urge all citizens to honor this month and commit to learning more about the contributions of women in our nation and community and to continue to honor women of all ages, backgrounds, races, creeds and origins in our community and across the nation.

Done this 21st day of February, 2022.

MIKE KELLY
Mayor

Item Number: Mayor's Report- IV.-B.
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Public Schools Week Proclamation**
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
Public Schools Week Proclamation	Cover Memo



Proclamation

Public Schools Week

Whereas, public schools are the backbone of our society, providing young people, through diverse quality curricula, with the tools necessary to reach their full potential; and

Whereas, public schools and public education professionals are committed to helping students explore their abilities, strengths, interests, and talents as these traits relate to career awareness and personal development; and

Whereas, by equipping students with practical skills and broader intellectual abilities, public school education provides access to, and hope for, productive futures; and

Whereas, all education professionals be they teachers, counselors, librarians, paraprofessionals, administrative personnel or school board members, work tirelessly to serve our children and communities with care and professionalism; and work together to provide a safe and healthy learning environment; and

Whereas, public schools are the pillars in our communities, bringing together parents and children, educators and volunteers, business leaders and elected officials in a common enterprise; and

Whereas, despite these contributions the role of public education professionals, and public education, continues to be undervalued and increasingly criticized.

Now, therefore, I, Mike Kelly, Mayor of the City of Roeland Park, Kansas, do hereby proclaim the week of February 21, 2022, to be

Public Schools Week

in Roeland Park, and urge all residents to honor this week and commit to lifting up our public education professionals and showing appreciation for their dedication to our youth, families and community as a whole.

MIKE KELLY
Mayor

Item Number: Reports of City Liaisons- VI.-A.
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 2/17/2022
Submitted By: Tony Nichols
Committee/Department: Aquatic Center Advisory Committee
Title: **Aquatic Center Advisory Committee - 5 min**
Item Type: Other

Recommendation:

Informational only.

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?

Item Number: Reports of City Liaisons- VI.-B.
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 2/17/2022
Submitted By: Erin Winn
Committee/Department: Admin.
Title: **The 47 Committee - 5 min**
Item Type: Other

Recommendation:

Informational only.

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?

Item Number: Unfinished Business- VII.-A.
Committee 2/21/2022
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 2/15/2022
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Continue Discussion of Tree Preservation Regulations Policy
- 20 min**
Item Type: Other

Recommendation:

Staff is looking for direction on which version of the two sample ordinance attached shall be considered at a future council meeting.

Details:

Minutes from the 1/3/22 Council meeting where this topic was last discussed are attached for reference. The direction from that meeting was for further discussion. A preferred ordinance has yet to be identified.

The sample ordinances attached would add section 13-506 to Article 5. Trees Shrubs and Growths in the City Code. The language was initially based upon an existing Fairway policy (see link below). Feedback from the Sustainability Committee, Parks and Trees Committee, Citizen Survey (attached) and discussions with City Council has brought about a number of iterations of the policy. The most recent reflects direction provided by Council at the 11/15/21 workshop. Specific changes incorporated in the policy following that workshop include:

1. A cap to the fee
2. Fee based upon number of replacement trees planted
3. Consideration extended to sites with an abundance of existing mature trees.
4. Clarified that the fee is not applicable to trees removed due to disease or posing a safety concern.
5. Clarified that the tree manager can establish a tree species list.

The difference between the two sample ordinances attached is that one only applies to public trees and the other applies to public trees and private trees located in a front yard.

Implementation of a new ordinance requires a simple majority of Council approval followed by publication. Significant public education on either ordinance will be necessary.

Both versions provide a penalty for removing regulated trees without approval.

The fee concept was an element that received little support in the citizen survey. Removing the fee element eliminates the motivation for a person to leave mature trees in place. An application process is necessary for staff to track the removal and replacement process, eliminating this element would make administering the policy very difficult. The City will need to inventory the trees regulated in our GIS mapping system in order to effectively administer the policy. The cost to inventory public trees and front yard trees is estimated to cost between \$64k and \$72k. We estimated a third of the trees are in the public right of way so that portion of the work is estimated to cost between \$21k and \$24k, the balance of the cost would be for trees located in the front yard.

The Parks and Trees Committee reviewed a version of the policy on 7/14/21. The Committee was supportive of a policy applying to trees on public property but most members expressed concerns with a policy that applies to trees on private property. It was suggested that public input be sought out through a community forum or some other such engagement method prior to action on a policy applied to private trees. A member suggested holding removal of invasive species exempt from the policy.

The Sustainability Committee reviewed the draft policies at their 10/4/21 meetings. Their recommendation is to regulate all trees on both public and private property.

The Small Survey results reflect feedback from 100 households, which is a strong response from the 200 households who registered to participate in the Small Survey program when they completed the 2021 Citizen Satisfaction Survey. Please review the attached Small Survey report in detail.

The example which includes front yard trees as those regulated along with trees on public property is similar to the approach taken by Prairie Village recently (see link below). Most of the trees in the community are located on private property (front yard, side yard and back yard) and thus expanding the regulation so that trees on private property are also covered creates significant control by the City over the tree canopy. Such control will have supporters; those who find that trees make Roeland Park unique and enhance quality of life, those who recognize the environmental and ecological benefits of trees, and those who enjoy the appearance of trees. But will also have opponents; those who view the regulation as an infringement on property rights, those who want to expand solar energy generation, and those who view trees as a potential hazard to their safety and property (if they fall). These differing views can create conflict in the administration/enforcement of the policy. It is important to weigh these views as you consider the scope of the policy. The written responses included in the Small Survey report reflect these as well as other concerns.

Chris Brewster with Gould Evans has assisted staff on this effort and will review the attached presentation with you at the work shop. Chris was involved with the tree preservation regulations recently adopted by Prairie Village and Gould Evans provides assistance to Prairie Village in administration of the regulation. He has valuable insights to share.

Financial Impact

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

Additional Information

Attached is a cost estimate from Arbormasters to inventory the right of way and front yard trees. They estimate between \$64,000 and \$73,000 to complete an inventory of covered trees (> 20" diameter). They estimate between 7,500 and 8,500 trees at a price per tree of \$8.50. They would use the same GIS mapping program as used to inventory all of the trees on City owned property we recently completed. A third of the trees are estimated to be in the public right of way with 2/3rds estimated to be on private property.

Link to Roeland Park's Current Tree Policies:

https://library.municode.com/ks/roeland_park/codes/code_of_ordinances?nodeId=CHXIIISTSI_ART5TRSHGR

Link to Fairway Tree Policy:

https://library.municode.com/ks/fairway/codes/code_of_ordinances?nodeId=CH11TR

Link to Prairie Village Tree Policy:

https://library.municode.com/ks/prairie_village/codes/code_of_ordinances?nodeId=CHXIXZORE_CH19.47LAST

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
☐ January 3, 2022 Council Minutes Section Regarding Tree Preservation Policy	Cover Memo
☐ Review of Tree Preservation Sample Ordinances by Gould Evans	Cover Memo
☐ Sample Tree Preservation Ordinance- Public Trees Only	Cover Memo
☐ Sample Tree Preservation Ordinance- Front Yard and Public Trees	Cover Memo
☐ Tree Preservation Survey Results	Cover Memo
☐ Economics of Urban Forestry by the Arbor Day Foundation	Cover Memo
☐ Tree Inventory Cost Estimate from Arbormasters	Cover Memo

III. Business from the Floor - Proclamations/Applications/Presentation

A. Continue Discussion of Tree Preservation Policy

Chris Brewster from Gould Evans updated the proposed tree preservation policy since the last meeting and went over some of the highlights. Included updates are a cap on the fee with no excessive penalties or fees on very large trees. Options for mitigation have been added. Lots with significant front trees can be individually evaluated. There is a clarification that a protected tree can be removed for disease or safety issues and a fee will not be charged. Also, a replacement of one to one for a tree has been added. The City Administrator's office will maintain a species list for what is appropriate to plant as a replacement.

City Administrator Moody said the policy is based on Fairway's program and with input from their own Sustainability Committee. He said their preference is for education over regulation. A decision will need to be made whether the policy will pertain to public right-of-way trees or those trees in addition to private frontage trees. Mr. Moody said that most trees of concern are on private property with one-third in the right-of-way and two-thirds on private property.

Mr. Brewster said the possible areas to protect along with the frontage and public right-of-way trees are also perimeter trees or all trees in the City. Trees that are older and more established have a greater impact than less established and they need to decide how to protect them if removed, removed with mitigation, or removed with payment. He suggested having a base of taking one out and planting three in its place. If the homeowner does not want to replace, they can pay a fee of \$1,000 maximum unless the tree is diseased or is creating a safety hazard. Mr. Brewster said the policy will help them target unnecessary tree removals.

Mayor Kelly said he appreciated the diligent work on this. He added that when they speak about a fee being waived for disease or public safety reasons that public safety can also be a nuisance such as tree roots growing into a water line, for example. Mr. Brewster said the ordinance is flexible in that regard and that a tree manager can make that decision. He also added that tree roots generally grow in search of water and do not break pipes to look for it. If there are tree roots in the pipes, then there was a problem not caused by the trees.

CMBR Hill said on page 5, regulating front yard trees, she would like the potential caliper size versus the actual size. City Administrator Moody said the approach wasn't anticipating that the ultimate girth would be replaced. Tree replacement would be to provide for a variety and provide guidance to get the right tree in the right place.

CMBR Faidley asked about the tree survey. Mr. Brewster said it will be good to know the number of frontage trees and right-of-way trees, as well as who the tree belongs to as some might assume a right-of-way tree is on their property. He added that MARC has

been doing research on the tree canopy and studying the urban tree forest over the last ten years. CMBR Faidley said as a Tree City that is good to know.

CMBR Raglow asked about trees that are damaged by weather related incidents and the unsightly utility tree trimmings. Mr. Brewster said a tree expert can tell whether tree is diseased and dying. As for the utility companies, he said they are not concerned about the tree at all. They have a broad view of what they want to do and that their trimmings can expose the trees to disease.

CMBR Brauer said she is in support of protecting their trees, but she does have reservations about people on their property not being able to remove them or have an ability to add solar panels or a garden. She also asked about people looking to expand their home. She notes that homes in Roeland Park are smaller, and they are wanting to keep their residents in the City. She said it gives her pause fining people for cutting down a tree.

CMBR Rebne said he was raised and taught to honor private property and their right to say what happens with it. He noted that there is a significant degree of tension and noted that the ordinance does include education. He asked what commitment they are willing to make to help a homeowner maintain his trees.

Mr. Brewster said a lot of the fee cap was based on the private/public tension. He also noted that trees are often underappreciated in what they do for a property. Not only do they raise the property value of the lot they are, but they also add value to the properties around them.

CMBR Rebne asked if property owners will know up front which trees are protected. Mr. Brewster said as part of the public education piece of this will be explaining the benefits and what is protected. He also added that many times a tree canopy provides more benefits than solar, but people will be able to explore the cost and benefits of different options.

City Administrator Moody said the tree inventory would be available for public review and incorporated into their City website as well as the educational information. He said there needs to be an effort on behalf of the City to try to raise awareness. In creating these standards, they are also creating consistency among their neighborhoods and consistency of use. He added that a property owner has the right to use their land, but it is common for a city to develop regulations to guide the development and use of the land.

CMBR Madigan said he is having a hard time understanding why they are discussing this when two-thirds of the people are not supportive of City authorization or the preservation fund. He said that NextDoor has been very active on this topic, and he has reviewed the comments and people do not support interference on their property. He

said that people were surprised to find the fund went to help the City plant trees and not to help the residents plant trees.

CMBR Faidley asked what the rationale was to not include the perimeter trees. City Administrator Moody said it was a compromise.

CMBR Hill said the reason this all came about is when trees were cut down on Reinhart to allow for a sidewalk because they couldn't get an easement. She said there is a want and a need to continue this conversation.

There was majority consensus to continue the conversation at a future date.

Mayor Kelly said he sees the value of doing both types of trees, and also the need for education. He added that this would need to become a budget objective. His recommendation would be to begin with the public trees and look to include private front yard trees in the future.

CMBR Faidley said she agreed with the Mayor and that they need to do for both public and private trees. She agrees it is a big price tag, but first they need to do the education component.



Roeland Park Sustainability Committee

Tree Protection Policy & Ordinance

City Council Work Session
December 20, 2021

gouldevans

Why Do This?

Economic benefits

- Increase property values
- Promote more active civic and commercial spaces
- Civic / neighborhood pride and aesthetics

Transportation benefits

- Slower, safer streets
- More comfortable and inviting walk / bike

Public health benefits

- Less heat-related illness
- Improved air quality and less respiratory illness
- Increased active living

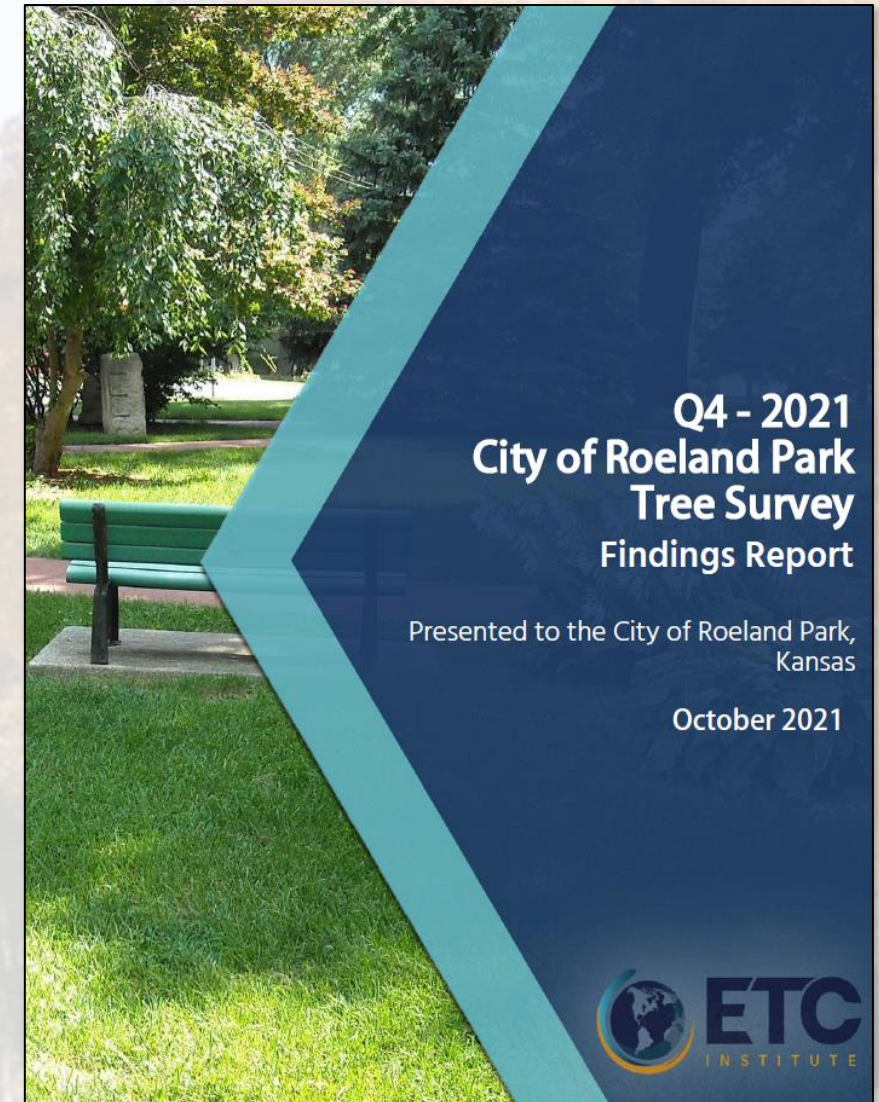
Climate adaptation & ecosystem services

- Protect against flooding
- Reduce heat island effects
- Reduce greenhouse gas and absorb pollutants in runoff

All trees produce these benefits, but **older and larger trees produce them at far higher levels.** Therefore, it is important to protect older and more established trees

Survey Results:

- Less support for required authorization to remove
- More support for requiring replacement vs. fees
- <https://www.goulddevans.com/studio/pi/treedist/> Concern over cost implications
- Preference for education over regulation
- Distinction between public and private trees



3 Key Questions:

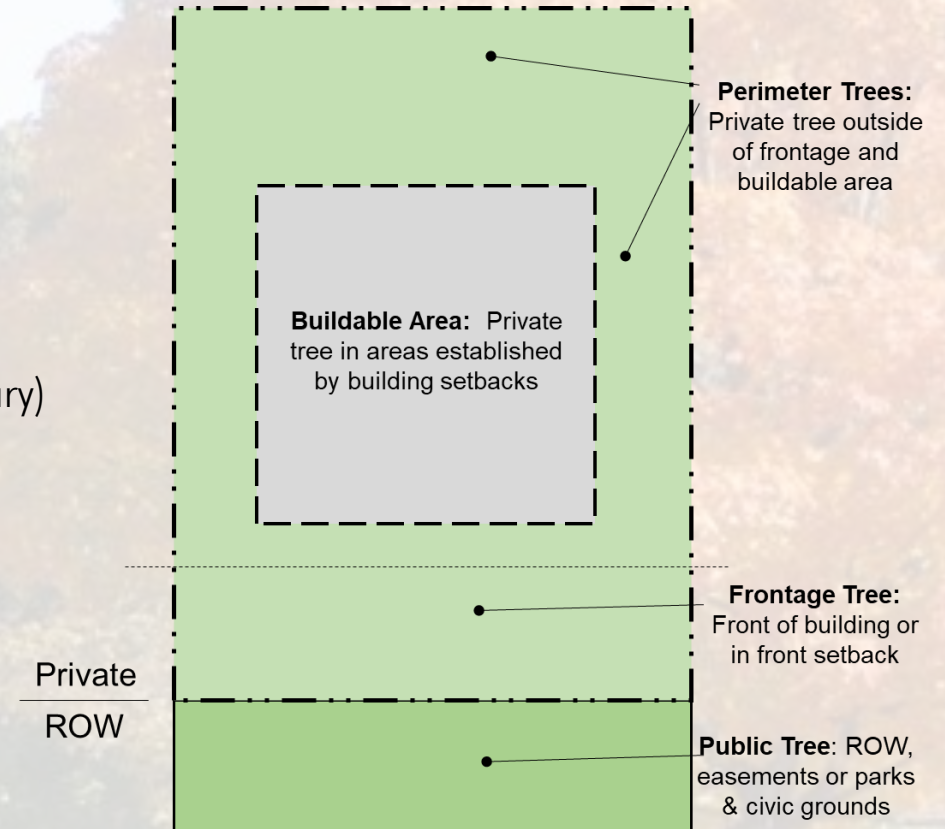
What areas to protect?

What is protected (size)?

How is protected (removal / mitigation requirements)?

What areas to protect:

- ☐ Public trees only? (*right-of-way, easements, parks, civic grounds*)
- ☐ Frontage trees? (*front of building or in front setback*)
- ☐ Perimeter trees? (*side and rear setbacks or w/in 10' of property boundary*)
- ☐ All trees? (*including potentially buildable areas of private lots*)

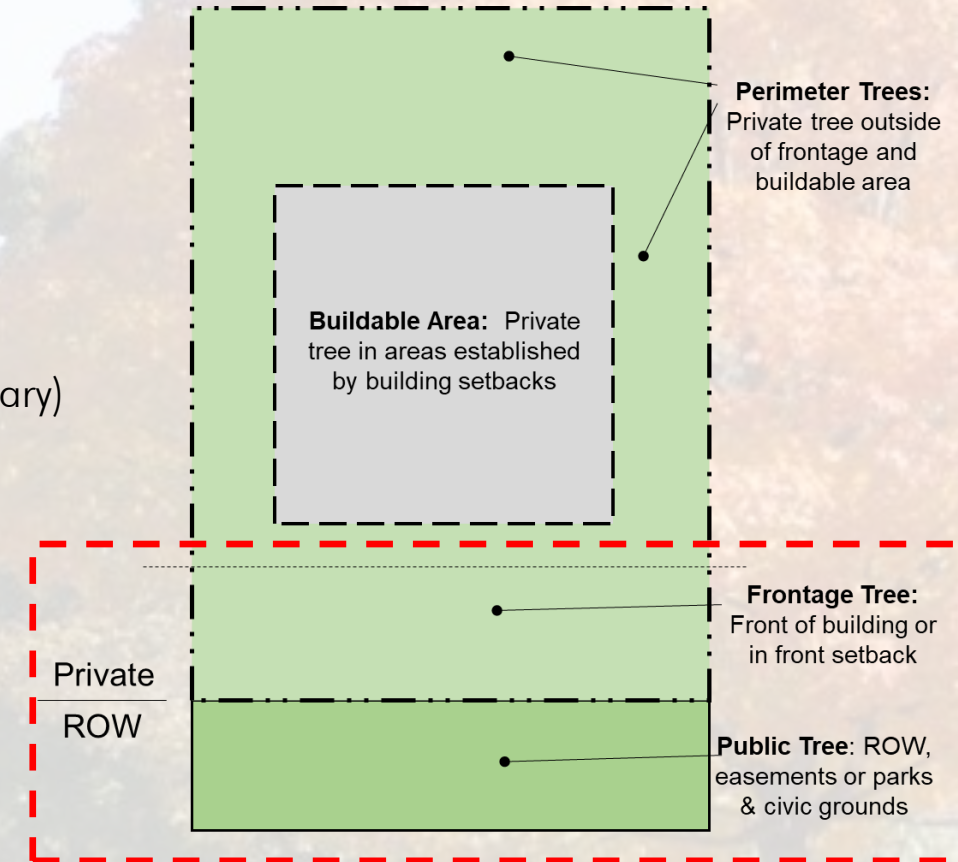


What areas to protect:

- ☒ **Public trees only?** (*right-of-way, easements, parks, civic grounds*)
- ☒ **Frontage trees?** (*front of building or in front setback*)
- ☐ **Perimeter trees?** (*side and rear setbacks or w/in 10' of property boundary*)
- ☐ **All trees?** (*including potentially buildable areas of private lots*)

Staff Draft:

- Option 1 - Public & Frontage Trees
- Option 2 – Public Trees Only



What size is protected:

- ☐ Only very large trees? (30" dbh) 90 yr 200 yr+
- ☐ Large trees? (18" - 24" dbh) 50 yr 150 yr+
- ☐ Medium trees? (12" dbh) 20 yr 85 yr+
- ☐ Established trees? (6" -8" dbh) 5 yr 50 yr+
- ☐ All trees? (any dbh) 0 yr 10 yr+

** Most trees are 5 to 10+ years at planting*

Approximate sizes based on range of growth factors; size is highly dependent on species and whether it is a fast or slow growth species

What size is protected:

☒ Only very large trees? (30" dbh)		90 yr 200 yr+
☒ Large trees? (18" - 24" dbh)		50 yr 150 yr+
☒ Medium trees? (12" dbh)		20 yr 85 yr+
☐ Established trees? (6" -8" dbh)		5 yr 50 yr+
☐ All trees? (any dbh)		0 yr 10 yr+

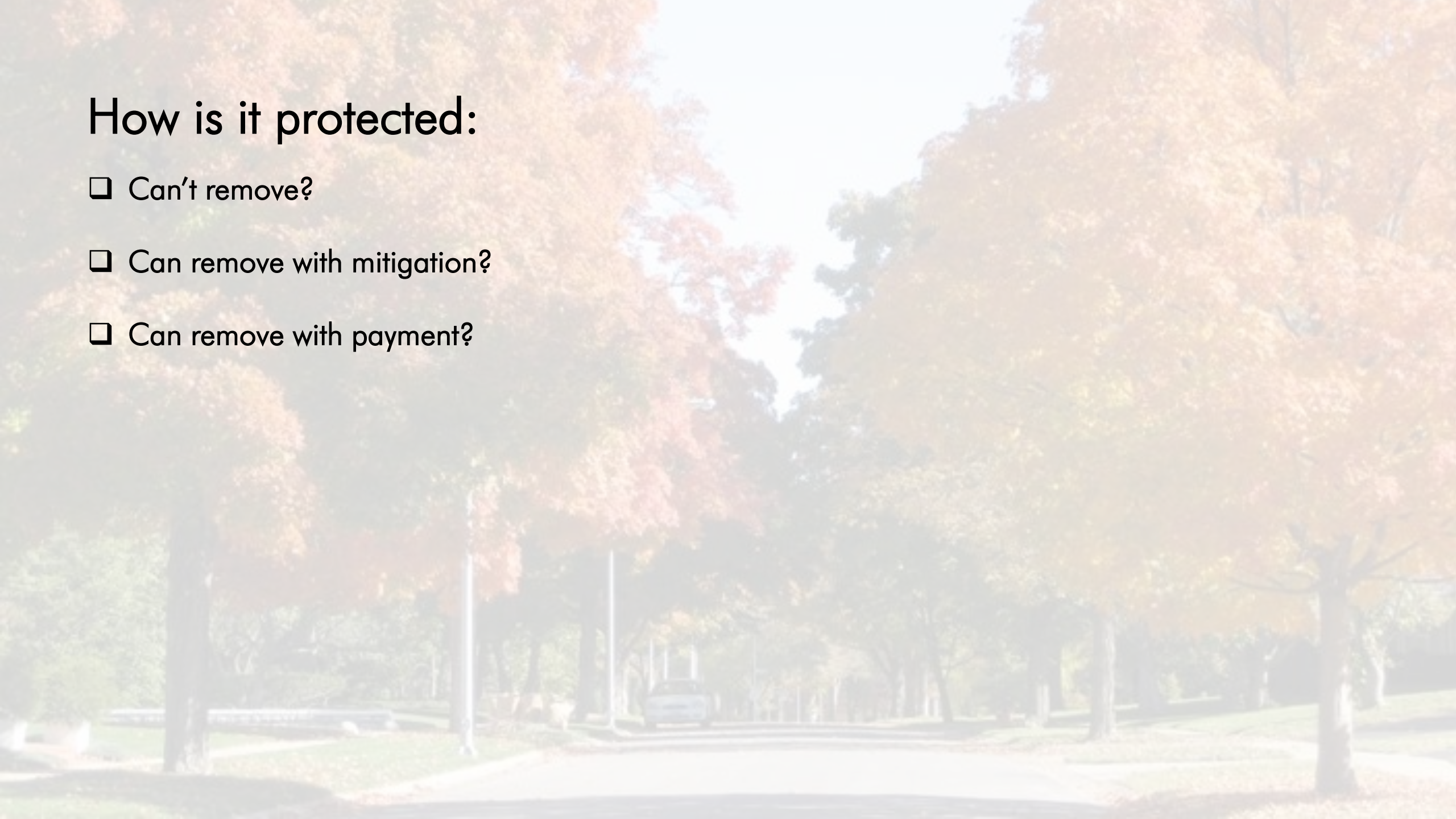
** Most trees are 5 to 10+ years at planting*

Approximate sizes based on range of growth factors; size is highly dependent on species and whether it is a fast or slow growth species

Staff Draft

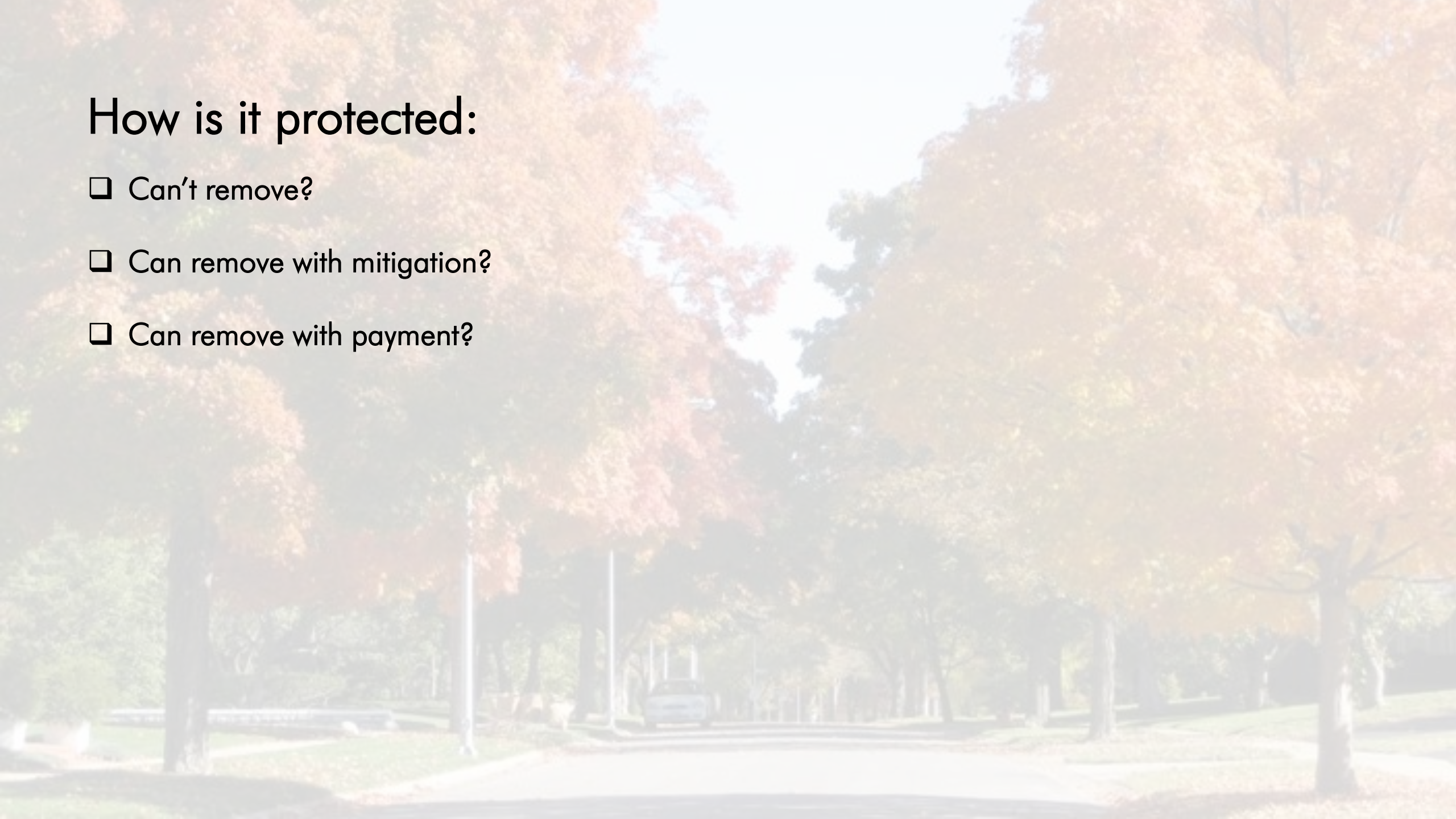
How is it protected:

- ☐ Can't remove?
- ☐ Can remove with mitigation?
- ☐ Can remove with payment?



How is it protected:

- ☐ Can't remove?
- ☐ Can remove with mitigation?
- ☐ Can remove with payment?



How is it protected:

☑ Can't remove?

•----- For any tree 30" dbh+ ; City Council approval

☑ Can remove with mitigation?

☑ Can remove with payment?



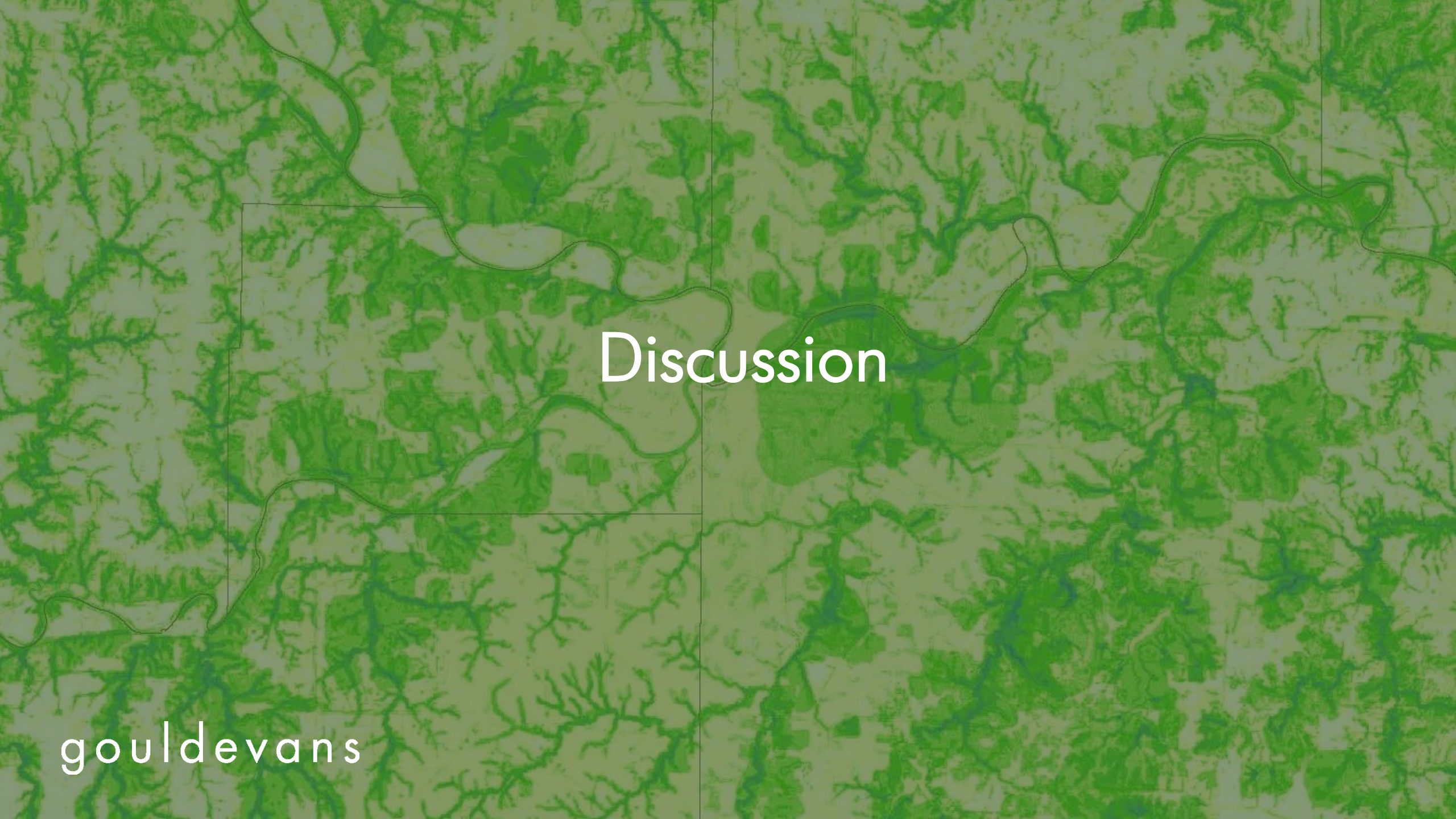
Revised Mitigation Approach:

- Replace with 1 tree = \$500 fee
- Replace with 2 trees = \$250 fee
- Replace with 3 trees = No fee
- No mitigation if more than 3 covered trees remain
- Option for no replacement = \$ 1,000 fee.
- Fee waived if tree replaced due to diseases or public safety reasons.

Staff Draft

Rationale:

- *Based on “replacement value,” not the value of the loss of older trees:*
 - *Encourages planting more trees for long-term health of canopy.*
 - *Fees based on value of new trees, not the loss of older growth trees.*
 - *Fees / mitigation capped at 3 per lot frontage.*
 - *Should corresponded with public education component – proactive tree planting and/or public street tree program.*
- *Fee only applies if trees unnecessarily removed. No fee if:*
 - *Tree removed for disease or public safety reasons; OR*
 - *Tree removed and lot frontage retains sufficient “covered trees” (3 or more trees); OR*
 - *3 trees planted back (mitigating entirely with re-planting).*
- *Owner option for no trees, with removal fee:*
 - *\$1,000 reflects loss of public / neighborhood benefit and replacement value at other locations.*

An aerial photograph of a river network, likely a delta or estuary, with a semi-transparent green overlay. A white rectangular box is drawn over the central part of the image, highlighting a specific area. The word "Discussion" is written in white text within this box.

Discussion

gouldevans

Degrees of protection / options....

What is protected? (combinations of the following...)

- Public vs. Private (and private can be further refined – frontage, lot, buildable area)
- Distinctions in sizes as to if they are protected. (and based on area, different sizes can be protected._
- Only at some critical mass of development activity vs. all time (or a variation of ranges / activities / trigger events)

How is it protected?

- Can't remove (without permission... public private distinction...)
- If you remove you mitigate
 - Replace with equal inches
 - Replace with at least one and pay a fee for the rest
 - Replace with at least one, but up to ## additional trees based on size.
 - Pay a fee and not have a tree... (who would decide if this is an option since you are losing the objective)...

How is protection measured...

- Against removing an existing tree.
- Against removing so that property is deficient... but deficient to what standard (i.e. need a street tree or property landscape standard to measure against.)
- How is on-going enforcement addressed – formal obligation to keep in place or replant if removed, diseased, or dying.

Cost issues... comes up in 3 places;

- Cost to do the work (remove / plant / etc.) (mitigation)
- Cost for mitigation (fee for not putting it in OR fee for making up the difference for what went out vs. what went in) (mitigation / deterrent)
- Penalty – either for violating the ordinance OR for choosing to remove larger and/or priority trees. (deterrent)
- Exceptions: can the fees / mitigation be waived for reasonable removals or lessor priority trees? (could get complex)
- Exceptions: can the fees / mitigation be capped above some certain point for any removal... (could undermine purpose / deterren)

ORDINANCE NO. _____

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF ROELAND PARK,
KANSAS AMENDING MUNICIPAL CODE CHAPTER 13, ARTICLE 5 “TREES
SHRUBS AND GROWTH”**

WHEREAS, the City of Roeland Park desires to promote and preserve the general welfare of Roeland Park citizens and visitors by ensuring trees on the City’s property are protected.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS AS FOLLOWS:

Section 1. Chapter 13, Article 5 of the Roeland Park Municipal Code is hereby amended to read as follows:

“Sec. 13-501. Maintenance.

The City shall have the right to plant, maintain, treat and remove trees and shrubbery within the right-of-way abutting streets, alleys, avenues and boulevards within the City. It shall be the duty of the owners of property abutting any sidewalk, street, avenue, alley or parking to cut and trim the branches and limits of any trees or shrubbery as provided in section 8-904 of this Code. It shall also be the duty of the owner or occupant of any property abutting any street, avenue, alley or parking to cut and remove any dead tree, dead branches, dead limbs or dead shrubbery upon their property which extends over any street, avenue or alley.

Sec. 13-502. Traffic Hazard.

If the Chief of Police, Public Works Director, or their designee, determines that any tree or shrubbery located on any private property abutting any sidewalk, street, avenue, alley or parking constitutes a traffic or pedestrian hazard, by dangerously obstructing the view of drivers of vehicles or traffic entering a street from an intersecting street, he or she shall notify the owner of such abutting property to remove the same, and it shall be the duty of the owner to remove the same.

Sec. 13-503. Trimming or Removal by City.

If the Governing Body determines that the owner of property abutting any sidewalk, street, avenue, alley or parking has failed to comply with the requirements of sections 13-501 and 13-502, the City may proceed to order abatement of the nuisance in accordance with Article 3 of Chapter 8 of the Code.

Sec. 13-504. Diseased or Infected Trees Upon Private Property.

It shall be unlawful to harbor any tree or plant or shrubs infected or infested with disease or insect pest or larvae. It shall also be unlawful to store or otherwise harbor on any property in the City, the material from any diseased or infected trees. Upon failure of the owner to remove such infected, infested and diseased trees, shrubs and other growth, the City may order abatement of the nuisance in accordance with Article 3 of Chapter 8 of the Code.

Sec. 13-505. Saving Clause.

Nothing contained in this chapter shall prevent the trimming, cutting or removal of any tree, shrub or growth which endangers persons or property, and nothing herein contained shall interfere with the suppression of pests or disease, including the Dutch Elm disease.

Sec. 13-506. Public Tree Protection Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in Section 13-506 *et seq.*, except where the context clearly indicates a different meaning:

Tree Manager means the Director of Public Works or his designee.

Covered property means real property located within the incorporated boundaries of the City that is owned, leased, or rented by the City, including all parkland and green space; and all easements and rights-of-way within the incorporated boundaries of the City that are used, in whole or in part, for a public road, highway or sidewalk.

Diameter at breast height (DBH) means the diameter in inches of a tree as measured through the main trunk at a point four and one-half feet (4.5') above the natural grade level.

Drip line means a vertical line run through the outermost portion of the canopy of a tree and extending down to the ground.

Owner means the person who has the legal title to the property or lessee, agent or other person acting on behalf of the titleholder with authorization to do so.

Protected tree means any tree that has a DBH of twelve inches (12") or more located on Covered Property. Trees that have received special care provided by the City for the treatment or prevention of disease or infestation may also be considered protected.

Protective/temporary fencing means a snow fence, chain-link fence, orange vinyl construction fence or other similar fencing with a minimum four-foot (4') height.

Replacement tree means a tree from the replacement tree list with a preferred caliper size of two and one-half inches (2.5") but a minimum of two inches (2"), measured twelve inches (12") from the ground and a total height of not less than seven feet (7') when planted.

Tree removal authorization means permission granted by the City to remove a protected tree.

Sec. 13-507. Enforcement and Penalty.

The Public Works Director or their designee shall serve as Tree Manager and have the authority to enforce the terms and conditions of this article. Any person, firm, corporation, agent, or employee thereof who violates any provision of this article shall be assessed an administrative fine of not more than five hundred dollars (\$500.00) for each incident. The unlawful injury, destruction or removal of each protected tree shall be considered a separate incident. In addition, all violations

shall be required to meet the requirements outlined under tree replacement provisions of this Section, or the Roeland Park Tree Fund. If any administrative fine or assessment to the Roeland Park Tree Fund shall remain unpaid thirty (30) days after receipt of notice of the imposition or assessment, the City may use any and all reasonable means available to collect the funds, including, but limited to, imposing a lien on the property for the amount of the fine or assessment.

Sec. 13-508. Appeal Process.

Any person, firm, corporation, agent, or employee thereof may submit a written appeal of a decision of the Tree Manager or designee to the Roeland Park Municipal Judge via the City Administrator's Office within ten (10) days of receipt of notice of the imposition or assessment. The appellant shall appear at a hearing before the Roeland Park Municipal Judge at the next regularly scheduled meeting. Any imposition or assessment affirmed or amended shall be paid to the City within fourteen (14) days to prevent the City from taking any and all reasonable means available to collect the funds, including, but not limited to, stop work orders or imposing a lien on the property for the unpaid portion of the fine or assessment.

Sec. 13-509. Applicability of Section.

The terms and provisions of this Section shall apply to all Covered Property.

Sec. 13-510. Roeland Park Tree Fund.

There is established a Roeland Park Tree Fund, which shall be a special account administered by the City. The Roeland Park Tree Fund shall be used only for purchasing, planting and maintaining of trees on covered property. The amount of payment required shall be calculated based on the following:

1. A property having 3 or more "Covered trees" in the public right of way adjacent to the front yard may remove a "Covered tree" and replace it with a "Replacement tree" without need to contribute to the tree fund.
2. A property having fewer than 3 "Covered trees" in the public right of way adjacent to the front yard may remove a "Covered tree" and replace it with-
 - a. One "Replacement tree" and pay \$500 to the tree fund
 - b. Two "Replacement trees" and pay \$250 into the tree fund
 - c. Three "Replacement trees" and pay no fee

If approved by the Tree Manager, an applicant or owner may make a \$1,000 payment into the Roeland Park Tree Fund in lieu of planting replacement trees, this would be an exception to the norm as the intent of the policy is to encourage the preservation of the tree canopy within the City by adding new trees when mature trees are removed. Any tree that is authorized for removal due to disease and health of the tree, or other public safety reasons, may have the mitigation fee waived provided at least one replacement tree is planted.

Sec. 13-511. Tree Protection.

Prior to demolition or construction, the following procedures shall be followed on all types of construction projects. It is the responsibility of the developer and/or contractor and his or her subcontractors to take appropriate action to preserve all protected trees and feature trees during all phases of construction.

(1) *Protective/temporary fencing.* Protective/temporary fencing shall be required for all protected trees and feature trees to prevent infringement on the root system from any construction-related activities. The protective fencing shall be installed according to tree diameter at breast height (DBH) as follows:

(a) Trees greater than twenty-eight-inch (28") DBH must have a fence to encompass a perimeter twenty feet (20') from center or seventy-five percent (75%) of drip line (whichever is lesser);

(b) Trees between twenty-inch (20") and twenty-eight-inch (28") inch DBH must have a fence to encompass a perimeter fifteen feet (15') from center of tree or seventy-five percent (75%) of drip line (whichever is lesser);

(c) Trees less than twenty-inch (20") DBH must have a fence to encompass a perimeter ten feet (10') from the center of the tree or seventy-five percent (75%) of the drip line (whichever is lesser).

Fencing shall exclude any preexisting structures, foundations, slabs, roadways, highways, and driveways. The fencing is to be installed along the edge of the driveways/roadways encompassing the tree to restrict access from the street side. All fencing must appear on construction documents and shall be installed prior to any other construction-related activity. The fencing shall remain in place at all times until all other construction-related activity has been completed or final grade achieved.

(2) *Prohibited activities.* Prohibited activities adjacent to trees shall include the following:

(a) *Material storage.* No materials for construction or waste accumulated due to excavation, demolition, or construction shall be placed under the canopy of any protected tree or feature tree.

(b) *Equipment cleaning/liquid disposal.* No equipment shall be cleaned, or other materials or liquids deposited or allowed to flow over land within the limits of the canopy of a protected tree or a feature tree. This includes, without limitation, paint, old solvents, asphalt, concrete, mortar or similar materials.

(c) *Tree attachments.* No signs, wires or other attachments other than those of a protective nature shall be attached to any protected tree or feature tree.

(d) *Vehicular traffic.* No vehicular and/or construction equipment traffic or parking shall take place within the limits of the protective fencing.

(e) *Grade changes.* No grade changes in excess of two inches (2") (cut or fill) shall be allowed within the limits of the drip line of any protected tree or feature tree.

(f) *New impervious paving.* No new paving with asphalt, concrete or other impervious materials in a manner which may, in the reasonable discretion of the Tree

Manager, reasonably be expected to severely damage or kill a tree shall be placed within the limits of the drip line of a protected tree or a feature tree.

(g) *Exceptions.* Notwithstanding anything contained in this Section shall not prohibit work that is necessary to install, maintain, repair, replace or remove utility lines or activity that merely disrupts the surface of the ground.

Sec. 13-512. Tree Removal.

Authorization. No person, directly or indirectly, shall cut down, destroy, move or remove, or effectively destroy, any protected tree located on covered property without first obtaining tree removal authorization. Generally, if a tree removal authorization is granted, the applicant shall replace the protected trees being removed with replacement trees. A sufficient number of replacement trees shall be planted so that the total caliper of the replacement trees is equal to the caliper of the tree removed as measured at DBH. If, for whatever reason, planting replacement trees is deemed infeasible, the owner shall make payment to the Roeland Park Tree Fund.

Process. Owners must request tree removal authorization in writing to the Tree Manager. If the removal is in conjunction with a construction project, the written request must be submitted at the same time as the building permit application.

Authority to review; approval. The Tree Manager shall be responsible for the review and approval of all requests for tree removal authorizations submitted in accordance with the requirements specified in this article. Upon receipt of a completed application, the Tree Manager may take one (1) of the following actions:

(1) *Deferral of decision.* The Tree Manager may defer the approval of a tree removal authorization to the Board of Zoning Appeals for any reason. All decisions made by the Board of Zoning Appeals shall be final.

(2) *Approval.* The Tree Manager shall issue tree removal authorization provided the owner has agreed in writing to either meet the tree replacement criteria or make payment to the Roeland Park Tree Fund.

(3) *Replacement Tree List.* The Tree Manager shall determine which species are eligible as replacement trees based on size at maturity, appropriateness for this region, and the context of a specific site. The Tree Manager may maintain a list of required or preferred species based on any reputable or professional tree resources applicable to this region.

Authorization expiration. Tree removal authorization issued in connection with an approved building permit or site plan shall be valid for the period of that building permit's or site plan's validity. A tree removal authorization not issued in connection with an approved building permit or site plan shall become void after one hundred and eighty (180) days after the date of approval.

Authorization for removal of a protected tree with DBH > 30" feature tree. A protected tree with DBH > 30" may only be removed with approval from the City Council provided that one (1) of the following criteria is met. The burden of proof that a criterion has been met falls upon the applicant:

(1) The tree is dead. Commonly an expert such as a licensed arborist would provide confirmation to satisfy these criteria.

(2) The tree is diseased or dying and constitutes a threat to healthy trees, to property, or to public safety. Commonly an expert such as a licensed arborist would provide confirmation to satisfy these criteria.

(3) Removal of the tree is necessary for construction, development, or redevelopment, and:

(a) All reasonable efforts have been made to avoid removing the tree for construction/development and removal cannot be avoided.

(b) The presence of the tree places undue financial burden on the applicant.

(c) No other reasonable accommodations can be made to preserve the tree."

Section 2. This Ordinance shall become effective upon publication in the City's newspaper.

Passed by the Governing Body of the City of Roeland Park, Kansas this 23rd day of August 2021.

Mike Kelly, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney

ORDINANCE NO. _____

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF ROELAND PARK,
KANSAS AMENDING MUNICIPAL CODE CHAPTER 13, ARTICLE 5 “TREES
SHRUBS AND GROWTH”**

WHEREAS, the City of Roeland Park desires to promote and preserve the general welfare of Roeland Park citizens and visitors by ensuring trees on the City’s property are protected.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS AS FOLLOWS:

Section 1. Chapter 13, Article 5 of the Roeland Park Municipal Code is hereby amended to read as follows:

“Sec. 13-501. Maintenance.

The City shall have the right to plant, maintain, treat and remove trees and shrubbery within the right-of-way abutting streets, alleys, avenues and boulevards within the City. It shall be the duty of the owners of property abutting any sidewalk, street, avenue, alley or parking to cut and trim the branches and limits of any trees or shrubbery as provided in section 8-904 of this Code. It shall also be the duty of the owner or occupant of any property abutting any street, avenue, alley or parking to cut and remove any dead tree, dead branches, dead limbs or dead shrubbery upon their property which extends over any street, avenue or alley.

Sec. 13-502. Traffic Hazard.

If the Chief of Police, Public Works Director, or their designee, determines that any tree or shrubbery located on any private property abutting any sidewalk, street, avenue, alley or parking constitutes a traffic or pedestrian hazard, by dangerously obstructing the view of drivers of vehicles or traffic entering a street from an intersecting street, he or she shall notify the owner of such abutting property to remove the same, and it shall be the duty of the owner to remove the same.

Sec. 13-503. Trimming or Removal by City.

If the Governing Body determines that the owner of property abutting any sidewalk, street, avenue, alley or parking has failed to comply with the requirements of sections 13-501 and 13-502, the City may proceed to order abatement of the nuisance in accordance with Article 3 of Chapter 8 of the Code.

Sec. 13-504. Diseased or Infected Trees Upon Private Property.

It shall be unlawful to harbor any tree or plant or shrubs infected or infested with disease or insect pest or larvae. It shall also be unlawful to store or otherwise harbor on any property in the City, the material from any diseased or infected trees. Upon failure of the owner to remove such infected, infested and diseased trees, shrubs and other growth, the City may order abatement of the nuisance in accordance with Article 3 of Chapter 8 of the Code.

Sec. 13-505. Saving Clause.

Nothing contained in this chapter shall prevent the trimming, cutting or removal of any tree, shrub or growth which endangers persons or property and nothing herein contained shall interfere with the suppression of pests or disease, including the Dutch Elm disease.

Sec. 13-506. Public and Private Tree Protection Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in Section 13-506 *et seq.*, except where the context clearly indicates a different meaning:

Tree Manager means the Director of Public Works or his designee.

Covered property means the front yard of privately owned lots or parcels as well as all right of ways, parkland, green space and city owned property within the incorporated boundaries of the City.

Diameter at breast height (DBH) means the diameter in inches of a tree as measured through the main trunk at a point four and one-half feet (4.5') above the natural grade level.

Drip line means a vertical line run through the outermost portion of the canopy of a tree and extending down to the ground.

Front Yard means the portion of privately owned land running the full width of a lot or parcel between the public street right of way line and the front elevation of the main building.

Owner means the person who has the legal title to the property or lessee, agent or other person acting on behalf of the titleholder with authorization to do so.

Protected tree means any tree that has a DBH of twelve inches (12") or more located on Covered Property. Trees that have received special care provided by the City for the treatment or prevention of disease or infestation may also be considered protected.

Protective/temporary fencing means a snow fence, chain-link fence, orange vinyl construction fence or other similar fencing with a minimum four-foot (4') height.

Replacement tree means a tree from the replacement tree list with a preferred caliper size of two and one-half inches (2.5") but a minimum of two inches (2"), measured twelve inches (12") from the ground and having a total height of not less than seven feet (7') when planted.

Tree removal authorization means permission granted by the City to remove a protected tree.

Sec. 13-507. Enforcement and Penalty.

The Public Works Director or their designee shall serve as Tree Manager and have the authority to enforce the terms and conditions of this article. Any person, firm, corporation, agent, or employee thereof who violates any provision of this article shall be assessed an administrative fine of not more than five hundred dollars (\$500.00) for each incident. The unlawful injury, destruction or removal of each protected tree shall be considered a separate incident. In addition, all violations shall be required to meet the requirements outlined under tree replacement provisions of this Section, or the Roeland Park Tree Fund. If any administrative fine or assessment to the Roeland Park Tree Fund shall remain unpaid thirty (30) days after receipt of notice of the imposition or assessment, the City may use any and all reasonable means available to collect the funds, including, but limited to, imposing a lien on the property for the amount of the fine or assessment.

Sec. 13-508. Appeal Process.

Any person, firm, corporation, agent, or employee thereof may submit a written appeal of a decision of the Tree Manager or designee to the Roeland Park Municipal Judge via the City Administrator's Office within ten (10) days of receipt of notice of the imposition or assessment. The appellant shall appear at a hearing before the Roeland Park Municipal Judge at the next regularly scheduled meeting. Any imposition or assessment affirmed or amended shall be paid to the City within fourteen (14) days to prevent the City from taking any and all reasonable means available to collect the funds, including, but not limited to, stop work orders or imposing a lien on the property for the unpaid portion of the fine or assessment.

Sec. 13-509. Applicability of Section.

The terms and provisions of this Section shall apply to all Covered Property.

Sec. 13-510. Roeland Park Tree Fund.

There is established a Roeland Park Tree Fund, which shall be a special account administered by the City. The Roeland Park Tree Fund shall be used only for purchasing, planting and maintaining of trees on covered property. The amount of payment required shall be calculated based on the following:

1. A property having 3 or more "Covered trees" combined in the front yard or in the public right of way adjacent to the front yard may remove a "Covered tree" and replace it with a "Replacement tree" without need to contribute to the tree fund.
2. A property having fewer than 3 "Covered trees" combined in the front yard or in the public right of way adjacent to the front yard may remove a "Covered tree" and replace it with:
 - a. One "Replacement tree" and pay \$500 to the tree fund
 - b. Two "Replacement trees" and pay \$250 into the tree fund
 - c. Three "Replacement trees" and pay no fee

If approved by the Tree Manager, an applicant or owner may make a \$1,000 payment into the Roeland Park Tree Fund in lieu of planting replacement trees, this would be an exception to the norm as the intent of the policy is to encourage the preservation of the tree canopy within the City by adding new trees when mature trees are removed. Any tree that is authorized for removal due to disease and health of the tree, or other public safety reasons, may have the mitigation fee waived provided at least one replacement tree is planted.

Sec. 13-511. Tree Protection.

Prior to demolition or construction, the following procedures shall be followed on all types of construction projects. It is the responsibility of the developer and/or contractor and his or her subcontractors to take appropriate action to preserve all protected trees and feature trees during all phases of construction.

(1) *Protective/temporary fencing.* Protective/temporary fencing shall be required for all protected trees and feature trees to prevent infringement on the root system from any construction-related activities. The protective fencing shall be installed according to tree diameter at breast height (DBH) as follows:

(a) Trees greater than twenty-eight-inch (28") DBH must have a fence to encompass a perimeter twenty feet (20') from center or seventy-five percent (75%) of drip line (whichever is lesser);

(b) Trees between twenty-inch (20") and twenty-eight-inch (28") inch DBH must have a fence to encompass a perimeter fifteen feet (15') from center of tree or seventy-five percent (75%) of drip line (whichever is lesser);

(c) Trees less than twenty-inch (20") DBH must have a fence to encompass a perimeter ten feet (10') from the center of the tree or seventy-five percent (75%) of the drip line (whichever is lesser).

Fencing shall exclude any preexisting structures, foundations, slabs, roadways, highways, and driveways. The fencing is to be installed along the edge of the driveways/roadways encompassing the tree to restrict access from the street side. All fencing must appear on construction documents and shall be installed prior to any other construction-related activity. The fencing shall remain in place at all times until all other construction-related activity has been completed or final grade achieved.

(2) *Prohibited activities.* Prohibited activities adjacent to trees shall include the following:

(a) *Material storage.* No materials for construction or waste accumulated due to excavation, demolition, or construction shall be placed under the canopy of any protected tree or feature tree.

(b) *Equipment cleaning/liquid disposal.* No equipment shall be cleaned or other materials or liquids deposited or allowed to flow over land within the limits of the canopy of a protected tree or a feature tree. This includes, without limitation, paint, old solvents, asphalt, concrete, mortar or similar materials.

(c) *Tree attachments.* No signs, wires or other attachments other than those of a protective nature shall be attached to any protected tree or feature tree.

(d) *Vehicular traffic.* No vehicular and/or construction equipment traffic or parking shall take place within the limits of the protective fencing.

(e) *Grade changes.* No grade changes in excess of two inches (2") (cut or fill) shall be allowed within the limits of the drip line of any protected tree or feature tree.

(f) *New impervious paving.* No new paving with asphalt, concrete or other impervious materials in a manner which may, in the reasonable discretion of the Tree Manager, reasonably be expected to severely damage or kill a tree shall be placed within the limits of the drip line of a protected tree or a feature tree.

(g) *Exceptions.* Notwithstanding anything contained in this Section shall not prohibit work that is necessary to install, maintain, repair, replace or remove utility lines or activity that merely disrupts the surface of the ground.

Sec. 13-512. Tree Removal.

Authorization. No person, directly or indirectly, shall cut down, destroy, move or remove, or effectively destroy, any protected tree located on covered property without first obtaining tree removal authorization. Generally, if a tree removal authorization is granted, the applicant shall replace the protected trees being removed with replacement trees. A sufficient number of replacement trees shall be planted so that the total caliper of the replacement trees is equal to the caliper of the tree removed as measured at DBH. If, for whatever reason, planting replacement trees is deemed infeasible, the owner shall make payment to the Roeland Park Tree Fund.

Process. Owners must request tree removal authorization in writing to the Tree Manager. If the removal is in conjunction with a construction project, the written request must be submitted at the same time as the building permit application.

Authority to review; approval. The Tree Manager shall be responsible for the review and approval of all requests for tree removal authorizations submitted in accordance with the requirements specified in this article. Upon receipt of a completed application, the Tree Manager may take one (1) of the following actions:

(1) *Deferral of decision.* The Tree Manager may defer the approval of a tree removal authorization to the Board of Zoning Appeals for any reason. All decisions made by the Board of Zoning Appeals shall be final.

(2) *Approval.* The Tree Manager shall issue tree removal authorization provided the owner has agreed in writing to either meet the tree replacement criteria or make payment to the Roeland Park Tree Fund.

(3) *Replacement Tree List.* The Tree Manager shall determine which species are eligible as replacement trees based on size at maturity, appropriateness for this region, and the context of a specific site. The Tree Manager may maintain a list of required or preferred species based on any reputable or professional tree resources applicable to this region.

Authorization expiration. Tree removal authorization issued in connection with an approved building permit or site plan shall be valid for the period of that building permit's or site plan's validity. A tree removal authorization not issued in connection with an approved building

permit or site plan shall become void after one hundred and eighty (180) days after the date of approval.

Authorization for removal of a protected tree with DBH > 30". A protected tree with a DBH > 30" may only be removed with approval from the City Council provided that at least one (1) of the following criteria is met. The burden of proof that a criteria has been met falls upon the applicant:

(1) The tree is dead. Commonly an expert such as a licensed arborist would provide confirmation to satisfy these criteria.

(2) The tree is diseased or dying and constitutes a threat to healthy trees, to property, or to public safety. Commonly an expert such as a licensed arborist would provide confirmation to satisfy these criteria.

(3) Removal of the tree is necessary for construction, development, or redevelopment, and:

(a) All reasonable efforts have been made to avoid removing the tree for construction/development and removal cannot be avoided.

(b) The presence of the tree places undue financial burden on the applicant.

(c) No other reasonable accommodations can be made to preserve the tree."

Section 2. This Ordinance shall become effective upon publication in the City's newspaper.

Passed by the Governing Body of the City of Roeland Park, Kansas this 23rd day of August 2021.

Mike Kelly, Mayor

ATTEST:

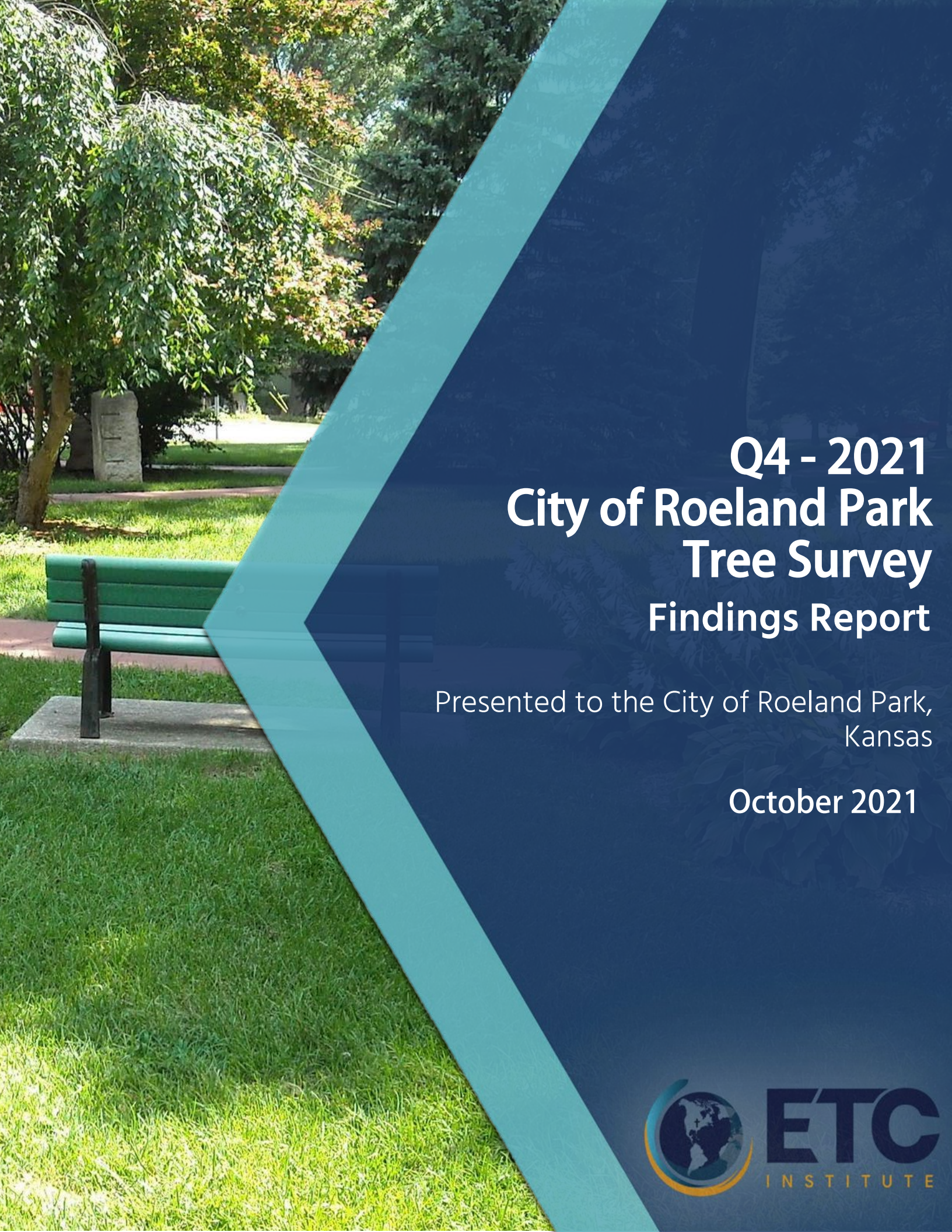
Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney

1

Charts and Graphs:



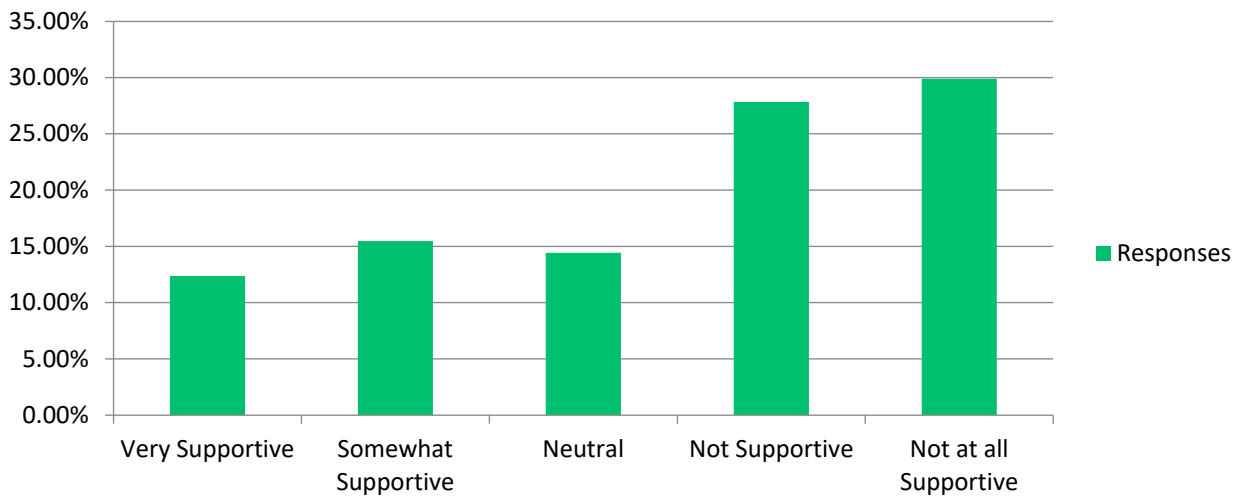
Q4 - 2021 City of Roeland Park Tree Survey Findings Report

Presented to the City of Roeland Park,
Kansas

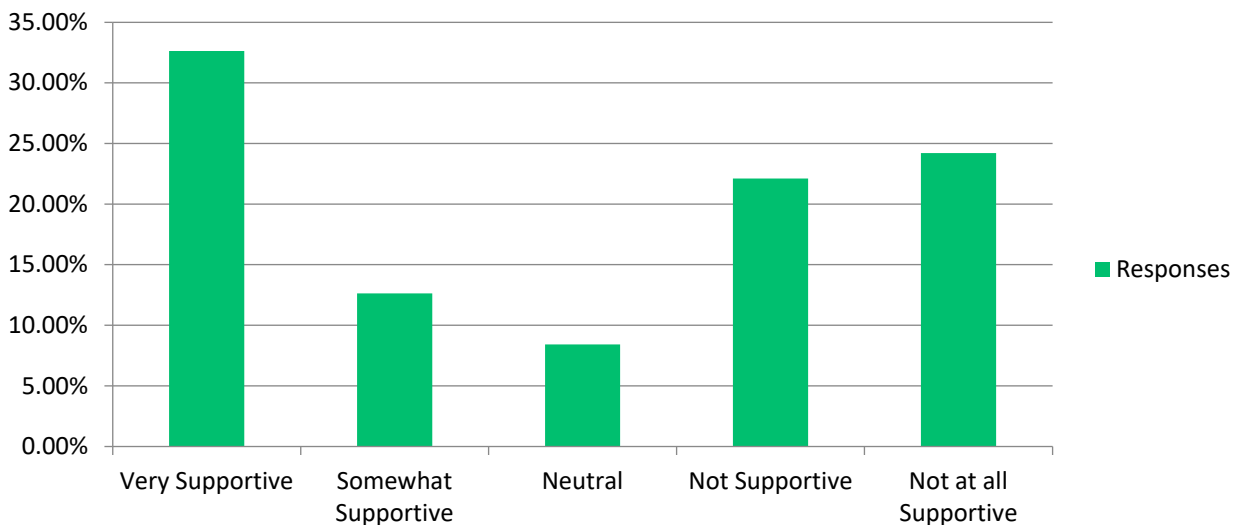
October 2021



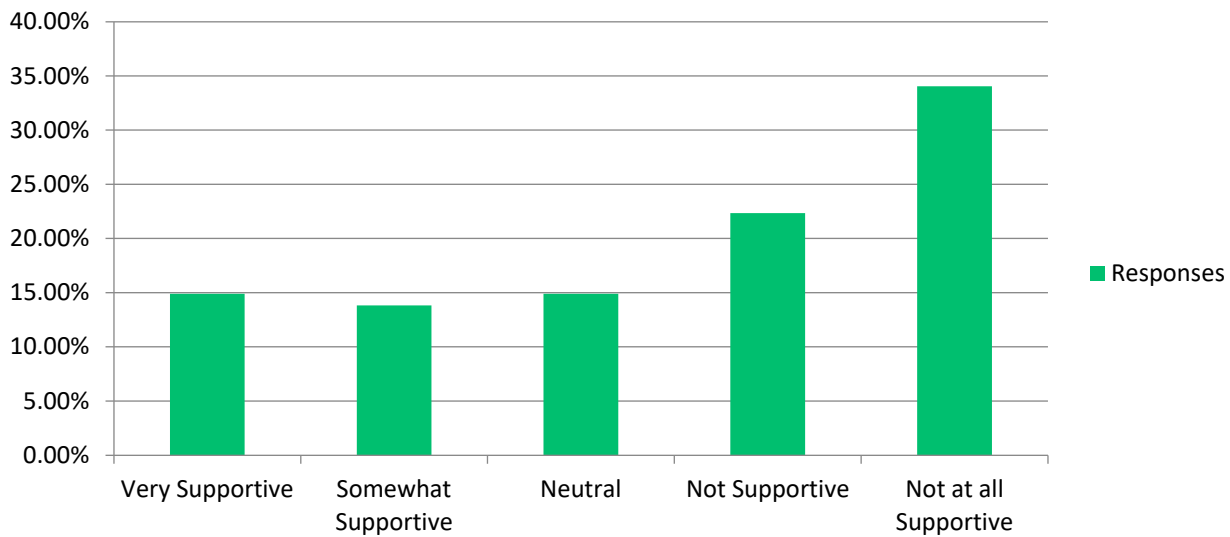
Q1. How supportive would you be of the City of Roeland Park implementing regulations requiring a property owner to secure City authorization to remove a tree from their property or the right of way adjacent to their property?



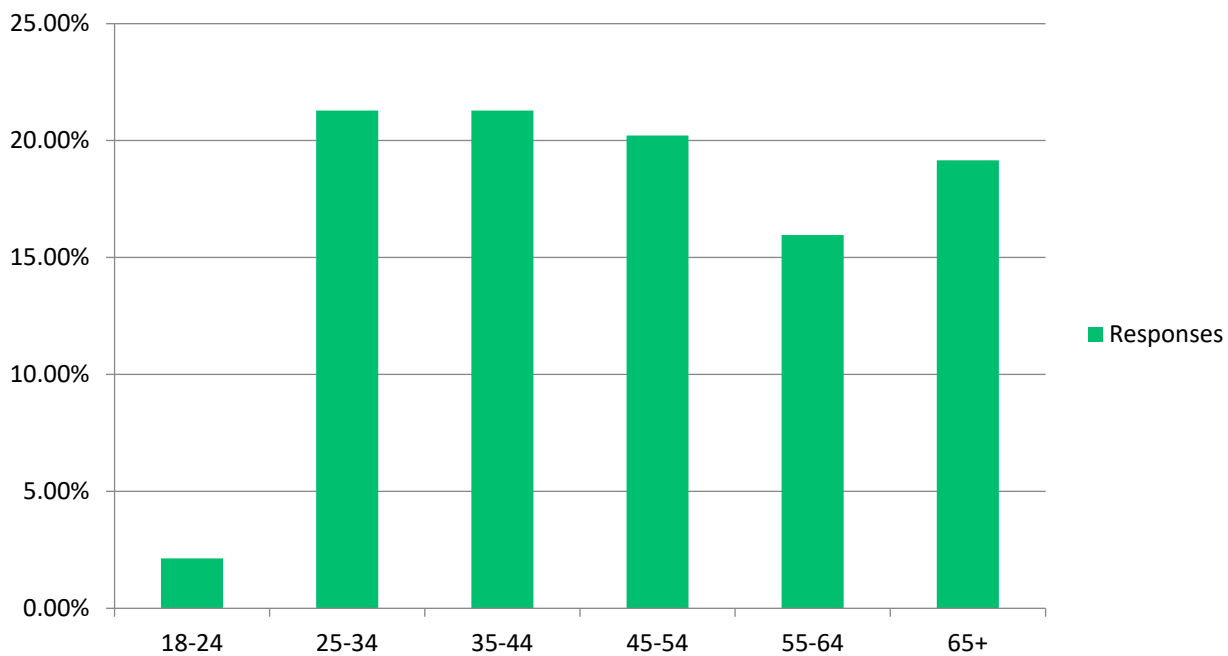
Q3. How supportive would you be of the City requiring residents who remove a mature tree on their property to replace that tree by planting new trees on their property?



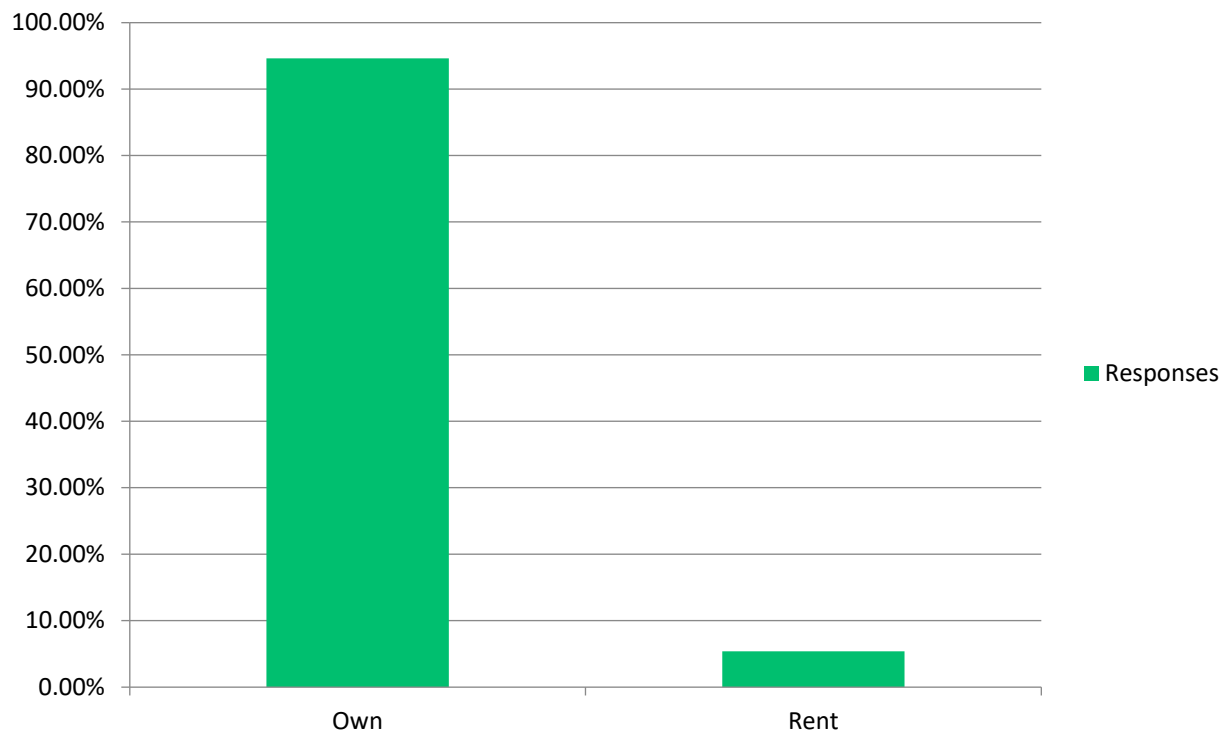
Q5. How supportive would you be of the City requiring residents who remove a mature tree on their property to pay into a tree preservation fund? The tree preservation fund would be used by the City of Roeland Park to maintain trees on public property and could



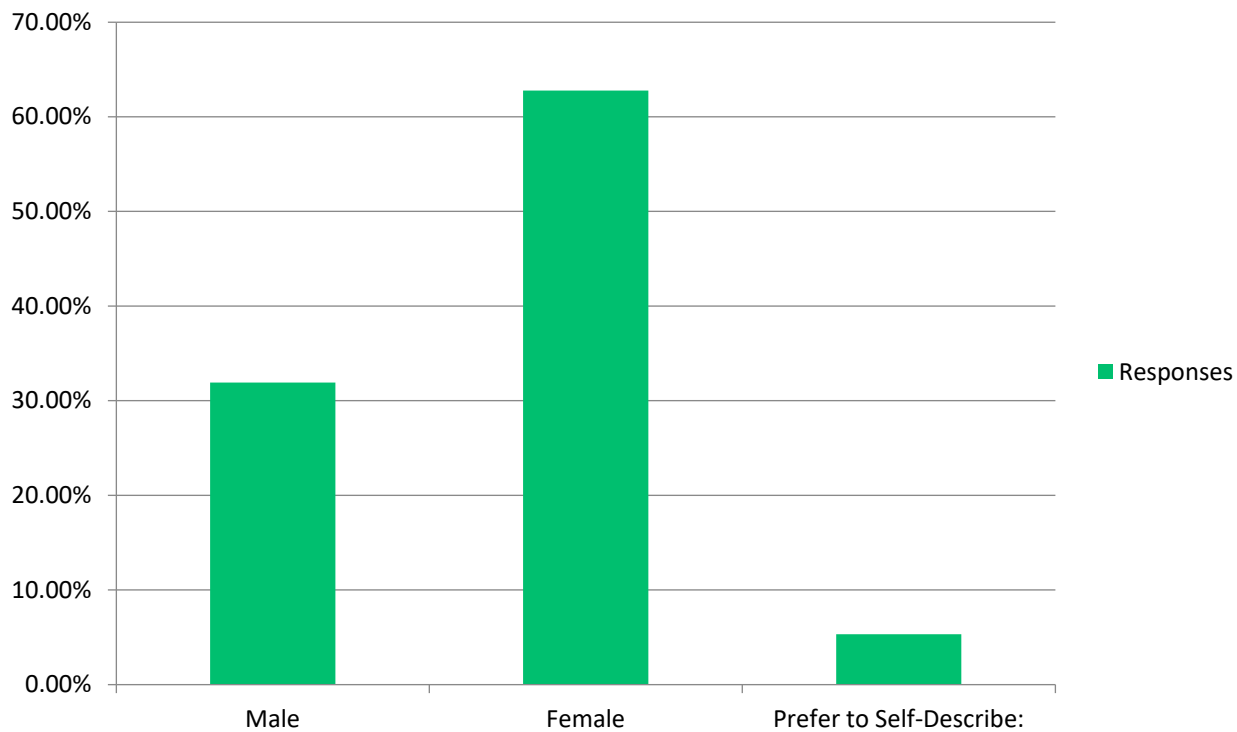
Q7. Your age:



Q8. Do you own or rent your home?



Q9. Your gender:



2

Tabular Data

Roeland Park Tree Survey Results

(N=98, margin of error +/-9.9% at the 95% level of confidence)

Q1. How supportive would you be of the City of Roeland Park implementing regulations requiring a property owner to secure City authorization to remove a tree from their property or the right of way adjacent to their property?

Answer Choices	Percentage %
Very Supportive	12.37%
Somewhat Supportive	15.46%
Neutral	14.43%
Not Supportive	27.84%
Not at all Supportive	29.90%
GRAND TOTAL	100.00%

Q3. How supportive would you be of the City requiring residents who remove a mature tree on their property to replace that tree by planting new trees on their property?

Answer Choices	Percentage %
Very Supportive	32.63%
Somewhat Supportive	12.63%
Neutral	8.42%
Not Supportive	22.11%
Not at all Supportive	24.21%
GRAND TOTAL	100.00%

Q5. How supportive would you be of the City requiring residents who remove a mature tree on their property to pay into a tree preservation fund? The tree preservation fund would be used by the City of Roeland Park to maintain trees on public property and could be used to fund planting trees on private property when the owner meets certain low-income criteria.

Answer Choices	Percentage %
Very Supportive	14.89%
Somewhat Supportive	13.83%
Neutral	14.89%
Not Supportive	22.34%
Not at all Supportive	34.04%
GRAND TOTAL	100.00%

DEMOGRAPHICS

Q7. Your age:	
Answer Choices	Percentage %
18-24	2.13%
25-34	21.28%
35-44	21.28%
45-54	20.21%
55-64	15.96%
65+	19.15%
GRAND TOTAL	100.00%

Q8. Do you own or rent your home?	
Answer Choices	Percentage %
Own	94.62%
Rent	5.38%
GRAND TOTAL	100.00%

Q9. Your gender:	
Answer Choices	Percentage %
Male	31.91%
Female	62.77%
Prefer to self-describe	5.32%
GRAND TOTAL	100.00%



Open Ended Responses

Roeland Park Tree Survey Results

Open-Ended Responses

Q2. If you gave a “not supportive” or “not at all supportive” response to Q1, please tell us why.

What right do you have to tell a property owner what they can and cannot do? Are you a bunch of Communists?

If a tree needs to come down, it's the property owners decision. Should not have to go through bureaucracy to do what must be fine. A tree dropping limbs every other week needs to come down.

1) Worry that it will become a more costly & bureaucratic effort (cost of specialized arborist, time spent convincing city council, and more money). “Most” folks who cut down trees have valid reasons (tree is dying or diseased, or tree is damaging house via its roots or limbs).

2) If the city agrees to pay for any damages done to property for said tree that is forced to stay then maybe I would concede.

3) Open to reasonable idea of requiring another tree of similar type to be replanted (but knowing that it will take years to become a “big” tree). Not open to expecting someone to replant the same “immediate sized tree” to fill the space.

4) RoPa has beautiful trees, yes! But I really feel the city should try to first manage/enforce some of its less costly ordinances (parking, grass on sidewalks/curbs cracks, trash bins that don't stay in the open all week, noise after 10 pm, etc). These cost the city tax payer less and would also beautify the city.

5) Trimming a tree is costly enough (\$1000s). I honestly don't believe folks are cutting down trees just for the fun of it.

6) Incentive planting more trees, but don't make it a huge ordeal (financial & time) for a family who needs to maintain their property & home. They are not spending \$1000 because they want to. Trust me.

It's my property, my right to decide. Will the city pay when a branch comes down and damages someone's property?

It's owned by the home owner not the city or other residents

Trees are just so expensive to remove. If this is gonna happen. It would be helpful if there is a grant or City money to help with this.

We pay significant property taxes to own our homes and land. To go through yet another bureaucratic headache to do something with our property would be less than ideal

I don't see a need to add a layer of 'red tape' to remove a tree from property that I own. When a tree needs to come down b/c of pest damage, weather, etc and time is a concern, why further burden the homeowner?

Although I understand wanting to preserve aging trees, I feel the owner has the right to decide what is appropriate for their property

As a property owner, you make your own decisions. At some point, trees become hazardous. Why should my life be put at risk because you might disagree with me on what the level of risk is?

I don't want to allow the city a say over my personal residence.

If the city is going to demand it REMOVED then the city should REMOVE IT

It would make it difficult/a headache if a tree needs to be cut down.

Too much red tape

Because permission might not be given for homeowner to remove a tree

Q2. If you gave a “not supportive” or “not at all supportive” response to Q1, please tell us why.

I believe it's the owners decision on their personal property to determine what can cut down. We've removed two trees on our property and if RP would need to be on board, that's seems a bit over reaching. There needs to be more done about run down homes and the city not enforcing those codes, before enacting more.
Property owners should have the right to decide what plantings and landscaping is appropriate for their property. Requiring city approval infringes on the current rights of property owners.
The city makes me get permission to do a lot. I don't know that they should need me to get permission to cut down a tree. That seems excessive.
Home owners should retain control over everything on their private property, not the City.
That should be the property owners decision-with the exception of a clearly dead or dying/dangerous tree
It is my property. The city did not give us choices when you cut my trees when you expanded Elledge
I think roeland park needs to worry about there own problems. I had a mess in front of my house for 5 months.
My property, my decision, my rights
Concerns of the turnaround time for approval to remove
Its my private property and my business.
The notion is ridiculous so the way through the survey. This is no different than how an HOA acts when they're a power struggle. Someone there thinks making a change, even for the sake of changing, is a good idea. You fine already for dead trees, overgrown vegetation, grass clippings in yard if you deem them an eyesore. Yet, you'd like to charge someone for cleaning up their own property, not the city council's land The level of manipulation and deception portrayed by the mere proposal of this, and while still obfuscating the truth as to why(someone wants to pad their resume and say "my proposal brought in \$XX"), and then saying it is for the low-income household. Unbelievable.
The property owner owns the land
Homeowners should be able to decide what they would like or would not like in there yards.
It's my tree and if it needs to come out that's my decision. I know what's best for my property, not the city.
Not your business. It's your property you can do what you want. This is a complete overstep by the city government
That tree is on the owner's property and is there's to deal with. Unless it is a safety issue
I think the property owner should be free to make decisions on the use of their property.
It's my land
I am a conservationist and environmentalist. I plant a tree every six months. I support education and help for homeowners to plant native trees and care for their trees. But to require government permission to remove a tree on your property seems unAmerican to me. People should have the right to determine what plants grow on their property. Roeland Park is a small city. It shouldn't be too hard to educate people about the importance of maintaining mature trees.
I love trees. I hope new-build homes preserve as many trees on their lots as possible. But above all else, I prefer small government. I want the people to have the right to make their own decision-making, not seek approval from the government.

Q2. If you gave a “not supportive” or “not at all supportive” response to Q1, please tell us why. (Continued)

I'm not sure why I have to explain my answer. But I don't think we should have any regulations that inhibit a property owner from deciding whether to remove a tree or not. That's not governments job. I'm all for tree preservation but that seems like a complete waste of time and substantial government overreach.

The tree is part of my property and if I need to remove it because of disease or other reason, I should not need city approval to remove it.

That decision should remain the sole right of the property owner. I'm curious as to why would anyone think otherwise?

I think tree removal is a decision to be made by the property owner

This city is out of control!

I think this is the property owners decision

I ask the council and mayor to please explain how another regulatory requirement on trees on private property promotes the safety & protects the well-being of the citizens.

Provided growth does not interfere with city infrastructure, we reserve the right to our private property.

Without knowing what the city's authorization process would be, I can't support this policy. Homeowners own the property, including landscape, on their real estate and I believe know when it's appropriate to remove such property, to include trees, shrubs, flower beds, etc.

We had no say so when you took our trees out to widen Elledge. I don't want to give up our rights

It's an infringement of my rights and a taking of value from me.

1-why should a homeowner and landowner be required to get permission from the city to remove a piece of their own property.

2. All these recent proposals are lending credence to the premise that RP elected officials are power hungry or want to make changes for the sake of making changes to pad the ole resumes.

3. Very concerning that a City wants to operate as HOA.

Given that no reasoning/justification for such a proposal has been provided, I do not support a requirement for yet another City approval/permit. I would be willing to reconsider my position if the Council were to provide a reasonable justification for such a change.

It's a tree!

MY PROPERTY MY CHOICE

just because

Q4. If you gave a “not supportive” or “not at all supportive” response to Q3, please tell us why.

I don't have any extra money because of Covid 19.

Not supportive because this is a democracy in case you don't know it.

It has to be a reasonable expectation. If I cut down an 80 year old maple, I will not be able to replace its “space” immediately. You'll have to accept a new / young maple or something similar that will “eventually” grow to cover the same space.

Again should not have to get permission to do what's needed.

My property my right.

It's the home/land owner to make these decisions

Again. It all comes down to cost.

Same answer as previous

Q4. If you gave a “not supportive” or “not at all supportive” response to Q3, please tell us why. (Continued)

You should incentivize new trees, not require it. It's not anyone's place to require a homeowner have a certain amount of trees. Trees & shade can have an impact in how people are able to use their own property.

I, live everyday, with total life long memories on every three on my property.

If I own a property the city doesn't have the right to tell me what I have to plant. Some properties wouldn't have enough room to plant a new tree for years. It would take time for root decay to allow for healthy planting.

As a property owner, it is my choice what to do with my property. Maybe I'm removing a tree because it's too crowded and that many trees shouldn't have been planted so close together to begin with? Most people make educated decisions after weighing the options.

Removing an old sick tree is already very expensive. Planting a new one would be another \$500 at least.

It's not our decision

Trees may or may not be appropriate for the particular landscaping being chosen by the property owner.

Again that's over reach. I've cut down trees that I had no intention of replacing. Sometimes you just don't need a tree replaced.

It has been my experience, that every homeowner that had to remove a tree replied in a tree.. I don't think the city has any business dictating the planting of trees on private property .

The key here is our property. I pay the taxes, I own my private property and you have no rights to dictate otherwise. If you can't tell residents to keep their yards cleaned up how could you dictate what I plant or if I plant

No

It should be the property owners choice

My property, my rights

Not to mention that took away a FREE service, again, and now say that the city is working on a contract for the exact service.

I'm talking about ripple glass. Don't tell me there are 500 people whom want to recycle glass but cannot get to the container. There's a thing call Nextdoor and anyone can ask someone to pick up bottles because they are not ambulatory. If that person can get the bottles to the curb with recycling, they can obviously get it to the curb for someone else to pick up. Unconscionable

Its my property and my business. Mature trees can be dangerous and fall during bad storms. Does the city want that liability?

I personally do not want to be forced to plant a tree in my yard if one is removed and/or dies and needs to be removed

The tree may need to come out and some people may not be able to afford new ones

While I love the idea of keeping a lot of trees in Roeland park, I do not agree with any rules forcing anyone to do anything with their own property . Home owners should be the ones to choose that . Additionally, it is very expensive to have a tree cut down. And with that rule , home owners would be faced with an additional expense on top of that . If Roeland park would create a rule that makes people plant a new tree, then Roeland park would need to pay for that tree in my opinion.

Again this is their property not someone else's. They have their reasons for taking the tree down. If they want to put one back up they will. Again not governments business.

Q4. If you gave a "not supportive" or "not at all supportive" response to Q3, please tell us why. (Continued)

Same as previous answer. Those of us who want to plant trees will do so. We should focus on helping everyone plant trees, not penalizing someone who removes one.

I think the property owner should be able to make decisions on their own landscaping

Trees cost money and require maintenance. I don't think it's right to require that of anyone. I can't imagine my elderly neighbors being financially or physically capable of meeting such a requirement. Basic lawn care is enough to ask of them.

Sane answer. Stay out of my personal property. The City should not operate like an overbearing HOA.

I think whether a mature needs to be replaced is somewhat determined by the reason for its removal. For example - if it impairs street view, does damage to underground utilities, or will inhibit other green choices made by the owner (vegetable or butterfly garden, for example) the city should not require a tree replacement.

Replacing a tree with another one should be my decision and not a city rule. I as the property owner need or leeway to manage my property to increase its overall value.

While I LOVE all of our mature trees in Roeland Park, I believe a home/property owner may have reason to cut down a tree and they should not be required to plant a new tree in its place.

Again, decision made by property owner

Again it is NONE of the city's business.

property owners decision

There are multiple concerns which weigh into decisions a property owner formulates; be it trees, or other challenges. Additional regulation(s) take time from citizens schedule, and add another condition to fulfill. How does this proposal fit into the strategic plan for our community, Mr Mayor and Council?

You are taking away our rights to make decisions on our own property

I did not buy property in "Tree City" I bought property in Roeland Park, Kansas. I bought the trees in my yard, they are mine to do with as I please. "Requiring" me to keep them, replace them, ask pretty please can I do something with my property is a taking.

Leave the responsibility to the homeowner. But do not misunderstand what I am saying. This is an appearance issue do not twist into an ecological or environmental issue because it is not.

I think RP has enough tree stock to afford residents to decide for themselves to have trees in their yard, or not. I do not sense that residents removing trees on their property is a common enough occurrence to justify a replacement requirement.

Property owners have the right to choose what is planted on their property.

MY PROPERTY MY CHOICE

the price of trees is sky high

Q6. If you gave a "not supportive" or "not at all supportive" response to Q5, please tell us why.

I don't have any money due to Covid 19, I can't pay more in taxes.

I am sick and tired of using taxpayer money to give to the "poor" of Roeland Park. If the person owns a house in RP, they aren't poor.

We live in RP for the ambience and tree s. We do not need to be told what to do.

My property

That's ridiculous

I would rather have them plant a new tree

Q6. If you gave a “not supportive” or “not at all supportive” response to Q5, please tell us why. (Continued)

People that buy a home in Roeland Park, by and large, Are doing it because they like and respect the area. Large trees are a part of that environment that they chose. To make the assumption that people want to move in and just wantonly remove the large trees would be erroneous and incorrect, in my opinion.

Our tax rate is so high. I think Roeland park has amazing trees! I think residences would have to take a lot of trees down for tree removal to be a problem.

This is ridiculous

I like planting trees over money is a good idea.

Are you kidding me? My taxes are already through the roof.

The fund payment would have to be very small, otherwise it would make the tree removal even more expensive than it already is.

It's NOT the city's decision what the home owners want

I think if a resident were being asked to pay this, it would be either pay this or plant a replacement tree. That being said, I don't think I support that all existing trees in the community have to be replaced if removed. There are a lot of very old, very large trees in the community; many of which would already be very expensive to remove.

I feel that this should not be required as it is punitive to property owners who are already undertaking significant expense to remove a mature tree.

The city should have no control over trees on private property.

I am not going to pay so someone else can get more FREE things. If I choose to help someone that is my business not the city

I think this is too punitive especially if the tree is dead

I think the goal should be to maintain mature trees wherever possible and if they are going to be removed say for a remodel or addition or new build that there should be a process in place to review that prior to cutting down the trees to encourage some thought. If they are removed having to replace them with a new tree on site or in the right-of-way would be great. Maybe in cases where that can't be done due to the site there could be some other solution but if it is simply paying into a fund then that is telling people who can afford it that they can just cut all the trees down. At table rock lake there was a penalty for cutting down trees and people would just cut them down and pay it so in the end it wasn't that effective.

If it is a private owner they already incur the cost of the removal and it should be their choice to replace.

I would support the measure for rentals since landlords choices are based on cost, not the best interest..and since Roeland Park is 50% landlords this can be a problem.

My property, my rights

Going through this really makes me want to get into politics to actually help my citizens. Not look at a demographical map and say "there are 4000 households. What can we do to squeeze out another 1.5 or 2% from them and make it seem like it's something they wanted or needed. Only problem is I haven't found a way to trade out my morals, values, and soul for a underhanded, disrespectful, ugly disposition. Ridiculous

The city should pay for tress out of its existing budget. I already pay property and sales taxes to the city now.

Q6. If you gave a “not supportive” or “not at all supportive” response to Q5, please tell us why. (Continued)

I think it is unfair to fine someone for decisions they make on their personal property.

Unnecessary

If you want to have a fund, figure out how to do it with the taxes you already receive.

City should not require any payment for a homeowner to remove a tree on there own property

Most citizens of Roeland Park do not have a ton of spare income to afford this proposed plan on top of rapidly rising property taxes

This is a complete overstep. Not their property. We do not live in a communist country so drop this

Same. Let's have that fund, but not make only certain people contribute under certain circumstances. I would contribute to the fund voluntarily.

This is just another money grab for the government. You can't budget effectively, so you have to come up with new “programs” or “initiatives” to take more from the people. Reduce your size and involvement.

If I want to remove tree for any reason, I should not be punished. I would however, be happy to support special fundraising projects for a Tree Preservation Fund. I would also be willing to apply for state and federal grants for such a project.

I love our trees in Roeland Park but I could imagine scenarios where a mature tree must be removed which is an expensive process. To also be required to donate to a tree preservation fund could be a barrier for some, on top of the expense of tree removal.

Our taxes are ridiculously high. And the city wastes so much resources are politically driven agendas. I would love from RP if it weren't for my neighbors and friends.

I may have to remove mature trees because of disease, storm damage, or other reason. City tree preservation should come out of other taxes (sales, property,)

Taxes are already too high

Because you can't trust the city to do the right thing with money. Just look at all the money they spent on trees for the median on Roe and look how many are DEAD. The city needs to mind their own business and take care of their own business first.

property owners decision; use taxes for needs for the city

There are multiple avenues to assist people in the category mentioned regarding purchase & planting trees. How about a dunk tank event fundraiser which goes to a tree fund, in which the mayor and council participate?

If a mature tree has to be removed for safety and or property management, the property owner should not have to pay into a fund because of its removal. If it's stated you have to pay into a fund when you remove a mature tree for aesthetics, that would be a different story.

First off, if the real estate is filled with trees, it may be in the best interest of the other landscape, the house, etc. to remove a tree. I'm not sure why a homeowner would need to replace the tree in such circumstances or be required to contribute to a fund for tree planting throughout the city. That type of tree planting program should come from city taxes or citizen donations.

I love our trees in RP BUT. We need to bury our electric lines so we don't loose power so often due to trees. Sorry

Q6. If you gave a “not supportive” or “not at all supportive” response to Q5, please tell us why. (Continued)

I already pay property taxes. I choose how I direct my charity. You are diminishing the value of my property when you prevent me from doing as I please with it. If you want a preservation fund for public lands or you want to "gift" low-income people with trees then find the funds in the current budget or persuade the residents to raise taxes on themselves through normal channels. My trees are not Roeland Park's trees.

See answer for first question, should be numbered 2.

Trying to spin this idea: a homeowner has to pay the city money for removing a tree from their own yard, potential a downed tree from a storm; as altruistic by the city, because the word "low-income" is in there really shows whom the politicians believe the voters will be.

The notion that a City council is wanting to increase revenue isn't new but this approach is lower than a snake's asshole. Almost as bad as the last tax increase ballot issue was written.

What if one of those "low-income" household has to remove a mature tree? Do they get a 'free' consolation prize tree?

Anyone in Johnson county has access to free trees through the county already.

Removal of a tree can is usually done for purposes of safety and property protection. I do not think it is a good idea to erect an administrative and financial barrier to tree removal which could cause unsafe (diseased, damaged or dead) to not be removed.

Adding an additional expense to an already expensive tree removal service would be an even more costly service. Would the city help pay for the cost of tree removal?

Property owners should choose what to do on their own property.

THE PROPERTY TAXES ARE RAISE AT A VERY HIGH RATE AT THIS TIME .. WE DON'T NEED ANYMORE TAX INCREASE



The Economics of Urban Forestry

TREE CITY USA®
BULLETIN

November/December 2021 • Editor: Dr. James R. Fazio



***T**he benefits of urban trees have been quantified in numerous ways in recent years. Now a new study provides important information about yet another contribution that tree planting and care provides for America.*

We all know intuitively that trees in our communities are economically important. But just important? To answer this question, the Arbor Day Foundation, in cooperation with the USDA Forest Service, contracted with the College of Business at the University of Nebraska–Lincoln to conduct a formal, nationwide study of this aspect of urban and community forestry.

The 2021 study was conducted by researchers Drs. Eric Thompson, Mitch Herian, and David Rosenbaum. All 50 states and the District of Columbia are included and the goal is to help determine what economists call the economic footprint of both the private and public sectors involved in urban forestry. For purposes of this project, urban forestry is defined as “growing, planting, maintaining, removing, disposing,

and studying trees that are usually located in cities, towns, and other human settlements and that are used primarily to meet needs and enable activities of people.” Data used in the study are from the 2017 Economic Census conducted by the U.S. Department of Commerce, the most recent data available for analysis, and information compiled by the Arbor Day Foundation from participants in the Tree City USA®, Tree Campus® Higher Education and Tree Line USA® programs. These data are supplemented with surveys of non-participating cities, campuses, and companies. Consistent, industry-accepted methodology provides the advantage of enabling replication by future researchers to track the growth of urban forestry and its impacts.

The study also includes a section called Quality-of-Life Benefits. This will be of special interest to homeowners because it highlights how landscape trees affect property values. All in all, this new package of information will be a useful addition in the arsenal of tree board members and others who often must defend the importance of landscape trees.



Arbor Day Foundation®
211 N. 12th Street • Lincoln, Nebraska 68508

The National Perspective

The economic footprint of urban forestry is like the concentric rings in a pond. Not only is there the direct value of business sales or agency spending, but there is also a multiplier effect that widely spreads the economic benefits. Here is a summary of findings for the various industries that are part of urban forestry.



THE PRIVATE SECTOR

For the purposes of this study, there are six relevant industry segments, as identified in the federal government's North American Industry Classification System. Some 322,931 people are employed in these industries with the total economic footprint being an impressive \$61.9 billion. Only activities related to growing, distributing, planting, and maintaining of urban trees were included in the data collection. For example, in the landscape services industry, lawn maintenance was excluded.

The direct economic footprint in the following table is based on

Services to maintain the landscape lead all other categories in providing economic benefits.

annual sales and \$15.1 billion in employee wages, salaries, and benefits. IMPLAN, an economic impact assessment software system, calculated the multiplier for each industry segment.

INDUSTRY	DIRECT ECONOMIC FOOTPRINT OUTPUT*	MULTIPLIER*	TOTAL ECONOMIC FOOTPRINT OUTPUT*
Nursery and Tree Products	\$2,617.0	\$2,105.6	\$4,722.6
Support Activities for Forestry	\$354.8	\$295.5	\$650.3
Nursery and Florist Wholesale	\$2,426.6	\$1,846.3	\$4,273.0
Lawn and Garden Equipment and Supply Stores	\$1,693.0	\$1,472.8	\$3,165.9
Landscape Architecture Services	\$2,093.7	\$2,388.6	\$4,482.3
Landscaping Services	\$25,074.5	\$19,510.2	\$44,584.7
TOTALS	\$34,259.6	\$27,619.1	\$61,878.7

*\$ in millions

LOCAL GOVERNMENTS AND UTILITIES

This table shows the economic contributions from public entities, such as cities, counties, and some universities, as well as private utilities and colleges. The Arbor Day Foundation provided data for entities participating in its recognition programs, while researchers sampled non-participating entities by questionnaire. Together, these institutions contributed nearly \$2.1 billion in 2017.

ENTITIES	DIRECT ECONOMIC FOOTPRINT OUTPUT*	MULTIPLIER*	TOTAL ECONOMIC FOOTPRINT OUTPUT*
Tree City USA Communities	\$688.2	\$520.4	\$1,208.5
Other Cities	\$117.8	\$92.4	\$210.2
County Governments	\$52.1	\$40.4	\$92.5
Tree Campus USA Higher Education Schools	\$33.7	\$25.5	\$59.3
Tree Line USA Utilities	\$294.3	\$216.8	\$511.1
TOTALS	\$1,186.1	\$895.5	\$2,081.5

*\$ in millions

EMPLOYMENT

The growing and care of urban forests provides jobs for a large number of employees. The multipliers in this case are the number of people not directly employed in the industries listed, but those workers who benefit and receive part of

their support from individuals who are in fields related to urban forestry. Total direct compensation amounts to nearly \$16 billion, and \$25 billion when considering a multiplier.

INDUSTRY	EMPLOYEE COMPENSATION FOOTPRINT*			NUMBER OF JOBS		
	Direct	Multiplier	Total	Direct	Multiplier	Total
Nursery and Tree Products	\$1,315.8	\$977.6	\$2,293.4	35,585	23,503	59,087
Support Activities for Forestry	\$322.0	\$97.4	\$419.4	4,745	1,173	5,918
Nursery and Florist Wholesale	\$1,135.3	\$883.1	\$2,018.4	20,272	24,283	44,555
Lawn and Garden Equipment and Supply Stores	\$748.7	\$565.2	\$1,313.9	19,440	12,035	31,474
Landscape Architecture Services	\$1,089.7	\$843.3	\$1,933.0	13,421	17,866	31,287
Landscaping Services	\$10,568.8	\$5,328.2	\$15,897.0	229,469	72,760	302,229
TOTALS	\$15,180.4	\$8,694.8	\$23,875.2	322,931	151,619	474,550

ENTITY	EMPLOYEE COMPENSATION FOOTPRINT*			NUMBER OF JOBS		
	Direct	Multiplier	Total	Direct	Multiplier	Total
Tree City USA Communities	\$492.1	\$205.5	\$697.6	8,773	3,436	12,209
Other Cities	\$84.9	\$42.2	\$127.1	1,833	684	2,517
County Governments	\$30.5	\$15.4	\$45.8	660	246	906
Tree Campus Higher Education Schools	\$25.8	\$11.5	\$37.3	573	184	757
Tree Line USA Utilities	\$115.4	\$171.9	\$287.3	2,473	8,222	10,693
TOTALS	\$748.8	\$446.4	\$1,195.2	14,313	12,769	27,082

*\$ in millions



QUALITY-OF-LIFE BENEFITS

Landscape trees impact property values, but they also provide external benefits to society, such as improved air and water quality. In this study, the benefit to homeowners was based on a count of urban homes in each state, average tree coverage on private property, and a review of literature quantifying the relationship between tree cover and property values. External benefits were calculated using the i-Tree Landscape program developed by the USDA Forest Service. Results show that tree cover in the U.S. increased the value of private homes by more than \$604 billion in 2017, based on the present value of annual services provided — the aesthetics, shading, and related energy cost savings over a 50-year lifespan for mature trees. On an annual basis, \$31.5 billion worth of services are provided to homeowners, and an additional \$73 billion in benefits are delivered to society in the form of air pollution and stormwater runoff mitigation.

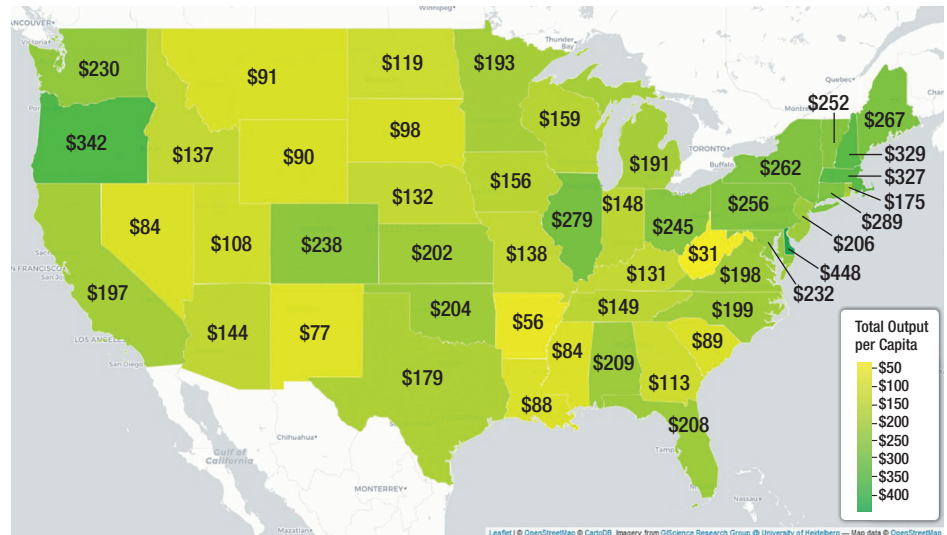
ECONOMIC BENEFITS (MEASURED IN 2017)	VALUE
Property Value Impact	\$604,167.4 million
Annual Value of Services by Trees to Property Owners	\$31,518.4 million
Annual Value of Pollution and Runoff Mitigation	\$73,436.5 million
TOTAL ANNUAL VALUE	\$104,954.9 million

Economic Benefits State by State

In the University of Nebraska study, basically the same methodology was applied on a state and regional basis. A summary is shown here with the economic values displayed per capita.

URBAN FORESTRY OUTPUTS PER RESIDENT IN 2017

The map at right shows total economic output, per capita, for each state. This includes both direct and indirect economic impact of the various industries associated with urban forestry, and the multiplier effect for each. As you can see on the map, the largest total economic footprints are found in the Northeast, coastal Northwest, and industrial Midwest of the country. The strong influence of the nursery industry accounts for much of the impact in Oregon and New Jersey. In the government sectors, cities that participate in the Tree City USA program account for the largest share of the economic footprint.



QUALITY OF LIFE BENEFITS

In economic terms, trees and urban forestry play a large role in the lives of urban residents. In the full study report, urban and rural counties are reported separately. In the table on page 5, however, the data is aggregated. The first column reports the contribution of tree cover to property values in each state. The other columns are the quantified values of some of the ecoservices trees provide.

STATEWIDE IMPACT OF TREE COVER ON PROPERTY VALUES AND ENVIRONMENTAL AMENITIES					
		Value* from i-Tree			
State	Property Value *	Carbon	Pollution	Hydrology	Total
Alabama	\$17,995	\$3,367	\$193	\$114	\$3,675
Alaska	\$29	\$0	\$0	\$0	\$0
Arizona	\$877	\$181	\$3	\$1	\$184
Arkansas	\$9,984	\$2,439	\$71	\$84	\$2,594
California	\$17,570	\$3,023	\$136	\$62	\$3,221
Colorado	\$6,989	\$577	\$16	\$10	\$603
Connecticut	\$10,285	\$285	\$122	\$64	\$472
Delaware	\$2,110	\$73	\$13	\$6	\$93
District of Columbia	\$805	\$2	\$6	\$1	\$9
Florida	\$38,657	\$3,889	\$303	\$240	\$4,432
Georgia	\$33,688	\$4,141	\$344	\$254	\$4,739
Hawaii	\$15	\$0	\$0	\$0	\$0
Idaho	\$1,564	\$740	\$22	\$15	\$777
Illinois	\$10,725	\$500	\$111	\$66	\$676
Indiana	\$7,092	\$576	\$47	\$29	\$652
Iowa	\$1,624	\$295	\$7	\$11	\$314
Kansas	\$1,991	\$328	\$12	\$12	\$351
Kentucky	\$12,123	\$1,235	\$83	\$71	\$1,388
Louisiana	\$12,387	\$2,981	\$110	\$130	\$3,222
Maine	\$6,701	\$1,474	\$55	\$54	\$1,583
Maryland	\$15,417	\$407	\$114	\$46	\$567
Massachusetts	\$21,426	\$390	\$249	\$160	\$799
Michigan	\$20,380	\$1,799	\$123	\$125	\$2,047
Minnesota	\$5,301	\$760	\$26	\$26	\$812
Mississippi	\$11,356	\$3,983	\$110	\$84	\$4,176
Missouri	\$10,370	\$935	\$91	\$67	\$1,094
Montana	\$1,628	\$874	\$28	\$25	\$927
Nebraska	\$472	\$114	\$3	\$3	\$121
Nevada	\$549	\$254	\$9	\$2	\$265
New Hampshire	\$6,833	\$388	\$36	\$35	\$458
New Jersey	\$20,267	\$298	\$173	\$71	\$543
New Mexico	\$1,508	\$592	\$11	\$3	\$606
New York	\$33,723	\$1,484	\$302	\$135	\$1,922
North Carolina	\$36,577	\$3,921	\$248	\$157	\$4,326
North Dakota	\$108	\$60	\$2	\$1	\$62
Ohio	\$21,698	\$954	\$202	\$118	\$1,274
Oklahoma	\$5,823	\$1,106	\$62	\$33	\$1,201
Oregon	\$11,579	\$1,785	\$115	\$101	\$2,001
Pennsylvania	\$37,746	\$1,780	\$313	\$125	\$2,218
Rhode Island	\$3,667	\$56	\$45	\$26	\$127
South Carolina	\$20,470	\$2,498	\$114	\$85	\$2,698
South Dakota	\$509	\$58	\$4	\$2	\$63
Tennessee	\$20,513	\$1,467	\$154	\$107	\$1,727
Texas	\$30,786	\$5,624	\$297	\$231	\$6,153
Utah	\$3,238	\$390	\$21	\$13	\$423
Vermont	\$2,923	\$363	\$15	\$23	\$400
Virginia	\$27,033	\$2,208	\$151	\$110	\$2,469
Washington	\$21,099	\$1,588	\$83	\$119	\$1,790
West Virginia	\$9,036	\$1,264	\$48	\$42	\$1,354
Wisconsin	\$8,738	\$1,295	\$49	\$41	\$1,386
Wyoming	\$184	\$433	\$4	\$3	\$440
TOTALS	\$604,167	\$65,234	\$4,857	\$3,345	\$73,437

*\$ in millions

More on Economic Benefits

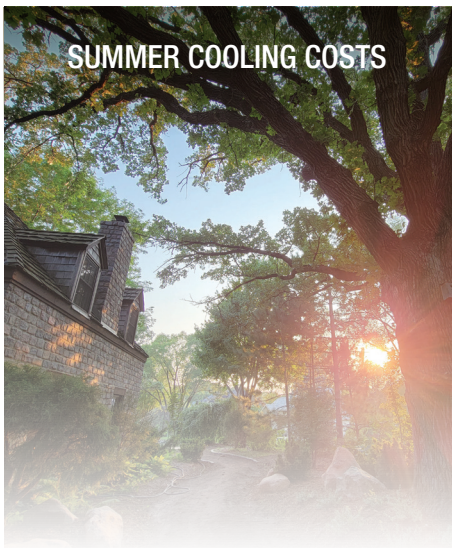
There are many more findings from a variety of research studies about the positive economic impact of trees. Even when weighed against the costs of planting and maintenance, trees make good sense as investments — both for individuals and communities.

TREES AT HOME AND IN THE COMMUNITY

While values will vary depending on climate and local conditions, the contribution of trees will still be significant. Here are some examples.



SUMMER COOLING COSTS



FOUR STRATEGICALLY PLACED TREES at a home in Sacramento, California save up to 30% on energy costs each year after the trees gain some size.

If 1 million more trees were planted in Sacramento, \$10 million would be saved annually.

ONE WELL-PLACED TREE can reduce air conditioning costs alone up to 50%.

Reduced energy demand means reduced need for power plants, which can result in less air pollution.

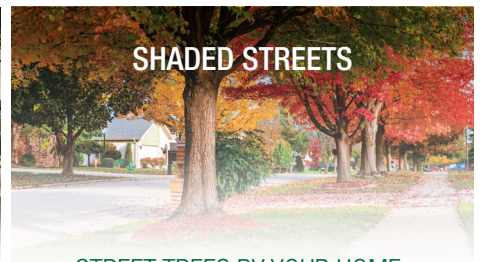
PROPERTY VALUES



YARD TREES IN GOOD CONDITION may add 10% to 20% to the resale value of your home.

In Portland, Oregon, street trees in front of or near a home added an average of \$8,870 to sale prices — and reduced time on the market.

SHADED STREETS



STREET TREES BY YOUR HOME beautify the neighborhood, provide safety from traffic, and add summer comfort — as well as contribute to resale value.

Shade protects asphalt surfaces, with the potential of reducing repaving costs by as much as 58% over a 30-year period.

WINTER SAVINGS



TREES USED AS WINDBREAKS can save 20% to 50% in energy used for heating.

Windbreaks can also control blowing snow, saving on plowing costs.

CLIMATE CHANGE



GLOBALLY, TREES HELP by removing fossil fuel emissions.

A USDA Forest Service study found that trees removed about one-third of fossil fuel emissions each year from 1990 to 2007.



TREES ARE GOOD FOR BUSINESS. TREES IN A SHOPPING DISTRICT:

- \$ Attract customers
- \$ Lower utility costs
- \$ Cool parking spaces
- \$ Increase resale value
- \$ Stimulate economic development
- \$ Increase tourism
- \$ Ease stress

TREES IN THE BUSINESS DISTRICT

Considerable research on trees in business districts has been done by Dr. Kathleen Wolf at the University of Washington. She concludes, “Trees are a positive atmospheric for business districts. They create a retail mood that appeals to shoppers and visitors. Trees greet shoppers with a message of welcome even before entering a merchant’s door.” Her studies have found that when trees are present:

- Customers perceive merchants in a much more positive light. Trees send a message of care and service commitment.
- Customers tend to stay longer and visit more frequently.
- Shoppers say they are willing to pay higher prices — as much as 12% more.
- Visitors rate pedestrian-oriented pocket parks highly and prefer trees that are large with enclosing canopies.

PARKS AND OPEN SPACE

Americans value their parks and open spaces, most of which are enhanced with trees and other vegetation. Studies have shown that homebuyers prefer to be near such spaces and are often willing to pay 8% to 20% more for the privilege.

OTHER VALUES

In addition to cash values and major external (societal) benefits quantified in the University of Nebraska study, there are many others. For example, numerous studies have shown how trees reduce human stress and contribute to better health and even longevity. Then there are the famous studies by Dr. Kuo at the University of Illinois at Urbana-Champaign that link trees to improved child development and the reduction of domestic violence. These and others go beyond dollars when viewed in terms of human happiness.



Beneficiaries — The Bottom Line

The ultimate benefits of urban forestry are the contributions trees make to the comfort, health, and happiness of people. The Arbor Day Foundation has collected examples from every state, and you can see all of them at arborday.org/faces.



WHEN ALMA GAUL turns off Bettendorf, Iowa's, four-lane thoroughfare and enters her neighborhood, the world around her changes. The noise, lights, and bustle of the city are left behind. "It's like driving into a park," Alma says. "It's calm and quiet — very surreal."

Alma and her neighbors are the beneficiaries of forward-thinking city officials and developers of long ago. When the area was transformed from cornfields into houses, they planted oaks, maples, river birches, and a diverse mixture of other species along the streets of the development. Alma appreciates the results. "Trees make my neighborhood," she says.

Carrying on the tradition is Trees Are Us, a dedicated group of volunteers who work under the direction of Bettendorf's Parks and Recreation Department. In cooperation with the city's tree board and supported with funds from the local utility, corporations, and gaming authorities, more than 2,000 trees have been added to Bettendorf's streets.

Neighbors of Alma Gaul, newspaper feature writer in Bettendorf, Iowa, add more trees to the streets of their city.



FOR MORE INFORMATION

For links to the entire report of the Economics of Urban Forestry and other information related to this issue, please visit arborday.org/treereport.



AS AN INVESTOR who renovates neglected homes, Evelyn Ware-Jackson looks at blighted areas a little differently than most people. Where others see despair, Evelyn sees opportunity. She also realizes restoring one home alone is not enough. You must redevelop the whole neighborhood. Nowhere has she been more successful than in Melrose East, a once thriving neighborhood in Baton Rouge, Louisiana, that has suffered years of disinvestment, neglect, crime, and disillusionment.

This turned around when Evelyn accepted an offer from Baton Rouge Green for 300 trees funded by a USDA Forest Service grant through the Louisiana Office of Forestry. The trees enabled Evelyn and residents of the neighborhood to complete a community reforestation program. The residents and other volunteers worked together to plant the trees.

The trees not only added shade and beauty, but the planting project served as a catalyst for other neighborhood improvements and provided a way for citizens to get involved with their neighborhood's turnaround.



THE UNIVERSITY OF IDAHO is located in Moscow, Idaho, a small city surrounded by some of the nation's most productive acreages of winter wheat. As early as 1909, university officials recognized the importance of trees as part of campus education, and a 36-acre arboretum was planted. The site became so popular for community recreation that an additional 63 acres of farm land adjoining the university was acquired to plant a variety of trees and shrubs from all over the world.

In cooperation with community leaders, foresters, and private donors, the farmland has become a diverse and nationally accredited arboretum. And despite economic hard times at the state university, state funds have consistently been allocated to the arboretum's maintenance and improvement. The expanded arboretum has become a place where on any day of the year, community residents of all ages can be found walking, watching birdlife, meditating, and enjoying the benefits of a bit of wooded area between the wheat fields and the city.

The site so affected Jim and Cindy Fisher that when it came time to buy a house, they sought one within an easy walk to the arboretum. "We became enamored with that part of town," they said, and like so many others, this oasis of trees is now an important part of their daily lives.



Arbor Masters
Tree & Landscape®

December 20, 2021

Attn. Donnie Scharff
City of Roeland Park

Donnie,

Thank you for the opportunity for Arbor Masters to participate and present the following pricing proposal for the citywide Tree Inventory Data Collection program you have requested. A Tree Inventory is a vital aspect of the high standard Roeland Park has set as a Tree City USA. Not only can it help to establish a cyclical, routine monitoring, and maintenance schedule, but it can educate the residents to the importance of maintaining the Urban Forest.

This proposal will be to set a projected budget to achieve the objective of a Citywide Street ROW Tree Inventory including Frontage Trees bordering the City ROW as designated in the attached map example provided by the city. Because the inventory has not actually taken place, we will be making some calculated estimates of approximate quantities, which are as follows.

ESTIMATED TREES IN PUBLIC & FRONTAGE ROW – 7500 TO 8500

*Since this is an exact unknown, we are presenting a Price Per Tree pricing to project possible budget scenarios.

PRICE PER TREE - \$8.50

*With this pricing based on estimated quantities would reflect a budget of: \$63,750.00 to \$72,250.00 – Estimated time to complete 6 weeks

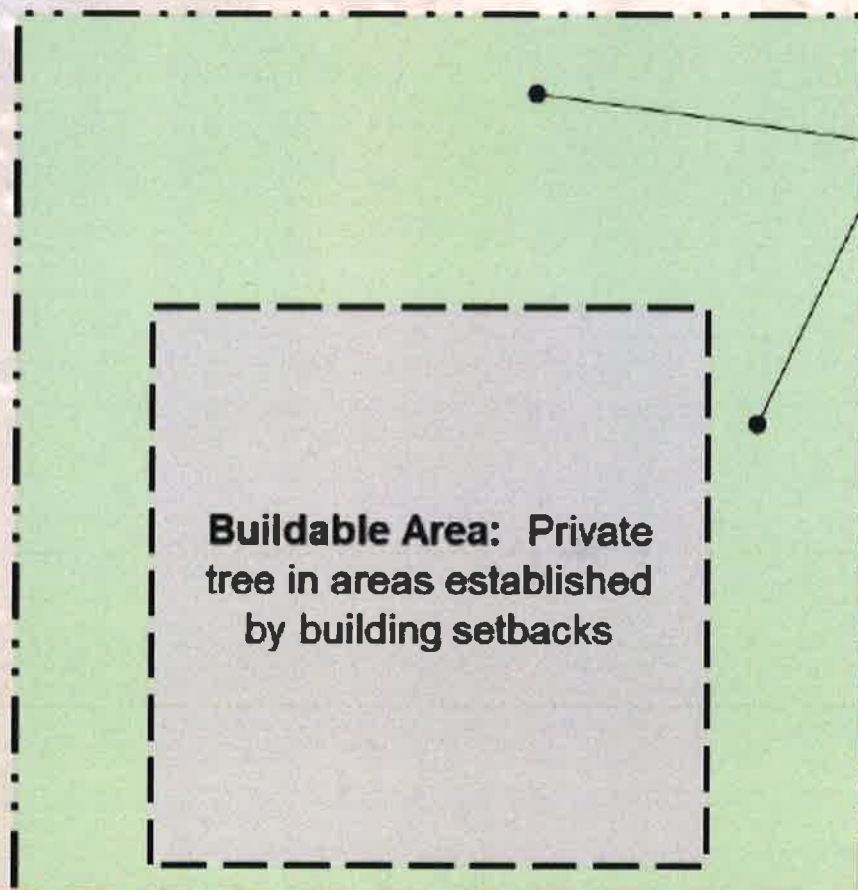
The Inventory will be done using the Tree Plotter Software System that was utilized for the City Park Tree Inventories that Arbor Masters has done previously.

The Data Collection will consist of: - Location - Common Name – Scientific Name
Diameter at Breast Height – General Condition (Good/Fair/Poor)

If you have any questions please feel free to contact me directly at 913-530-8831

Sincerely,

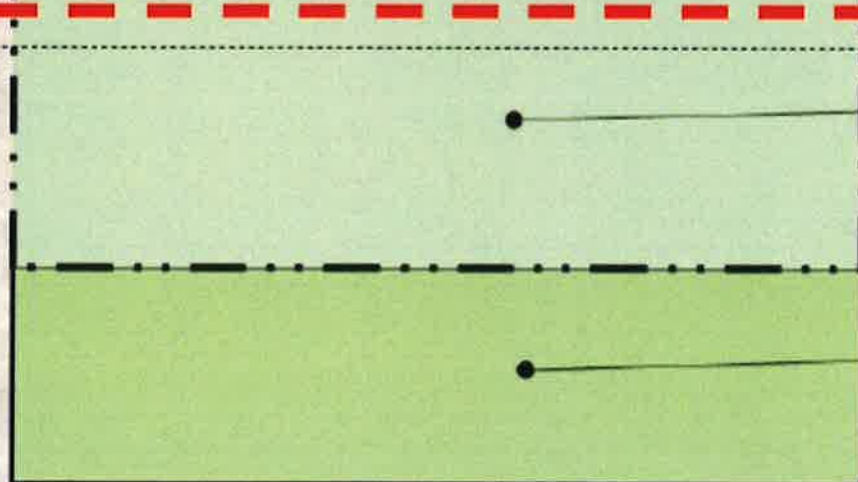
ry)



Perimeter Trees:
Private tree outside
of frontage and
buildable area

Buildable Area: Private
tree in areas established
by building setbacks

Private
ROW



Frontage Tree:
Front of building or
in front setback

Public Tree: ROW,
easements or parks
& civic grounds

Item Number: New Business- VIII.-A.
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 2/8/2022
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Award Contract for 2022 Street Maintenance - Chipseal - 5 Minutes**
Item Type: Discussion

Recommendation:

Approve the 2022 Street Maintenance surface treatments with Vance Bros for chipseal at a cost not to exceed \$126,116

Details:

Staff opened bids for the 2022 contracted surface treatments for Chipseal on February 15th, 2022. Two bids were received for Chipseal. The engineers estimate was \$129,687.20

Harbour Construction Bid - \$130,352
Vance Bros Bid - \$126,116

Attached is the recommendation from the city engineer. Also attached are the maps showing the street locations. Staff has worked with Vance Bros on past projects and find them to be qualified to complete this work.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount: \$437,000 between two accounts (see below)
Line Item Code/Description: 5421.300 - Contract Street Maintenance & 5421.106 Street Maintenance	

Additional Information

The city budgeted \$437,000 in 2022 for in-house and contracted street maintenance. PW staff

typically uses \$80,000 for in-house street maintenance. The remaining budget of \$357,000 is used for contracted street maintenance including inspection, UBAS and chipseal.

The cost for 2022 Chipseal treatment for Roeland Park is \$126,116. Due to the condition of some of the streets proposed to be chipsealed, the city engineer has recommended applying a double chipseal to extend the life of the street condition. Chipseal surface treatments continue to provide extended life to city streets and have proven to be a cost effective maintenance solution. Below are the streets that will receive the chipseal & **double chipseal** surface treatment:

- W. 57th St - Roe Blvd to Roeland Drive
- W. 58th St - Roeland Dr to Nall Ave
- **Ash Drive - 57th St to 55th St**
- **W. 56th St - Linden St to Ash Dr**
- Sherwood Dr - Rosewood Dr to Linden St
- **Linden St - Sherwood Dr to Rosewood Dr**
- Birch St - 52nd St to 51st St
- **Ash St - Sycamore Dr to 51st St**

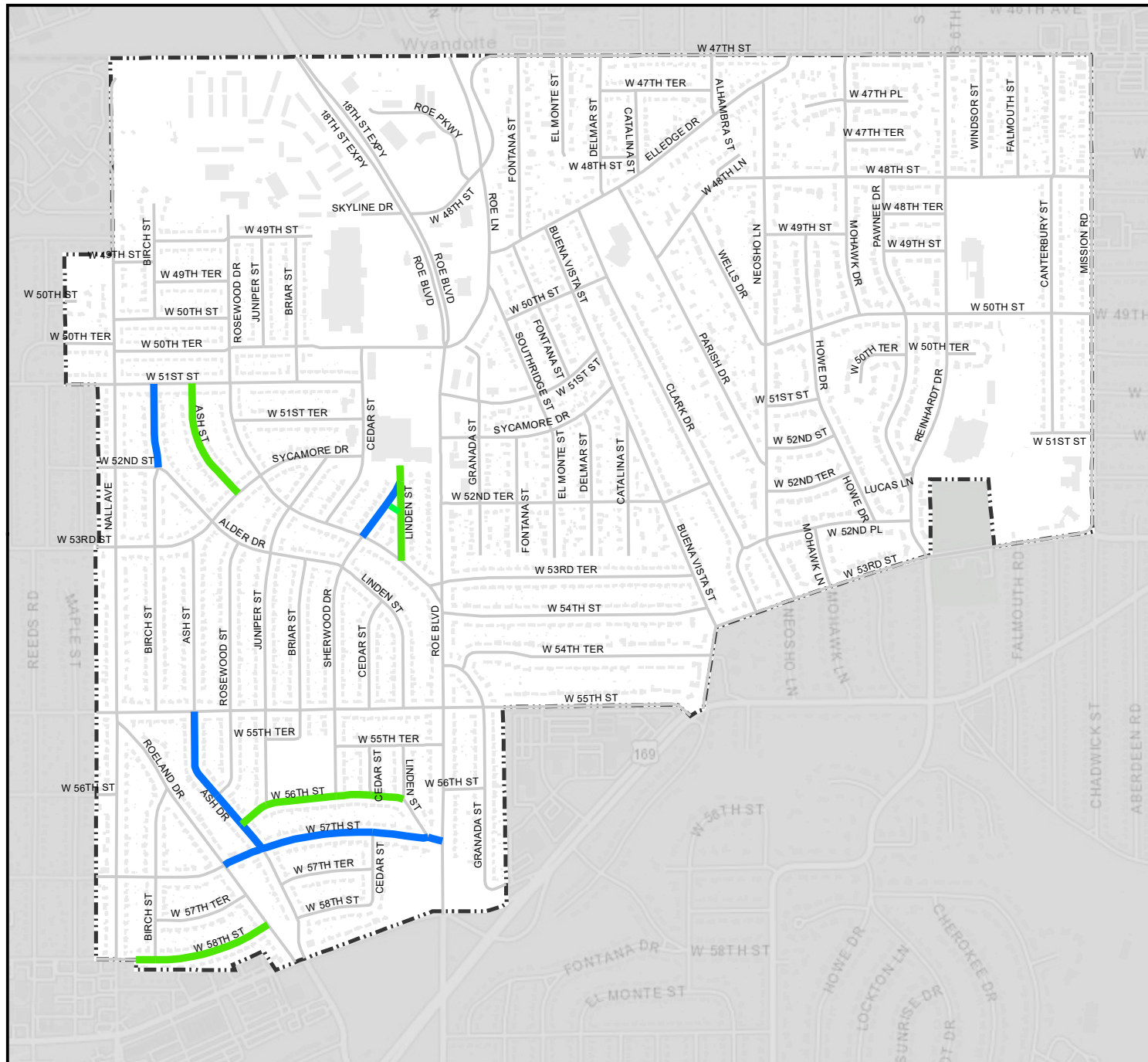
Chipseal amounts to 40% of the value of contracted work, UBAS amounts to 60%.

How does item relate to Strategic Plan?

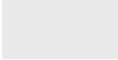
How does item benefit Community for all Ages?

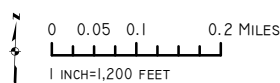
ATTACHMENTS:

Description	Type
📎 2022 Chipseal Map	Cover Memo
📎 Vance Bros Bid	Cover Memo
📎 Harbour Construction Bid	Cover Memo
📎 Engineer Memo	Cover Memo



Legend

-  Roads
-  City Limits
-  Building
- Maintenance Type**
-  Double Chip Seal
-  Chip Seal



2022 STREET MAINTENANCE - CHIP SEAL CITY OF ROELAND PARK



2022 STREET MAINTENANCE (CHIP SEAL)

LAMP RYNearSON PROJECT NO. 0321001.10

CITY OF ROELAND PARK, KANSAS
JOHNSON COUNTY, KANSAS

ITEMIZED PROPOSAL

	Bid Item	Unit	Quantity	Unit Price	Total Price
1	Mobilization	LS	1	10,000.00	10,000.00
2	Chip Seal	SY	10,530	3.85	40,540.50
3	Double Chip Seal	SY	11,136	5.75	64,032.00
4	Traffic Control	LS	1	5,000.00	5,000.00
5	Restore Pavement Markings (White) (24") (Stop Bar) (Thermoplastic)	LF	42	36.75	1,543.50
6	Force Account	SET	1	\$5,000.00	\$5,000.00

Total of Bid Price Items (Items 1-6) = Total Base Bid Price

\$ 126,116.00

One hundred twenty-six thousand one hundred sixteen dollars and no cents.
(WRITE AMOUNT IN WORDS)

- A) The undersigned agrees to begin work within a period of **10 calendar days** after the Notice to Proceed.
- B) The undersigned further agrees to complete all items of work, including punch list items, no later than **August 31, 2022**.

The undersigned also declares that they understand that liquidated damages based on the full bid price of the contract shall be assessed against contractor, as stipulated liquidated damages and not as a penalty, in an amount as set forth in paragraph GC 44 of the general conditions for each and every calendar day the work remains incomplete over the specified completion time(s) stated above in paragraphs A).

PROPOSAL QUANTITIES

The contractor shall be paid the said unit prices listed in the proposal. The contractor shall make their own evaluation of the quantities required to complete the work. In the event the contractor evaluation of quantities is different from those listed in the proposal, they may adjust their unit price bid up or down to cover their complete cost for performing the work. Quantities will not be changed after the bid is accepted by the City.

The unit price bid for each item shall include all of the contractors cost and profit including equipment, labor, supervision, material and all incidentals necessary to furnish the work

2022 STREET MAINTENANCE (CHIP SEAL)

LAMP RYNearson PROJECT NO. 0321001.10

CITY OF ROELAND PARK, KANSAS
JOHNSON COUNTY, KANSAS

ITEMIZED PROPOSAL

	Bid Item	Unit	Quantity	Unit Price	Total Price
1	Mobilization	LS	1	\$5,500.00	5,500.00
2	Chip Seal	SY	10,530	\$3.90	\$41,067.00
3	Double Chip Seal	SY	11,136	\$6.75	\$75,168.00
4	Traffic Control	LS	1	\$2,000.00	\$2,000.00
5	Restore Pavement Markings (White) (24") (Stop Bar) (Thermoplastic)	LF	42	\$38.50	\$1,617.00
6	Force Account	SET	1	\$5,000.00	\$5,000.00

Total of Bid Price Items (Items 1-6) = Total Base Bid Price

\$ 130,352.00

one hundred thirty thousand three hundred fifty two
(WRITE AMOUNT IN WORDS) and 00/100 dollars

- A) The undersigned agrees to begin work within a period of **10 calendar days** after the Notice to Proceed.
- B) The undersigned further agrees to complete all items of work, including punch list items, no later than **August 31, 2022**.

The undersigned also declares that they understand that liquidated damages based on the full bid price of the contract shall be assessed against contractor, as stipulated liquidated damages and not as a penalty, in an amount as set forth in paragraph GC 44 of the general conditions for each and every calendar day the work remains incomplete over the specified completion time(s) stated above in paragraphs A).

PROPOSAL QUANTITIES

The contractor shall be paid the said unit prices listed in the proposal. The contractor shall make their own evaluation of the quantities required to complete the work. In the event the contractor evaluation of quantities is different from those listed in the proposal, they may adjust their unit price bid up or down to cover their complete cost for performing the work. Quantities will not be changed after the bid is accepted by the City.

The unit price bid for each item shall include all of the contractors cost and profit including equipment, labor, supervision, material and all incidentals necessary to furnish the work

February 15, 2022

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

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

Re: 2022 Chip Seal Street Maintenance Project

Dear Ms. Nielsen:

Bids were received for the above referenced project on Tuesday, February 15, 2022.

A total of two bids were received. The low bid was submitted by Vance Brothers, Inc. in the amount of \$126,116.00. The engineers estimate for the bid was \$129,687.20. Attached is a completed bid tabulation and list of proposed subcontractors. The contractor proposes to complete approximately 99% of the work with their own forces.

We have previously worked with Vance Brothers, Inc. and found them to be a qualified contractor. After consultation with city staff we recommend that Vance Brothers, 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, City Administrator
Donnie Scharff, Director of Public Works
Dan Miller, Civil Design Group Leader

COMPLETED BID TAB
2022 CHIP SEAL STREET MAINTENANCE PROJECT
ROELAND PARK, KANSAS
February 15, 2021



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

Item No.	Item Description	Unit	<u>Estimated Quantity</u>	ENGINEERS ESTIMATE		VANCE BROTHERS		HARBOUR CONSTRUCTION	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization	LS	1	\$ 10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$5,500.00	\$5,500.00
2	Chip Seal	SY	10530	\$ 3.80	\$40,014.00	\$3.85	\$40,540.50	\$3.90	\$41,067.00
3	Double Chip Seal	SY	11136	\$ 6.20	\$69,043.20	\$5.75	\$64,032.00	\$6.75	\$75,168.00
4	Traffic Control	LS	1	\$ 5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$2,000.00	\$2,000.00
5	Restore Pavement Markings (White) (24") (Stop	LF	42	\$ 15.00	\$630.00	\$36.75	\$1,543.50	\$38.50	\$1,617.00
6	Force Account	SET	1	\$ 5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
				Total	\$129,687.20		\$126,116.00		\$130,352.00

Greg VanPatten

From: Perry Dummitt <pdummitt@vancebrothers.com>
Sent: Tuesday, February 15, 2022 11:00 AM
To: Greg VanPatten
Subject: Roeland Park, KS - 2022 Chip Seal

[EXTERNAL EMAIL]

Greg,

As requested, Vance Brothers, Inc. plans on using "Twin Traffic Marking Corp." as the pavement markings subcontractor for the City of Roeland Park, KS – 2022 Chip Seal Program.

Thanks,
Perry K. Dummitt
816-6630-745

Item Number: New Business- VIII.-B.
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 2/8/2022
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Award Contract for 2022 Street Maintenance - UBAS - 5 Minutes**
Item Type: Discussion

Recommendation:

Approve the 2022 Street maintenance surface treatments with McAnany Construction for UBAS at a cost not to exceed \$190,000

Details:

Staff opened bids for the 2022 contracted surface treatments for UBAS on February 15th, 2022. Two bids was received for UBAS and are attached. The engineers estimate was \$214,341.20 The UBAS scope does include some curb replacement and base repairs identified on these streets. Attached is a recommendation memo from the city engineers.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount: \$437,000 between two accounts (below)
Line Item Code/Description: 5421.300- Contract Street Maintenance/5421.106 Street Maintenance	

Additional Information

The city budgeted \$437,000 in 2022 for in-house and contracted street maintenance. PW staff typically uses \$80,000 on the in-house/contracted street maintenance component. The remaining budget of \$357,000 is used for contracted street maintenance including project inspection, Chip Seal and UBAS.

Total cost for 2022 UBAS treatment for Roeland Park is \$190,000. Below are the streets that will receive the UBAS surface treatment:

UBAS

- Juniper St - 55th St to Alder Dr
- Briar St - 55th St to End
- Howe Dr - 50th St to 52nd Pl
- 51st St - Neosho to Howe Dr
- 52nd St - Neosho to Howe Dr
- 52nd Pl - Mohawk Ln tp Reinhardt Dr
- Reinhardt Dr - Lucas Ln to 53rd St

Chipseal amounts to 40% of the value of contracted work, UBAS amounts to 60%.

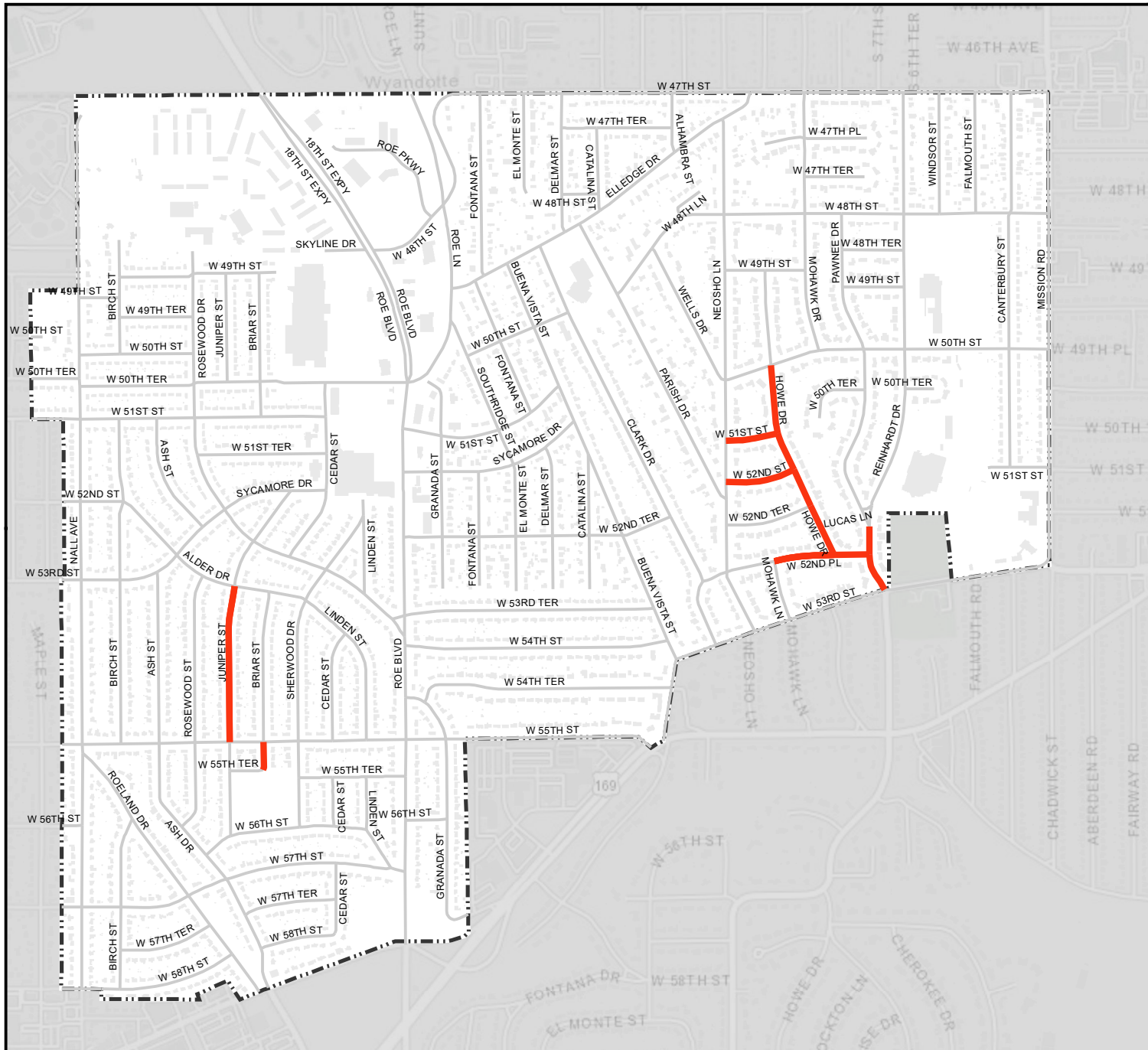
Attached is a street map showing the locations of the street above.

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

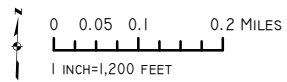
ATTACHMENTS:

Description		Type
	2022 UBAS Map	Cover Memo
	McAnany Construction Bid	Cover Memo
	Superior Bowen Bid	Cover Memo
	Engineer Memo	Cover Memo



Legend

- Roads
- - - City Limits
- Building
- Maintenance Type**
- UBAS



2022 STREET MAINTENANCE - UBAS CITY OF ROELAND PARK



BID PROPOSAL

2022 STREET MAINTENANCE (UBAS)

LAMP RYNEARSON PROJECT NO. 0321001.10

**CITY OF ROELAND PARK, KANSAS
JOHNSON COUNTY, KANSAS**

Name of Bidder Mr Anany Construction
Address of Bidder 15320 Midland Drive Shawnee KS 66217
Telephone Number of Bidder: (913) 631 5440

To the CITY OF ROELAND PARK, KANSAS

THE UNDERSIGNED BIDDER, having examined the Plans, Specifications, Regulations of the Contract, Special Conditions and other proposed Contract Documents, and all addenda thereto; and being acquainted with and fully understanding (a) the extent and character of the work covered by the Proposal; (b) the location, arrangement, and specified requirements for the proposed work; (c) the location, character and conditions of trees, utilities, drainage structures, and other installations, both surface and underground which may affect or be affected by the proposed work; (d) the nature and extent of the improvements to be made and the type, character and general condition of materials to be used; (e) the necessary handling and re-handling of materials; (f) the difficulties and hazards associated with the work (g) local conditions relative to labor, transportation, hauling, and rail delivery facilities; and (h) all other factors and conditions affecting or which may be affected by the work;

HEREBY PROPOSES to furnish all required materials, supplies, equipment, tools and plant; to perform all necessary labor and supervision; and to construct, install, erect, and complete all work stipulated in, required by, and in accordance with, the proposed Contract Documents and the drawings, Specifications, and other documents referred to therein (as altered, amended, or modified by addenda), in the manner and time prescribed, and that they will accept in full payment sums determined by applying to the quantities of the following items, the following unit prices and/or any lump sum payments provided, and he understands that the quantities herein given are those that will be used to determine the contract amount.

2022 UBAS STREET MAINTENANCE PROJECT
 LAMP RYNEARSON PROJECT NO. 0321001.10 CITY OF ROELAND PARK, KANSAS
 JOHNSON COUNTY, KANSAS

ITEMIZED PROPOSAL

No.	Bid Item	Unit	Quantity	Unit Price	Total Price
1	Mobilization	LS	1	\$ 6,500.00	\$ 6,500.00
2	Curb and Gutter (Type B)	LF	325	\$ 60.00	\$ 19,500.00
3	Asphalt Base Repair (3")	SY	715	\$ 53.00	\$ 37,895.00
4	Macrotexture	SY	13,799	\$ 1.70	\$ 23,458.30
5	UBAS, Residential	SY	13,799	\$ 6.25	\$ 86,243.75
6	Restore Pavement Markings	LF	26	\$ 25.00	\$ 650.00
7	Restore Pavement Markings	LF	90	\$ 25.00	\$ 2,250.00
8	Restore Pavement Markings	LF	118	\$ 25.00	\$ 2,950.00
9	Traffic Control	LS	1	\$ 5,552.95	\$ 5,552.95
10	Force Account	Set	1	\$ 5,000.00	\$ 5,000.00

Total of Bid Price Items (Items 1-10) = Total Base Bid Price TOTAL \$ 190,000.00

Onehundred Ninety thousand dollars and zero cents

A) The undersigned agrees, if this proposal is accepted, to begin work within 10 days of the date stated in the Notice to Proceed.

B) The undersigned further agrees to complete all items of work, including punch list items, no later than August 31, 2022.

The undersigned also declares that they understand that liquidated damages based on the full bid price of the contract shall be assessed against contractor, as stipulated liquidated damages and not as a penalty, in an amount as set forth in paragraph GC 44 of the general conditions for each and every calendar day the work

PROPOSAL QUANTITIES

The contractor shall be paid the said unit prices listed in the proposal. The contractor shall make their own evaluation of the quantities required to complete the work. In the event the contractor evaluation of quantities is different from those listed in the proposal, they may adjust their unit price bid up or down to

BID PROPOSAL

2022 STREET MAINTENANCE (UBAS)

LAMP RYNEARSON PROJECT NO. 0321001.10

**CITY OF ROELAND PARK, KANSAS
JOHNSON COUNTY, KANSAS**

Name of Bidder Superior Bowen Asphalt Co., LLC

Address of Bidder 520 W. Pennway St., Suite 300, KCMO 64108

Telephone Number of Bidder: (816) 921-8200

To the CITY OF ROELAND PARK, KANSAS

THE UNDERSIGNED BIDDER, having examined the Plans, Specifications, Regulations of the Contract, Special Conditions and other proposed Contract Documents, and all addenda thereto; and being acquainted with and fully understanding (a) the extent and character of the work covered by the Proposal; (b) the location, arrangement, and specified requirements for the proposed work; (c) the location, character and conditions of trees, utilities, drainage structures, and other installations, both surface and underground which may affect or be affected by the proposed work; (d) the nature and extent of the improvements to be made and the type, character and general condition of materials to be used; (e) the necessary handling and re-handling of materials; (f) the difficulties and hazards associated with the work (g) local conditions relative to labor, transportation, hauling, and rail delivery facilities; and (h) all other factors and conditions affecting or which may be affected by the work;

HEREBY PROPOSES to furnish all required materials, supplies, equipment, tools and plant; to perform all necessary labor and supervision; and to construct, install, erect, and complete all work stipulated in, required by, and in accordance with, the proposed Contract Documents and the drawings, Specifications, and other documents referred to therein (as altered, amended, or modified by addenda), in the manner and time prescribed, and that they will accept in full payment sums determined by applying to the quantities of the following items, the following unit prices and/or any lump sum payments provided, and he understands that the quantities herein given are those that will be used to determine the contract amount.

2022 UBAS STREET MAINTENANCE PROJECT
LAMP RYNEARSON PROJECT NO. 0321001.10
CITY OF ROELAND PARK, KANSAS
JOHNSON COUNTY, KANSAS
ITEMIZED PROPOSAL

No.	Bid Item	Unit	Quantity	Unit Price	Total Price
1	Mobilization	LS	1	\$4,000.00	\$4,000.00
2	Curb and Gutter (Type B) (Remove and Replace)	LF	325	\$104.50	\$33,962.50
3	Asphalt Base Repair (3")	SY	715	\$72.90	\$52,123.50
4	Macrotexture	SY	13,799	\$2.30	\$31,737.70
5	UBAS, Residential	SY	13,799	\$6.95	\$95,903.05
6	Restore Pavement Markings (White) (24") (Stop Bar) (Thermoplastic)	LF	26	\$21.00	\$546.00
7	Restore Pavement Markings (White) (24") (Piano Keys) (Thermoplastic)	LF	90	\$21.00	\$1,890.00
8	Restore Pavement Markings (White) (6") (Crosswalk) (Thermoplastic)	LF	118	\$10.00	\$1,180.00
9	Traffic Control	LS	1	\$3,200.00	\$3,200.00
10	Force Account	Set	1	\$5,000.00	\$5,000.00

Total of Bid Price Items (Items 1-10) = Total Base Bid Price

\$ 229,542.75

Two Hundred Twenty Nine Thousand Five Hundred Forty Two Dollars and Seventy Five Cents

(WRITE AMOUNT IN WORDS)

- A) The undersigned agrees, if this proposal is accepted, to begin work within 10 days of the date stated in the Notice to Proceed.
- B) The undersigned further agrees to complete all items of work, including punch list items, no later than August 31, 2022.

The undersigned also declares that they understand that liquidated damages based on the full bid price of the contract shall be assessed against contractor, as stipulated liquidated damages and not as a penalty, in an amount as set forth in paragraph GC 44 of the general conditions for each and every calendar day the work remains incomplete over the specified completion time(s) stated above in paragraphs A) and B).

PROPOSAL QUANTITIES

The contractor shall be paid the said unit prices listed in the proposal. The contractor shall make their own evaluation of the quantities required to complete the work. In the event the contractor evaluation of quantities is different from those listed in the proposal, they may adjust their unit price bid up or down to cover his complete cost for performing the work. Quantities will not be changed after the bid is accepted by the City.

February 15, 2022

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

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

Re: 2022 UBAS Street Maintenance Project

Dear Ms. Nielsen:

Bids were received for the above referenced project on Tuesday, February 15, 2022.

A total of two bids were received. The low bid was submitted by McAnany Construction, Inc. in the amount of \$190,000.00. The engineers estimate for the bid was \$214,308.20. Attached is a completed bid tabulation and list of proposed subcontractors. The contractor proposes to complete approximately 84% of the work with their own forces.

We have previously worked with McAnany Construction, Inc. on the UBAS Street Maintenance Projects since 2017 and we have 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, City Administrator
Donnie Scharff, Director of Public Works
Dan Miller, Civil Design Group Leader

COMPLETED BID TAB
2022 UBAS STREET MAINTENANCE PROJECT
ROELAND PARK, KANSAS
February 15, 2021



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

Item No.	Item Description	Unit	Estimated Quantity	ENGINEERS ESTIMATE		MCANANY CONSTRUCTION		SUPERIOR BOWEN	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization	LS	1	\$ 10,000.00	\$10,000.00	\$6,500.00	\$6,500.00	\$4,000.00	\$4,000.00
2	Curb and Gutter (Type B) (Remove and Replace)	LF	325	\$ 65.00	\$21,125.00	\$60.00	\$19,500.00	\$104.50	\$33,962.50
3	Asphalt Base Repair (3")	SY	715	\$ 55.00	\$39,325.00	\$53.00	\$37,895.00	\$72.90	\$52,123.50
4	Macrotexture	SY	13799	\$ 2.30	\$31,737.70	\$1.70	\$23,458.30	\$2.30	\$31,737.70
5	UBAS, Residential	SY	13799	\$ 7.50	\$103,492.50	\$6.25	\$86,243.75	\$6.95	\$95,903.05
6	Restore Pavement Markings (White) (24") (Stop Bar) (Thermoplastic)	LF	26	\$ 12.00	\$312.00	\$25.00	\$650.00	\$21.00	\$546.00
7	Restore Pavement Markings (White) (24") (Piano Keys) (Thermoplastic)	LF	90	\$ 12.00	\$1,080.00	\$25.00	\$2,250.00	\$21.00	\$1,890.00
8	Restore Pavement Markings (White) (6") (Crosswalk) (Thermoplastic)	LF	118	\$ 2.00	\$236.00	\$25.00	\$2,950.00	\$10.00	\$1,180.00
9	Traffic Control	LS	1	\$ 2,000.00	\$2,000.00	\$5,552.95	\$5,552.95	\$3,200.00	\$3,200.00
10	Force Account	Set	1	\$ 5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
				Total	\$214,308.20		\$190,000.00		\$229,542.75

Greg VanPatten

From: Ben McAnany <benm@mcananyconstruction.com>
Sent: Tuesday, February 15, 2022 10:26 AM
To: Greg VanPatten
Subject: List of subs
Attachments: Capture.PNG

[EXTERNAL EMAIL]

Greg,

Golconda Group Concrete
Twin Traffic - Striping

Thank you!



BEN MCANANY

Vice President

benm@mcananyconstruction.com

m (913) 620-6936

o (913) 631-5440

mcananyconstruction.com

Item Number: New Business- VIII.-C.
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 2/15/2022
Submitted By: Mayor Mike Kelly
Committee/Department: Admin.
Title: **Reappoint Amy Stoecker to the BZA and Mark Kohles to the Planning Commission- 5 min**
Item Type: Other

Recommendation:

To reappoint Amy Stoecker to the BZA and Mark Kohles to the Planning Commission.

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
 Amy Stoecker	Cover Memo

Committee Volunteer Application

wordpress@roelandpark.net on behalf of City of Roeland Park-Volunteer Form

Sun 2/18/2018 11:21 AM

Committee Volunteer Application Form

Email:	
Date:	02/18/2018
Name:	Amy Stoecker
Daytime Phone Number:	
Evening Phone Number:	
Address:	<u>5407 Roe Boulevard</u> <u>Roeland Park, Kansas 66205</u> <u>United States of America</u>
Place of Employment:	Integrity Group Real Estate
How long have you been a resident of Roeland Park?:	7 months
How much time do you have to devote per month?:	A couple hours
Briefly describe why you are interested in serving on a Board/Committee for the City of Roeland Park:	I absolutely love living in Roeland Park and am looking for ways to get involved with the community. As a real estate agent, I think being on the board would be the best way to learn the ins and the outs of the city, which will be beneficial to my clients.
Select which Board or Committees you are interested in serving on: (only one per application):	Board of Zoning Appeals
Additional, comments: (If any):	
HTML:	

Committee Volunteer Application

wordpress@roelandpark.net on behalf of

City of Roeland Park-Volunteer Form <kbohon@roelandpark.org>

Wed 12/9/2015 12:49 PM

Committee Volunteer Application Form

Email:	
Date:	12/09/2015
Name:	Mark Kohles
Daytime Phone Number:	816-853-3074
Evening Phone Number:	
Address:	<u>5411 Linden Street</u> <u>Roeland Park, Kansas 66205</u> <u>United States of America</u>
Place of Employment:	Hoefer Wysocki Architecture
How long have you been a resident of Roeland Park?:	21 Years
How much time do you have to devote per month?:	15 Hours
Briefly describe why you are interested in serving on a Board/Committee for the City of Roeland Park:	I am very interested in continuing to provide assistance to the Roeland Park Planning Commission using my architectural background and my former experience serving on the Roeland Park City Council.
Select which Board or Committees you are interested in serving on: (only one per application):	Planning Commission
Additional, comments: (if any):	
File Upload:	
HTML:	

Item Number: **Ordinances and Resolutions:- IX.-**
 A.
Committee **2/21/2022**
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 2/17/2022
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Ordinance 1026 - Removing City Owned Property from TIF3 - 5 min**
Item Type: Ordinance

Recommendation:

Staff recommends approving the ordinance to remove City owned property from TIF district 3.

Details:

Removing the city owned property from TIF district 3 and creating TIF district 4 ensures the tax increment resources generated from redevelopment on this land are used to support that redevelopment. Moving the area out of TIF district 3 will allow for the balance of TIF district 3 to be retired in 2025. The area cannot be located in two separate TIF districts.

Because the area being removed from TIF 3 is public property and not subject to property tax, no tax increment is generated from this area for TIF3. Therefore removing this area from TIF3 will have no fiscal impact on TIF3.

Financial Impact

Amount of Request: N/A	
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
 Ordinance 1026 Removing City Owned Property from TIF 3	Cover Memo

(Published in *The Legal Record* on March 1, 2022)

ORDINANCE NO. 1026

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS REMOVING CERTAIN REAL PROPERTY FROM REDEVELOPMENT DISTRICT NO. 3 AND MAKING CERTAIN FINDINGS PURSUANT TO K.S.A. 12-1770 ET SEQ., AND AMENDMENTS THERETO.

WHEREAS, pursuant to the provisions of K.S.A. 12-1770 *et seq.*, as amended, the City of Roeland Park, Kansas (the “City”) passed Ordinance No. 674 on October 6, 1997, creating Redevelopment District No. 3 within the City (as amended, the “Redevelopment District”); and

WHEREAS, the governing body has determined it is in the best interests of the City to remove certain property from the Redevelopment District.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

Section 1. Removal. Pursuant to K.S.A. 12-1771(g), the Governing Body hereby removes the real property described on Exhibits A and B hereto (the “Removed Property”) from the Redevelopment District.

Section 2. Finding. The Governing Body hereby makes a legislative finding that the Removed Property constitutes less than 15% of the land area of the Redevelopment District and therefore (a) the “base assessed value” of the Redevelopment District shall remain the same, and (b) no feasibility study is required pursuant to K.S.A. 12-1771(i).

Section 3. Further Action. The Mayor, City Administrator, City Clerk and other officials and employees of the City, including the City Attorney and City consultants, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

Section 4. Effective Date. This Ordinance shall be effective upon its passage by the City Council and publication one time in the official City newspaper.

PASSED by of the City Council of the City of Roeland Park, Kansas on February 21, 2022 and **APPROVED AND SIGNED** by the Mayor.

[SEAL]

Mike Kelly, Mayor

Attest:

Kelly Nielsen, City Clerk

Steve E. Mauer, City Attorney

MAP OF REMOVED PROPERTY FROM REDEVELOPMENT DISTRICT



EXHIBIT B

LEGAL DESCRIPTION OF REMOVED PROPERTY FROM REDEVELOPMENT DISTRICT

The following property located in Johnson County, Roeland Park, Kansas, a portion of which was originally included in the Redevelopment District:

All of that part of the North Half of Section 4, Township 12 South, Range 23 East, situate in the City of Roeland Park, Johnson County, Kansas, being described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence South 2°31'58" East, along the East line of the Northwest Quarter of said Section 4, a distance of 594.35 feet to the Point of Beginning; thence North 78°00'03" East, departing the East line of the Northwest Quarter of said Section 4, a distance of 247.12 feet to a point on the Western right-of-way line of Roe Lane, as now established; thence South 12°03'57" East, along the Western right-of-way line of said Roe Lane, a distance of 317.23 feet to a point of intersection in the Western right-of-way line of said Roe Lane; thence South 12°03'57" East, departing the Western right-of-way line of said Roe Lane, a distance of 100.00 feet; thence South 63°47'03" West a distance of 79.73 feet; thence Southwesterly, along a curve to the left that is non-tangent with the exit of the last described course, having a radius of 300.00 feet, a central angle of 25°01'43", and an arc distance of 131.05 feet to a point on the Northwestern right-of-way line of W. 48th Street, as now established; thence along the Northwestern right-of-way line of said W. 48th Street the following (5) courses: 1) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 38°45'18" West, a radius of 300.00 feet, a central angle of 1°58'16", and an arc distance of 10.32 feet; 2) South 36°46'32" West a distance of 112.40 feet; 3) South 52°33'03" West a distance of 4.61 feet; 4) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 43°02'55" West, a radius of 210.00 feet, a central angle of 19°00'11", and an arc distance of 69.65 feet; 5) South 52°33'03" West a distance of 34.42 feet to the intersection with the Northeastern right-of-way line of Roe Boulevard, as now established; thence along the Northeastern right-of-way line of said Roe Boulevard the following three (3) courses: 1) North 20°45'27" West a distance of 8.36 feet; 2) Westerly and Northwesterly along a curve to the right that is non-tangent with the exit of the last described course, having a radius of 210.00 feet, a central angle of 76°28'50", and an arc distance of 280.32 feet; 3) thence North 32°26'59" West a distance of 275.64 feet; thence North 44°06'13" East, departing the Northeastern right-of-way line of said Roe Boulevard, a distance of 396.21 feet; thence North 78°00'03" East a distance of 126.88 feet to the Point of Beginning. Containing 322,276 square feet, or 7.40 acres, more or less.

The bearings in this description are based on the Kansas State Plane Coordinate System, North Zone, NAD83.

This description prepared by:
Kellan M. Gregory, KS PLS #1577
Lamp Rynearson
9001 State Line Road
Kansas City, Missouri 64114
Kansas CLS-350

Item Number: **Ordinances and Resolutions:- IX.-**
 B.
Committee **2/21/2022**
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 2/17/2022
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Ordinance 1027 - Establishing TIF District 4 - 5 min**
Item Type: Ordinance

Recommendation:

Staff recommends approving the ordinance to create TIF district 4.

Details:

The ordinance will establish a new TIF district 4, creating the potential to use tax increment financing as an incentive for redevelopment of this challenging site, an effort that has spanned three decades.

The area is eligible to be included in a TIF since it is part of the City's Enterprise Zone (map and resolution attached). All of the land proposed to be included in TIF 4 is owned by the City.

Approval of a Project Plan is a subsequent step to follow and will begin the 20 year term of TIF 4.

Financial Impact

Amount of Request: N/A	
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
▣ Ordinance 1027 Creating TIF District 4	Cover Memo
▣ Presentation on Creation of a TIF District	Cover Memo
▣ Resolution 318 Creating the Roeland Park Enterprise Zone	Cover Memo
▣ Roeland Park Enterprise Zone Map	Cover Memo

(Published in *The Legal Record* on March 1, 2022)

ORDINANCE NO. 1027

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS MAKING FINDINGS AND ESTABLISHING A REDEVELOPMENT DISTRICT PURSUANT TO K.S.A. 12-1770 ET SEQ., AND AMENDMENTS THERETO.

WHEREAS, pursuant to the provisions of K.S.A. 12-1770 *et seq.*, as amended (the “Act”), the City of Roeland Park, Kansas (the “City”) is authorized to establish redevelopment districts within a defined area of the City which is an area within the City that was designated as an enterprise zone prior to July 1, 1992, and is therefore an “eligible area” as said term is defined in the Act; and

WHEREAS, the City Council (the “Governing Body”) adopted Resolution No. 695 on January 18, 2022, calling for a public hearing considering the establishment of a redevelopment district to be held by the Governing Body on February 21, 2022; and

WHEREAS, notice of the public hearing was given as required by the Act; and

WHEREAS, the public hearing was opened on February 21, 2022, and closed on the same date.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

SECTION 1. The Governing Body hereby finds that the real property described in **Exhibits A and B** (the “Redevelopment District”) attached hereto is an eligible area for being designated as a redevelopment district pursuant to the Act because the real property is an area within the City that was designated as an enterprise zone prior to July 1, 1992.

SECTION 2. The Governing Body hereby finds that the real property described in **Exhibits A and B** is the same real property designated in the notice of public hearing given as required by the Act and Resolution No. 695.

SECTION 3. The Governing Body hereby finds that the conservation, development or redevelopment of the Redevelopment District is necessary to promote the general and economic welfare of the City.

SECTION 4. The Governing Body hereby establishes the Redevelopment District, which shall consist of a single project area, depicted on the map attached hereto as **Exhibit A**. The district plan is hereby approved, and consists of buildings and facilities to be constructed within the Redevelopment District generally described as follows:

A redevelopment district containing up to two project areas consisting of some or all of the following uses: one or more commercial or residential facilities and all related infrastructure improvements, including site work, parking facilities, storm water, streets, sidewalks, traffic signals, sanitary sewers, water lines, gas lines, electric lines, landscaping, rock excavation, grading, retaining walls, and all related expenses to redevelop and finance the project, and all other associated public and private infrastructure and other items allowable under the Act.

SECTION 5. This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

PASSED by the Governing Body and **SIGNED** by the Mayor this February 21, 2022.

Mike Kelly, Mayor

(SEAL)

Kelley Nielsen, City Clerk

Steve E. Mauer, City Attorney

MAP OF REDEVELOPMENT DISTRICT



EXHIBIT B

LEGAL DESCRIPTION OF REDEVELOPMENT DISTRICT

All of that part of the North Half of Section 4, Township 12 South, Range 23 East, situate in the City of Roeland Park, Johnson County, Kansas, being described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence South 2°31'58" East, along the East line of the Northwest Quarter of said Section 4, a distance of 594.35 feet to the Point of Beginning; thence North 78°00'03" East, departing the East line of the Northwest Quarter of said Section 4, a distance of 247.12 feet to a point on the Western right-of-way line of Roe Lane, as now established; thence South 12°03'57" East, along the Western right-of-way line of said Roe Lane, a distance of 317.23 feet to a point of intersection in the Western right-of-way line of said Roe Lane; thence South 12°03'57" East, departing the Western right-of-way line of said Roe Lane, a distance of 100.00 feet; thence South 63°47'03" West a distance of 79.73 feet; thence Southwesterly, along a curve to the left that is non-tangent with the exit of the last described course, having a radius of 300.00 feet, a central angle of 25°01'43", and an arc distance of 131.05 feet to a point on the Northwestern right-of-way line of W. 48th Street, as now established; thence along the Northwestern right-of-way line of said W. 48th Street the following (5) courses: 1) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 38°45'18" West, a radius of 300.00 feet, a central angle of 1°58'16", and an arc distance of 10.32 feet; 2) South 36°46'32" West a distance of 112.40 feet; 3) South 52°33'03" West a distance of 4.61 feet; 4) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 43°02'55" West, a radius of 210.00 feet, a central angle of 19°00'11", and an arc distance of 69.65 feet; 5) South 52°33'03" West a distance of 34.42 feet to the intersection with the Northeastern right-of-way line of Roe Boulevard, as now established; thence along the Northeastern right-of-way line of said Roe Boulevard the following three (3) courses: 1) North 20°45'27" West a distance of 8.36 feet; 2) Westerly and Northwesterly along a curve to the right that is non-tangent with the exit of the last described course, having a radius of 210.00 feet, a central angle of 76°28'50", and an arc distance of 280.32 feet; 3) thence North 32°26'59" West a distance of 275.64 feet; thence North 44°06'13" East, departing the Northeastern right-of-way line of said Roe Boulevard, a distance of 396.21 feet; thence North 78°00'03" East a distance of 126.88 feet to the Point of Beginning. Containing 322,276 square feet, or 7.40 acres, more or less.

The bearings in this description are based on the Kansas State Plane Coordinate System, North Zone, NAD83.

This description prepared by:
Kellan M. Gregory, KS PLS #1577
Lamp Rynearson
9001 State Line Road
Kansas City, Missouri 64114
Kansas CLS-350



Tax Increment Financing: District Creation

City of Roeland Park, Kansas
February 21, 2022

2405 Grand, Suite 1100
Kansas City, Missouri 64108
Phone: 816-221-1000

TIF: An Overview

-  Redevelopment tool used for industrial, commercial, residential, and intermodal transportation projects.
-  Uses incremental property tax revenues, sales tax and transient guest tax to pay certain eligible costs
-  Revenues are used to pay for redevelopment project costs either by paying bonds or by “pay as you go”

Eligible Areas and Eligible Costs

Eligible Areas

- Conservation area
- Blighted area
- *Pre-1992 Enterprise Zone*

Eligible Costs

- Land Acquisition
- Site work and horizontal infrastructure
- Parking and landscaping
- Vertical construction costs generally *ineligible*

Key Terms: Base Year and Tax Increment

Base Year Assessed Valuation (BYAV)

- Determined on date district is established

Tax Increment

- Property taxes collected in excess of BYAV
- Begins upon establishment of district
- Excludes certain ineligible mill levies (USD and State)

TIF Fund

- Increment deposited in separate TIF Fund
- Funds can be utilized only upon adoption of TIF Plan

Two-Step Process

Step One: Establish District

- Establishes geographic area
- Sets BYAV

Step Two: Adopt TIF Project Plan

- Can be multiple project areas/plans with a district
- Permits spending of TIF Funds
- Begins 20-year statutory TIF clock

Step One: TIF District Process

- ✓ Resolution calling for Public Hearing on District – Day 1
- ✓ Mailed Notice to Taxing Districts & Property Owners – Day 5
- ✓ Publish Notice – Day 25
- ✓ Public Hearing on District – Day 35
- ✓ *Ordinance Approving District – Day 35*
- ✓ County/USD Protest Period (if applicable) – Day 35 to 65

Step Two: TIF Project Plan Process

- ✓ TIF Plan prepared and submitted to City – Day 60
- ✓ Negotiation of Redevelopment Agreement
- ✓ Planning Commission Conformance Finding
- ✓ Resolution for Public Hearing on TIF Plan – Day 70
- ✓ Mailed Notice to Taxing Districts & Property Owners – Day 75
- ✓ Publish Notice – Day 91
- ✓ Public Hearing on TIF Plan – Day 101
- ✓ Ordinance Approving TIF Plan & Redevelopment Agreement
(Requires 2/3 vote) – Day 101

A RESOLUTION REQUESTING THAT AN AREA IN THE CITY OF ROELAND PARK, KANSAS BE DESIGNATED AS AN ENTERPRISE ZONE AS AUTHORIZED BY K.S.A. 12-17, 109; K.S.A. 12-17,110; K.S.A. 12-17, 112; K.S.A. 79-32,153; AND K.S.A. 79-3642.

WHEREAS, the area described in Attachment "A" hereto and incorporated herein by reference is within the corporate limits of the City of Roeland Park, Kansas, and

WHEREAS, the area described in Attached "A" has a population of 911 persons which is 11.4% of the total population of the City and

WHEREAS, the area described in Attachment "A" comprises 125.0 acres which represents 11.9% of the total land area of the City, and

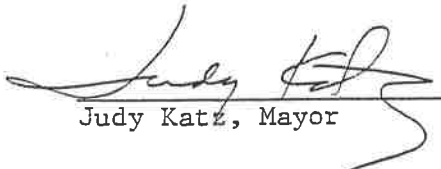
WHEREAS, the residential population of the area described in Attachment "A" decreased by 10% or more during the 10 year from 1970 to 1980, and

WHEREAS, the Governing Body of the City finds that there is substantial deterioration, abandonment or demolition of commercial structures within the area and specifically finds that one commercial structure within the area has been demolished, that another commercial structure within the area has been unoccupied for several months, that other commercial buildings within the area have deteriorated and that much of the area has previously been determined to be a blighted area as defined by K.S.A. 12-1771.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS that the area described in Attachment "A" hereto meets the requirements for designation as an enterprise zone.

BE IT FURTHER RESOLVED, that the Secretary of the Department of Economic Development be and is hereby requested to approve the area described in Attachment "A" hereto as an authorized enterprise zone as authorized and provided by Kansas Statutes Annotated.

Passed by the governing body and approved by the Mayor this 30th day of August, 1989.


Judy Katz, Mayor

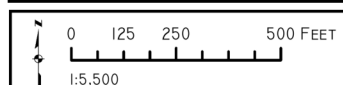
Attest:


John J. Miller, City Clerk

ATTACHMENT "A"
BOUNDARIES OF ENTERPRISE ZONE FOR
THE CITY OF ROELAND PARK, KANSAS

An Enterprise Zone all within the City of Roeland Park, Johnson County, Kansas, more particularly described as follows:
Beginning at the platted Northeast Corner of Lot 11, Block 9, ROE HIGHLANDS, a subdivision in the City of Roeland Park, Kansas, thence southerly on the platted East Line of said Lot 11, Block 9, ROE HIGHLANDS, and its southerly prolongation to the platted South Right-of-Way Line of 49th Street; thence westerly on the platted Southerly Right-of-Way Line of 49th Street to the platted Northeast Corner, Lot 1, Block 12, ROE HIGHLANDS; thence southerly on the platted East Line of Block 12, ROE HIGHLANDS, and its southerly prolongation to a point on the platted Southerly Right-of-Way Line of 50th Street Terrace, said point also being on the platted North Line, Lot 1, Block 1, ROE HIGHLANDS; thence easterly on the platted North Line, Lot 1, Block 1, ROE HIGHLANDS, to the platted Northeast Corner of said Lot 1, Block 1, ROE HIGHLANDS; thence southerly on the platted East Line, Lot 1, Block 1, ROE HIGHLANDS, to the Southeast Corner thereof, said point also being the platted Northwest Corner, Lot 5, Block 1, ROE HIGHLANDS; thence easterly on the platted North Line of Lots 5 through 10, inclusive, Block 1, ROE HIGHLANDS, to the platted Northeast Corner of said Lot 10, Block 1, ROE HIGHLANDS; thence southerly on the platted East Line, Lot 10, Block 1, ROE HIGHLANDS, to the platted Southeast Corner thereof; thence southwesterly to the platted Northeast Corner Lot A, Block 14, ROELAND PARK; thence southerly on the platted East Line of Lot A, Block 14, ROELAND PARK to its platted Southeast Corner thereof; thence Southerly to the platted Northeast Corner of Lot A, Block 15, ROELAND PARK; thence southerly and southwesterly on the platted East and South Lines of Lot A, Block 15, ROELAND PARK to its platted Southwest Corner thereof; thence southerly on the Southerly Prolongation of the platted West Line of Lot A, Block 15, ROELAND PARK, to the platted North line of Lot 9, Block 22, ROELAND PARK; thence easterly, southerly and southwesterly on the platted North, East and Southeast Lines, Lot 9, Block 22, ROELAND PARK, to the point of intersection of the platted Southeast Line of Lot 9, Block 22, ROELAND PARK, and the Westerly Prolongation of the platted North line of Lot 1, Block 23, ROELAND PARK; thence southeasterly on the platted North line of Lot 1, Block 23, ROELAND PARK and its Westerly Prolongation, to the platted Northeast Corner thereof, said point also being the platted Northwest Corner of Lot 17, Block 23, ROELAND PARK; thence easterly on the platted North Line, Lot 17, Block 23, ROELAND PARK, and its easterly prolongation to a point on the platted Easterly Right-of-Way Line of Linden Street thence northerly on the platted Easterly Right-of-Way Line of Linden Street to the platted Northwest Corner, Lot 1, Block 27, ROELAND PARK; thence easterly on the platted North Line of Lot 1, Block 27, ROELAND PARK, and the platted North Line of Lot 27, Block 27, ROELAND PARK, to the platted Northeast Corner of said Lot 27, Block 27, ROELAND PARK; thence easterly on the

easterly prolongation of the platted North Line of Lot 27, Block 27, ROELAND PARK, to the platted West Line of Block 19, SOUTHRIDGE; thence southerly on the platted West Line of Block 19, SOUTHRIDGE, to the platted Southwest Corner thereof; thence easterly on the platted South Line, Block 19, SOUTHRIDGE, to the platted Southeast Corner thereof; thence easterly to the platted Southwest corner of Block 18, SOUTHRIDGE; thence northerly on the platted West Line of Blocks 18 and 12, SOUTHRIDGE, to the platted Northwest corner of Lot 10, Block 12, SOUTHRIDGE; thence southeasterly and easterly on the platted North Line, Lots 10, 11, 12, and 13, Block 12, SOUTHRIDGE, to the platted Northeast Corner of said Lot 13, Block 12, SOUTHRIDGE; thence northerly to the platted Southeast Corner; Lot 11, Block 9, SOUTHRIDGE; thence northwesterly on the platted East Line of Lots 11, 12, 13, 14, 15, 16, and 17, Block 9, SOUTHRIDGE, to the platted Northerly Corner of said Lot 17, Block 9, Southridge; said point also being the platted Southeast corner of Lot 21, Block 9, SOUTHRIDGE; thence northeasterly on the platted East Line of Lots 21 through 24, Block 9, SOUTHRIDGE, and their Northeasterly prolongation to the platted West Line of Block 2, SOUTHRIDGE; thence northwesterly and northerly on the platted West Line of Lots 10, 11, 12, 13, 14, 15, and 16, and Lots 2 and 1, Block 2, SOUTHRIDGE, to the platted Northwest Corner, Lot 1, Block 2, SOUTHRIDGE; thence northerly to the platted Southwest Corner of Block 1, SOUTHRIDGE; thence northerly and southwesterly on the platted West Line of Lot 1, SOUTHRIDGE, to the platted Northwest Corner thereof; said point also being the platted Southwest Corner of Lot 13, BEERS' THIRD ADDITION; thence Northwesterly on the platted West Line of Lots 13, 12, 11, 10, 9, 8 and 7, BEERS' THIRD ADDITION, and their Northerly Prolongation to a point of intersection with the North Line, Northeast One-Quarter, Section 4, Township 12 South, Range 25 East, Johnson County, Kansas; thence westerly on the North Line, Northeast One-Quarter, Section 4, Township 12 South, Range 25 East, to the Northwest Corner thereof; thence South $89^{\circ}58'57''$ west on the North Line, Northwest One-Quarter, Section 4, Township 12 South, Range 25 East, to the platted Northwest Corner of ROE VILLAGE; thence South $00^{\circ}20'17''$ East, 795.79 feet to a point; thence North $89^{\circ}40'49''$ East, 928.26 feet to a point; thence South $00^{\circ}19'11''$ East, 80.00 feet to a point; thence North $89^{\circ}40'49''$ East, 275.00 feet to a point; thence South $17^{\circ}08'46''$ West, 466.5 feet, more or less, to a point on the platted North Line of Block 9, ROE HIGHLANDS; thence easterly on the platted North Line of Block 9, ROE HIGHLANDS, to the platted Northeast Corner of Lot 11, Block 9, ROE HIGHLANDS, said point being the Point of Beginning



LAMP
RYNEARSON

Item Number: **Ordinances and Resolutions:- IX.-**
 C.
Committee **2/21/2022**
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/5/2022
Submitted By: Erin Winn
Committee/Department: Administration
Title: **Ordinance 1028 - Ending Indoor Masking - 5 minutes**
Item Type: Ordinance

Recommendation:

To consider Ordinance 1029 which will repeal the masking requirement effective March 1st.

Details:

Ordinance 1025, which allows citations to be issued to patrons who are not following the masking regulations, took effect February 15th and expires on March 16th unless extended by the Council.

Ordinance 1029 repeals Ordinance 1025 and would be effective March 1st. Prairie Village is expected to consider a similar repeal. The City of Mission voted to let their current mask mandate expire on 2/23/22. Fairway has also allowed their mask mandate to expire.

Shawnee Mission School District has made masking optional for older students and the Johnson County Commission voted to end the masking requirement for students K-6 on 2/17/22.

According to the Johnson County dashboard, as of February 13th the percent positivity rate was 12.2% and the incidence rate was 306 cases per 100,000 people. Both remain in the "high" range.

According to the MARC region, the incidence rate for Wyandotte County was 505 cases per 100,000 people for the seven day period of 1/31/2022 - 2/6/2022. This is a 47% decrease from the previous seven day incidence rate.

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
☐	Ordinance 1025- Implementing Indoor Masking	Cover Memo
☐	Ordinance 1028 - Ending Indoor Masking	Cover Memo

ORDINANCE NO. 1025

AN ORDINANCE ESTABLISHING CHAPTER XI, ARTICLE 2, SECTION 11-207 TO REQUIRE THE WEARING OF MASKS OR OTHER FACE COVERINGS DURING THE COVID-19 PUBLIC HEALTH PANDEMIC AND RECOVERY

WHEREAS, the governing body of the City of Roeland Park, Kansas, prioritizes the protection of the health, safety, welfare and economic well-being of residents and visitors of the City of Roeland Park;

WHEREAS, COVID-19 is a disease caused by a novel coronavirus, previously unknown in humans, and is presently understood to cause, among other things, upper-respiratory tract illnesses that can range from mild to severe, spread quickly, and may cause death, particularly in older adults and persons with chronic medical conditions;

WHEREAS, according to the Centers for Disease Control and Prevention (“CDC”), Johnson County, Kansas is currently an area where there is a “high” level of community transmission of COVID-19;

WHEREAS, this worrying trend of increased COVID-19 spread is a danger to the health and safety of residents and visitors to the City of Roeland Park, and also presents a serious threat to reviving the City’s economy;

WHEREAS, research shows that COVID-19 and its variants are spread primarily through respiratory droplets exhaled when infected people breath, talk, cough, or sneeze;

WHEREAS, the CDC has issued certain recommendations related to the COVID-19 pandemic, such that in addition to recommending the wearing of masks for unvaccinated persons, the CDC now recommends that even fully-vaccinated people wear a mask in public indoor settings in areas of substantial or high transmission, such as in Johnson County, Kansas;

WHEREAS, Chief Medical Officers from the region’s hospital systems have advised that the regional healthcare system is currently in the throes of an unprecedented health care crisis that impacts the availability of and access to health care for all Roeland Park and regional residents, caused by the resurgence of COVID-19 patients and related hospital staff shortages; and

WHEREAS, for the aforementioned and other reasons, the governing body of the City of Roeland Park is acting pursuant to its constitutional home rule authority to provide for the health, safety, welfare and economic well-being of residents and visitors of the City of Roeland Park, by requiring that masks or other face coverings be worn as described in this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROELAND PARK, KANSAS:

Section 1. Section 11-207 of the Roeland Park Municipal Code is hereby established to read as follows:

“Sec. 11-207. – Wearing Masks in Public Places of Business During the COVID-19 Public Health Pandemic and Recovery.

A. Mask or other face covering; definitions and applicability.

(1) “Mask or other face covering” means a covering of the nose and mouth that is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face. A mask or other face covering can be made of a variety of synthetic and natural fabrics, including cotton, silk, or linen, and may include a plastic face shield. Ideally, a mask or other face covering has two or more layers. A mask or other face covering may be factory-made, sewn by hand, or can be improvised from household items such as scarfs, bandanas, t-shirts, sweatshirts, or towels.

(2) “Public space” means any indoor space or area that is open to the public.

(a) Except as set forth in subsection (B)(2) below, the term “public space” does not include private residential property or private offices or workspaces that are not open to customers or public visitors.

(b) The term “public space” shall not include, and this Section 11-207 shall not apply to (i) churches, synagogues, mosques, or other places of religious worship, (ii) public or private schools, (iii) public buildings or facilities owned or operated by any unit of government or political subdivision other than the City of Roeland Park (“City”) itself, including but not limited to those buildings or facilities owned or operated by the county, the school district, the state, or the federal government, or any agency or division thereof.

B. Mask or other face covering; when required.

All persons in the City shall cover their mouths and noses with a mask or other face covering when they are in the following situations:

(1) Inside any indoor public space; or

(2) Obtaining services from the healthcare sector in settings, including but not limited to, a hospital, pharmacy, medical clinic, laboratory, physician or dental office, veterinary clinic, or blood bank, unless directed otherwise by an employee thereof or a health care provider.

(3) All business and organizations in the City shall notify with signage that all employees, patrons and public at large must wear a mask or face covering.

C. Mask or other face covering; exemptions.

The following individuals are exempt from wearing a mask or other face covering in the situations described in subsection (B) above:

- (1) Persons aged five years and under – children aged two years and under in particular should not wear a mask or other face covering because of the risk of suffocation;
- (2) Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering – this including persons with a medical condition for whom wearing a mask or other face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance;
- (3) Persons who are deaf or hard of hearing, or communicating with a person who is deaf or hard of hearing, where the ability to see the mouth is essential for communication;
- (4) Persons for whom wearing a mask or other face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines;
- (5) Persons who are obtaining a service involving the nose, or face for which temporary removal of the mask or other face covering is necessary to perform the service;
- (6) Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are eating or drinking;
- (7) Persons who are engaged in an organized sport or athletic activity that allows persons or athletes to maintain a 6-foot distance from others with only infrequent or incidental moments of closer proximity;
- (8) Persons who are engaged in any activity that a professional or recreational association, regulatory entity, medical association, or other public-health-oriented entity has determined cannot be safely conducted while wearing a mask or other face covering;
- (9) Persons engaged in religious services, ceremonies or activities;
- (10) Persons engaged in an activity or event held or managed by the Kansas Legislature;
- (11) Persons engaged in a court-related proceeding held or managed by the Kansas Judiciary; and
- (12) Persons engaged in any lawful activity during which wearing a mask or other face covering is prohibited by law.

D. Mask or other face covering; penalties; enforcement.

- (1) The knowing and willful failure or refusal to comply with the requirements of this Section 11-207 shall be an unclassified violation. Any fine imposed for a violation of this Section shall not exceed \$25.00.
- (2) This Section 11-207 may be enforced by the police department, with appropriate proceedings following citation in municipal court.

(3) Notwithstanding the foregoing, violation of any provision of this Section 11-207 constitutes an imminent threat and immediate menace to public health. All remedies prescribed in this Section 11-207 or otherwise available under applicable law, shall be cumulative, and the use of one or more remedies by the City shall not bar the use of any other remedy to enforce this Section 11-207.

(4) It shall be an affirmative defense to any prosecution under subsection (B)(1) or (B)(2) that the person in violation is an individual listed under subsection (C).

E. Mask or other face covering; Federal/state/county orders.

The provisions of this Section 11-207 shall not apply to the extent such provisions directly conflict with any current or subsequent orders issued by the United States Federal government (or agency thereof), the State of Kansas (or agency thereof), the Governor of the State of Kansas, the Board of County Commissioners for Johnson County, Kansas, the Local Health Officer of Johnson County, Kansas, or other applicable authorities.

F. Mask or other face covering; effective term.

The provisions of this Section 11-207 shall be in effect until 11:59 P.M. on March 16, 2022, unless further extended by ordinance of the governing body.

G. Mask or other face covering; severability.

Severability is intended throughout and within the provisions of this section. If any subsection, sentence, clause, phrase, or portion of this section is held to be invalid, illegal, or unconstitutional by any court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this section.

Section 2. This ordinance shall take effect and be enforced from and after its passage, approval, and publication as provided by law.

PASSED by the City Council of the City of Roeland Park, Kansas on February 7, 2022.

APPROVED by the Mayor on February 7, 2022.

CITY OF ROELAND PARK, KANSAS

/S/_____
Mike Kelly, Mayor

ATTEST:

/S/_____
Kelley Nielsen, City Clerk

APPROVED:

/S/
Steven E. Mauer, City Attorney

ORDINANCE NO. 1028

AN ORDINANCE REPEALING ORDINANCE NO. 1025

WHEREAS, the City Council of Roeland Park, Kansas passed Ordinance No. 1025 on February 7, 2022 requiring masks and face coverings to be worn while inside certain buildings as a result of the COVID-19 pandemic, pursuant to Chapter XI, Article 2, Section 11-207 of the Roeland Park City Code;

WHEREAS, the City Council wishes to repeal the mask requirements for all citizens and visitors to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROELAND PARK KANSAS:

Section 1. Ordinance 1025 is hereby repealed.

Section 2. Section 11-207 of the Roeland Park City Code is hereby repealed.

Section 3. This ordinance shall take effect and be enforced from and after its passage, approval, and publication by law.

PASSED by the City Council of the City of Roeland Park, Kansas on February 21, 2022.

APPROVED by the Mayor on February 21, 2022.

CITY OF ROELAND PARK, KANSAS

Mike Kelly, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED:

Steven E. Mauer, City Attorney

Item Number: Reports of City Officials:- XI.-A.
Committee 2/21/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 2/17/2022
Submitted By: Erin Winn
Committee/Department: Administration
Title: COVID Report and Mitigation Update - 5 min
Item Type: Report

Recommendation:

To review the COVID report and give staff direction on meeting format.

Details:

Update as of 2/21/22 - Percent positivity is 9.3% and incidence rate is 236 per 100,000 people per the Johnson County dashboard. The MARC dashboard is reporting the Johnson County incidence rate as 215 and the Wyandotte County incidence rate as 257.

Attached is the latest COVID report (note that the attachment will be added on Friday February 18th in order to communicate the most up-to-date data).

In addition to reporting on COVID data and mitigation strategies, staff is looking for direction on the format of Council meetings in March.

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
 2.21.22 COVID report	Cover Memo

Memo



To: Governing Body

From: Kristin Moorhead and Erin Winn

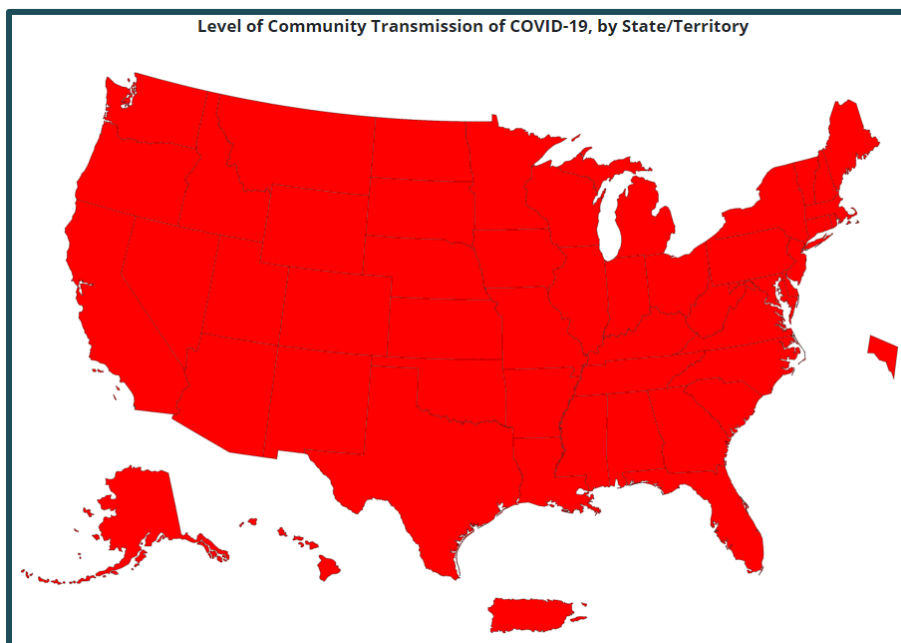
CC: Keith Moody, Donnie Scharff, John Morris, Kelley Nielsen

RE: COVID-19 Update for the Period February 11 through February 19.

Below is a summary of activities that took place so far in 2022 related to the COVID-19 Pandemic in Roeland Park and beyond.

General

- Johnson County remains in “high” transmissibility risk per the Johnson County COVID-19 Dashboard.
- Wyandotte County reports a “medium” transmissibility risk per the Wyandotte County COVID-19 Hub.
- The Shawnee Mission School District has made masks optional for older students.
- The Johnson County Board of Commissioners voted to remove the mask requirement for elementary school students.
- The CDC continues to recommend masking in areas of “high and substantial” transmission.
- [The U.S. Food and Drug Administration \(FDA\)](#) has given emergency-use authorization for a new drug treatment proven to be effective against the coronavirus omicron variant and omicron subvariant. This drug can be used as a treatment option for those 12 and older and weighing at least 88 pounds with “mild to moderate” COVID-19. The drug has not been authorized for patients who are currently hospitalized due to COVID-19 or to patients requiring oxygen therapy due to COVID-19.
- As of Thursday, February 17, 2022, MARC reports that 12.78% of hospital beds within its region are being occupied by COVID-19 patients. 17.22% of hospital beds are currently available to the public.



	Low	Moderate	Substantial	High
New cases per 100,000 in past 7 days	<10	10-49.99	50-99.99	≥100
Percentage of positive NAATs tests in past 7 days	<5%	5-7.99%	8-9.99%	≥10.0%

- If two indicators suggest different transmission levels, then the higher level is selected.

	Johnson County Dashboard	Wyandotte County per MARC	Jackson County per MARC	MARC Region
Percent Positivity Rate	11.3%†	(Data not reported by MARC)	(Data not reported by MARC)	(Data not reported by MARC)
Daily New Cases	192**	113**	120	233**
Daily Average New Cases	224ω	92* (-42.54% change since previous week)	107 (-56.87% change since previous week)	867* (-51.21% change since previous week)
Daily New Deaths	1α	2**	1**	0**
Percentage of Population with at least 1 Dose	76.9%℥	68.30%***	69.10%***	74.17%***
Percentage of Population with Full Vaccination	66.9%℥	55.80%***	56%***	60.29%***
Additional Doses Administered	170,042**	(Data not reported by MARC)	(Data not reported by MARC)	(Data not reported by MARC)

*Past 7-days average with a 10-day enforced lag to account for delays in reporting

**Reporting for February 18, 2022.

***Percentage based on total population, includes ineligible individuals.

† 7 Day on February 15, 2022.

ω 7 Day Average as of February 18, 2022.

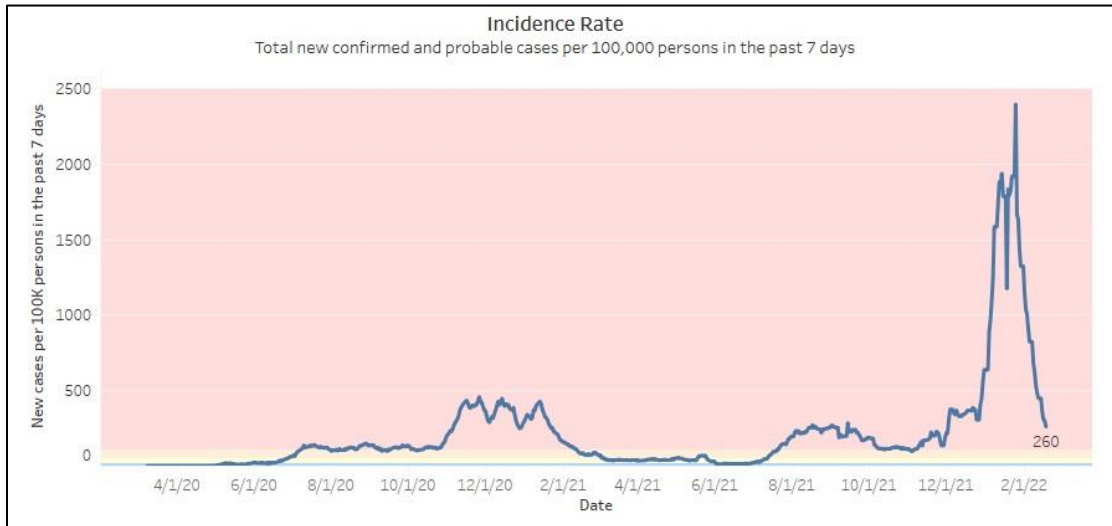
℥ Percentage of eligible population (those aged 5 years and older).

α As of February 14, 2022.

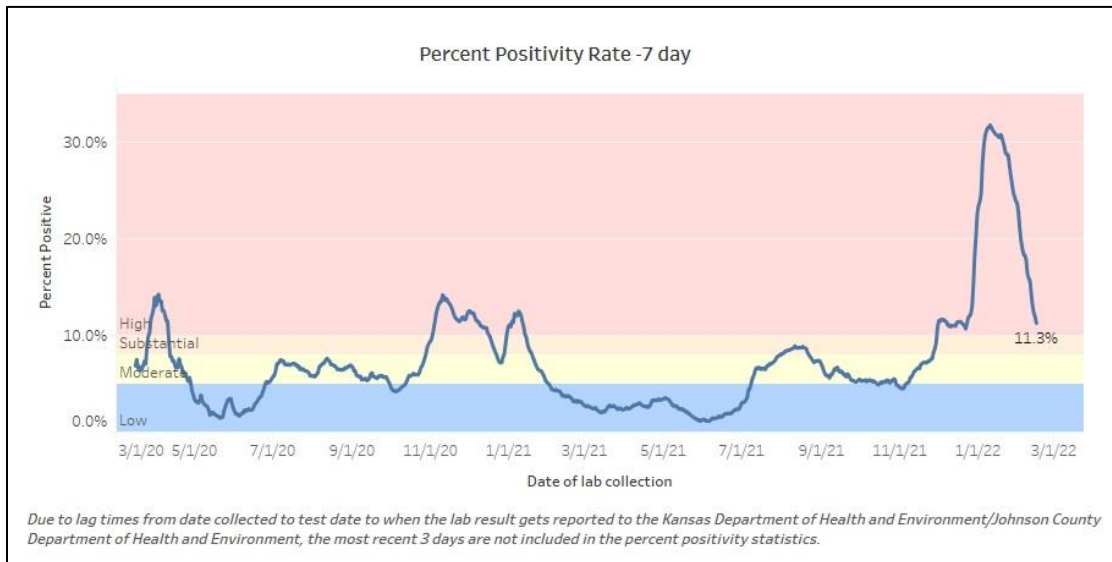
MARC [Dashboard](#)

JoCo [Dashboard](#)

- Incidence Rate (taken February 18, 2022, 11AM)



- Percent Positivity Rate – 7 Day (taken February 18, 2022, 11AM)



COVID Mitigation Update

Staff is still waiting on the delivery of two large test orders. Business signage is still available to any who request it.