

AGENDA
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall - 4600 W 51st St
February 15, 2016 7:00 PM

Pledge of Allegiance
Roll Call
Modification of Agenda

I. Citizens Comments

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. Comments about items that appear on the agenda will be taken as each item is considered. Citizens are requested to keep their comments under 5 minutes. 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. Appropriation Ordinance # 889
- B. December 21, 2015 City Council Minutes
- C. January 4, 2016 Special Called City Council Minutes
- D. January 25, 2016 Special Called City Council Minutes
- E. Super Pool Pass Agreement and Swim Meet Letter of Understanding
- F. 2016 Roeland Park Sports Dome Lease Agreement
- G. R Park Amenities Plan Location Approval

III. Business From the Floor

A. Applications / Presentations

- 1. Government Finance Officers Association Award in Excellence in Financial Reporting
- 2. Traffic Award
- 3. Parks Update – Jennifer Provyn

IV. Mayor's Report

- A. Proclamations Bishop Miege (Michael Rhoades and Tim Janssen)

V. Workshop Reports

A. 2/1/2016 Workshop and Ad Hoc Summary

VI. **Reports of City Liaisons**

VII. **Unfinished Business**

VIII. **New Business**

IX. **Ordinances and Resolutions:**

X. **Reports of City Officials:**

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

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

- A. **Audience Decorum.** Members of the audience shall not engage in disorderly or boisterous conduct, including but not limited to; the utterance of loud, obnoxious, threatening, or abusive language; clapping; cheering; whistling; stomping; or any other acts that disrupt, impede, or otherwise render the orderly conduct of the City Council meeting unfeasible. Any member(s) of the audience engaging in such conduct shall, at the discretion of the Mayor (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or removal from that meeting. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.
- B. **Public Comment Request to Speak Form.** The request form's purpose is to have a record for the City Clerk. Members of the public may address the City Council during Public Comments and/or before consideration of any agenda item; however, no person shall address the Council without first being recognized by the Mayor (Chair). Any person wishing to speak, whether during Public Comments or on an agenda item, shall first complete a Public Comment or Request to Speak form and submit this form to the City Clerk before the Mayor (Chair) calls for Public Comments or calls the particular agenda item
1. **Public Comment on Non-Agenda Items.** The Agenda shall provide for public comment about matters that are within the jurisdiction of the City but are not specifically listed on the Agenda. A member of the public who wishes to speak under Public Comments must fill out a Public Comment Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls for Public Comments.

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

- C. **Purpose.** The purpose of addressing the City Council is to communicate formally with the Council regarding matters that relate to Council business or citizen concerns within the subject matter jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the Council.
- D. **Speaker Decorum.** Each person addressing the City Council, shall do so in an orderly, respectful, dignified manner and shall not engage in conduct or language that disturbs, or otherwise impedes the orderly conduct of the Council meeting. Any person, who so disrupts the meeting shall, at the discretion of the Mayor (Chair) or a majority of the Council Members present, be subject to removal from that meeting.
- E. **Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the City Council, each speaker shall limit comments to five minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be accommodated within the time available.
- F. **Speak Only Once.** Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law. No speaker will be allowed to yield part or all of his/her time to another, and no speaker will be credited with time requested but not used by another.
- G. **Addressing the Council.** Comment and testimony are to be directed to the Mayor (Chair). Dialogue between and inquiries from citizens at the lectern and individual Council Members, members of staff, or the seated audience is not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor (Chair). Always speak from the microphone to ensure that all remarks are accurately and properly recorded. Only one speaker should be at the microphone at a time. Speakers are requested to state their full name, address and group affiliation, if any, before delivering any remarks.
- H. Agendas and minutes can be accessed at www.roelandpark.org or by contacting the City Clerk

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

Item Number: Consent Agenda- II.-A.
Committee 2/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Appropriation Ordinance # 889**
Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
☐ Appropriation Ordinance # 889	Cover Memo

The City of Roeland Park, Kansas

4600 West Fifty-First Street

Roeland Park, Kansas 66205

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

Thursday, February 11, 2016

Appropriation Ordinance - 02/15/2016 - #889

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 15th day of February, 2016.

Attest:

City Clerk

Mayor

Total Appropriation Ordinance	\$	274,585.19
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There are sufficient funds in the General Fund to cover general fund expenditures.

Appropriation Ordinance - 02/15/2016 - #889

Vendor	Dept	Acct #	Description	Invoice Description	Amount	Chk #	Check /EFT
							Date
Advance Auto Parts	101	2005.101	Accounts Payable	Invoice: 5128535055144 /	\$ 76.49	65286	1/27/2016
Advance Auto Parts	101	2005.101	Accounts Payable	Invoice: 5128535739871 /	\$ 6.98	65286	1/27/2016
Advance Auto Parts	101	2005.101	Accounts Payable	Invoice: 512853449088 /	\$ 17.67	65286	1/27/2016
Advance Auto Parts	102	5260.102	Vehicle Maintenace	Invoice: 5128602031459 /	\$ 31.66	65298	1/27/2016
Advance Auto Parts	102	5260.102	Vehicle Maintenance	Invoice: 5128603532426 /	\$ 17.98	65333	2/11/2016
Airgas USA, LLC	106	5214.106	Other Contracted Services	Invoice: 9933415334 /	\$ 82.23	65334	2/11/2016
Alamar Uniforms	102	5308.102	Clothing & Uniforms	Invoice: 501776 /	\$ 103.98	65299	1/27/2016
American Equipment Co.	106	5211.106	Maintenace & Repair Equipment	Invoice: 25117 /	\$ 719.38	65335	2/11/2016
American Fidelity Assurance Co.	101	2005.101	Accounts Payable	Invoice: 1238812A /	\$ 60.00	65336	2/11/2016
American Fidelity Assurance Co.	101	2052.101	Supplemental Insurance Payable	Invoice: 1238811A /	\$ 60.00	65273	12/31/2015
American Fidelity Assurance	101	2052.101	Supplemental Insurance Payable	Invoice: B414677 /	\$ 1,071.82	65300	1/27/2016
Black & McDonald	101	2005.101	Accounts Payable	Invoice: 76649939 /	\$ 1,737.40	65287	1/27/2016
Blue Sky Cleaners	101	2005.101	Accounts Payable	Invoice: 12/31/15 /	\$ 217.45	65288	1/27/2016
Board of Police Commissioners	102	5214.102	Other Contracted Services	Invoice: M020783 / firewall	\$ 694.25	65316	2/3/2016
Breeden Holdings, LLC	101	2005.101	Accounts Payable	Invoice: 1019985 /	\$ 886.00	65289	1/27/2016
Breeden Holdings, LLC	101	2005.101	Accounts Payable	Invoice: 1020322 /	\$ 169.50	65289	1/27/2016
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	Invoice: 1020972 /	\$ 35.00	65301	1/27/2016
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	Invoice: 1021116 /	\$ 254.71	65301	1/27/2016
C & C Group	101	5210.101	Maintenace And Repair Building	Invoice: 87104 /	\$ 575.00	65337	2/11/2016
C & G Rubber Stamp, Inc.	101	5301.101	Office Supplies	Invoice: 110520 /	\$ 11.00	65338	2/11/2016
City Attorney's Association of Kansas	101	5405.101	Dues, Subscriptions & Books	Invoice: 16430 /	\$ 35.00	65302	1/27/2016
Columbia Capital Management, LLC	101	5209.101	Professional Services	Invoice: 16430001-2 /	\$ 1,580.73	65274	12/31/2015
Consolidated Communications	101	5202.101	Telephone	Invoice: 1/9/16 /	\$ 1,354.91	65275	12/31/2015
Deb's Disposal Service	115	5312.115	Leaf Program Disposal Fees	Invoice: 41066 /	\$ 1,750.00	65303	1/27/2016
Deb's Disposal Service	101	2005.101	Accounts Payable	Invoice: 41316 /	\$ 11,970.00	65339	2/11/2016
Delta Innovative Services, Inc.	290	2005.29	Accounts Payable	Invoice: 12338 /	\$ 588.00	65290	1/27/2016
Michael Flickinger	104	5206.104	Travel Expense & Training	Invoice: 3/20-3/25/16 TRAVEL. /	\$ 230.00	65340	2/11/2016
Foley Equipment	106	5211.106	Maintenace & Repair Equipment	Invoice: 40C310551 /	\$ 112.55	65304	1/27/2016
Warren Gardner	102	5308.102	Clothing & Uniforms	Invoice: 1/11/16 ACADEMY SPTS /	\$ 81.96	65341	2/11/2016
Goodyear Auto Service Center	104	5260.104	Vehicle Maintenance	Invoice: 166778 /	\$ 26.75	65279	1/20/2016
Jan Grebe	101	5510.101	Community Events	Invoice: 1/22/16 BUNNY COSTUM /	\$ 87.99	65317	2/3/2016
Greater Kansas City Community Founde	101	5405.101	Dues, Subscriptions & Books	Invoice: 1152016 /	\$ 250.00	65280	1/20/2016
David J. Grummon, P.A.	103	5209.103	Professional Services	Invoice: 1/12/16 /	\$ 150.00	65305	1/27/2016
David J. Grummon, P.A.	103	5209.103	Professional Services	Invoice: 2/2/16 /	\$ 150.00	65342	2/11/2016
Hampel Oil, Inc.	101	2005.101	Accounts Payable	Invoice: 90751221 /	\$ 718.10	65291	1/27/2016

Johnson County Wastewater	106	5201.106 Utilities	Invoice: 1/7/16 MULTIPLE / wastewater char	\$	279.51	65276	12/31/2015
Johnson Co Building Officials Assoc.	104	5405.104 Dues, Subscriptions & Books	Invoice: 2016 MEMBERSHIP /	\$	115.00	65281	1/20/2016
Johnson County Health & Environment	106	5306.106 Materials	Invoice: 1/15/16 /	\$	5.97	65306	1/27/2016
Johnson County Human Services	101	5212.101 Home Repair & Utility Asst	Invoice: 20154 /	\$	3,184.73	65277	12/31/2015
Johnson County Sheriff's Office	101	2005.101 Accounts Payable	Invoice: JCS3834 / prisoner boarding	\$	2,030.00	65292	1/27/2016
Kansas City Board of Public Utilities	101	5121.101 Franchise Exps/Traffic Signals	Invoice: 2834 1/25/16 /	\$	30.09	65318	2/3/2016
KCP & L	101	5201.101 Utilities	Invoice: 1/28/16 MULTIPLE /	\$	1,656.53	65319	2/3/2016
KCP & L	106	5201.106 Utilities	Invoice: 1/28/16 MULTIPLE /	\$	684.74	65319	2/3/2016
Keller Fire & Safety	101	2005.101 Accounts Payable	Invoice: 157607 /	\$	73.50	65293	1/27/2016
Keller Fire & Safety	106	5503.106 Office Equipment	Invoice: 199675 /	\$	76.12	65307	1/27/2016
Kansas Gas Service	101	2005.101 Accounts Payable	Invoice: 1745/7836 1/18/16 / gas charges	\$	376.80	65294	1/27/2016
Kansas Gas Service	101	2005.101 Accounts Payable	Invoice: 1745/7836 1/18/16 / gas charges	\$	814.81	65294	1/27/2016
DK Leasing, LLC	270	5438.27 In-house Street Maintenance	Invoice: 102263 / sinkhole on Ash dr	\$	362.25	65343	2/11/2016
Kansas Secretary of State	102	5401.102 Insurance & Surety Bonds	Invoice: 2/16 NOTARY / Gross	\$	25.00	65344	2/11/2016
Kansas State Treasurer	103	5228.103 Fees Due State of Kansas	Invoice: 1/16 COURT REV /	\$	2,403.50	65345	2/11/2016
The Legal Record	101	5204.101 Legal Printing	Invoice: L58466 /	\$	150.97	65282	1/20/2016
The Legal Record	101	5204.101 Legal Printing	Invoice: L58750. /	\$	20.52	65320	2/3/2016
The Legal Record	101	5204.101 Legal Printing	Invoice: L58859 /	\$	43.05	65346	2/11/2016
Kansas City Series of Lockton Co., LLC	101	5401.101 Insurance & Surety Bonds	Invoice: 6292781 /	\$	50.00	65347	2/11/2016
Lowe's Business Acct./GEMB	101	2005.101 Accounts Payable	Invoice: 1760 2/12/16 /	\$	324.94	65295	1/27/2016
Lowe's Business Acct./GEMB	270	2005.27 Accounts Payable	Invoice: 1760 2/12/16 /	\$	338.64	65295	1/27/2016
Mid America Peripheral Support	102	5214.102 Other Contracted Services	Invoice: 422652 /	\$	208.25	65348	2/11/2016
Mid America Peripheral Support	105	5214.105 Other Contracted Services	Invoice: 422652 /	\$	160.40	65348	2/11/2016
Venessa Maxwell-Lopez	103	5209.103 Professional Services	Invoice: 1/22/16 /	\$	150.00	65308	1/27/2016
Midwest Public Risk	107	5126.107 Health Insurance	Invoice: B01FB6 /	\$	27,278.04	65309	1/27/2016
Moss Printing	101	5510.101 Community Events	Invoice: 1/13/16 /	\$	180.00	65283	1/20/2016
Moss Printing	101	5205.101 Postage & Mailing Permits	Invoice: 7128 /	\$	742.99	65310	1/27/2016
Moss Printing	101	5208.101 Newsletter	Invoice: 7128 /	\$	1,236.60	65310	1/27/2016
NAPA Auto Parts	106	5211.106 Maintenace & Repair Equipment	Invoice: 561106 / push pins for truck	\$	18.24	65321	2/3/2016
NAPA Auto Parts	115	5211.115 Maintenace & Repair Equipment	Invoice: 263432 /	\$	10.46	65321	2/3/2016
NAPA Auto Parts	115	5211.115 Maintenace & Repair Equipment	Invoice: 263228 / lights for trackless	\$	62.16	65321	2/3/2016
NAPA Auto Parts	106	5260.106 Vehicle Maintenace	Invoice: 261726 /	\$	99.06	65321	2/3/2016
NAPA Auto Parts	106	5260.106 Vehicle Maintenace	Invoice: 253421 / connectors for dump	\$	30.09	65321	2/3/2016
Nationwide Retirement Solutions	101	2060.101 Section 457 Employee Payable	Invoice: 1/28/16 PAYROLL /	\$	1,274.63	65311	1/27/2016
Nationwide Retirement Solutions	101	2060.101 Section 457 Employee Payable	Invoice: 2/11/16 PAYROLL /	\$	1,252.11	65349	2/11/2016
Northeast Animal Control Comm.	102	5238.102 Animal Control	Invoice: 2016 PER CAPITA /	\$	55,882.80	65350	2/11/2016
Northeast Johnson Cty. Chamber of Cor	105	5206.105 Travel Expense & Training	Invoice: 19981 /	\$	105.00	65322	2/3/2016
Northeast Johnson Cty. Chamber of Cor	106	5206.106 Travel Expense & Training	Invoice: 19981 /	\$	35.00	65322	2/3/2016

Northeast Johnson Cty. Chamber of Cor	108	5206.108 Travel Expense & Training	Invoice: 20038 /	\$	35.00	65322	2/3/2016
Northeast Johnson Cty. Chamber of Cor	108	5206.108 Travel Expense & Training	Invoice: 19981 /	\$	140.00	65322	2/3/2016
Pavlich, Inc.	250	2005.25 Accounts Payable	Invoice: 34211 /	\$	8,072.31	65296	1/27/2016
Pavlich, Inc.	250	5271.25 Sand & Salt	Invoice: 34415 /	\$	8,015.04	65351	2/11/2016
Wex Bank	106	5302.106 Motor Fuels & Lubricants	Invoice: 43925699 /	\$	160.43	65323	2/3/2016
Purchase Power	101	5205.101 Postage & Mailing Permits	Invoice: 1/20/16 /	\$	639.85	65324	2/3/2016
Praxair Distribution Inc	106	5305.106 Traffic Control Signs	Invoice: 54700150 /	\$	25.38	65352	2/11/2016
Balls Food Stores	101	5408.101 Miscellaneous Charges	Invoice: 633933 /	\$	3.99	65325	2/3/2016
Principal Life	107	5130.107 City Paid Life Insurance	Invoice: 1/17/16 /	\$	1,711.43	65312	1/27/2016
Wex Bank	102	5302.102 Motor Fuels & Lubricants	Invoice: 43847891 /	\$	1,208.78	65326	2/3/2016
Wex Bank	104	5302.104 Motor Fuels & Lubricants	Invoice: 43763922 /	\$	123.45	65326	2/3/2016
Wex Bank	106	5302.106 Motor Fuels & Lubricants	Invoice: 43763922 /	\$	900.75	65326	2/3/2016
Rejis Commission	102	5214.102 Other Contracted Services	Invoice: INV0046246 /	\$	27.00	65327	2/3/2016
Rejis Commission	102	5214.102 Other Contracted Services	Invoice: INV0046247 /	\$	204.20	65327	2/3/2016
Riteway Maintenance & Supply, LLC	101	5214.101 Other Contracted Services	Invoice: 14825 /	\$	910.00	65353	2/11/2016
Roeland Park Community Foundation	108	5103.108 Salaries - Elected Officials	Invoice: CKFEB /	\$	60.00	65314	2/1/2016
George Schlegel	101	5230.101 Art Commissioner	Invoice: CHECKFEB /	\$	100.00	65315	2/1/2016
Shawnee Mission Ford, Inc.	360	2005.36 Accounts Payable	Invoice: 1/8/16 94930 / 2016 ford f-350	\$	61,099.00	65297	1/27/2016
Sprint	102	5202.102 Telephone	Invoice: 503261523142 /	\$	39.92	65278	12/31/2015
Staples Advantage	101	5301.101 Office Supplies	Invoice: 8037473439 /	\$	88.28	65284	1/20/2016
Staples Advantage	106	5304.106 Janitorial Supplies	Invoice: 8037473439 /	\$	49.53	65284	1/20/2016
Staples Advantage	101	5301.101 Office Supplies	Invoice: 8037671650 /	\$	183.45	65328	2/3/2016
Staples Advantage	106	5814.106 Computer Software	Invoice: 8037671650 /	\$	800.16	65328	2/3/2016
Stinson Leonard Street	101	5215.101 City Attorney	Invoice: 30149592-30149597 /	\$	6,751.84	65354	2/11/2016
Superior Door Service Inc.	106	5210.106 Maintenace And Repair Building	Invoice: 101938 /	\$	365.00	65313	1/27/2016
US BANK	105	5206.105 Travel Expense & Training	Invoice: JONES-LACY 1/25/16 /	\$	20.00	65329	2/3/2016
US BANK	105	5206.105 Travel Expense & Training	Invoice: MOODY 1/25/16 /	\$	20.00	65329	2/3/2016
US BANK	106	5206.106 Travel Expense & Training	Invoice: WISDOM 1/25/16 /	\$	167.45	65329	2/3/2016
US BANK	106	5206.106 Travel Expense & Training	Invoice: LEON 1/25/16 /	\$	24.44	65329	2/3/2016
US BANK	106	5306.106 Materials	Invoice: SCHARFF 1/25/16 /	\$	28.50	65329	2/3/2016
US BANK	104	5405.104 Dues, Subscriptions & Books	Invoice: FLICKINGER 1/25/16 /	\$	170.00	65329	2/3/2016
US BANK	106	5405.106 Dues, Subscriptions & Books	Invoice: LEON 1/25/16 /	\$	300.00	65329	2/3/2016
US BANK	101	5408.101 Miscellaneous Charges	Invoice: BOHON 1/25/16 /	\$	4.81	65329	2/3/2016
Verizon Wireless	102	5202.102 Telephone	Invoice: 9759386725 /	\$	240.06	65330	2/3/2016
Water District No 1 of Johnson County	106	5201.106 Utilities	Invoice: 1/28/16 1321/1593 /	\$	218.35	65331	2/3/2016
Water District No 1 of Johnson County	106	5201.106 Utilities	Invoice: 2/1/16 MULTIPLE /	\$	151.29	65355	2/11/2016
WCA Waste Corporation	115	5272.115 Solid Waste Contract	Invoice: 990000042583 /	\$	34,493.52	65332	2/3/2016
Wells Fargo Financial Leasing	102	5214.102 Other Contracted Services	Invoice: 5002780729 /	\$	607.50	65285	1/20/2016

Wells Fargo Financial Leasing	105	5214.105 Other Contracted Services	Invoice: 5002780729 /	\$	607.50	65285	1/20/2016
The Work Zone, Inc.	106	5305.106 Traffic Control Signs	Invoice: 40949 /	\$	1,060.00	65356	2/11/2016
KPERS	101	2040.101 KPERS Accrued Employee	EFT#1/19/16 Invoice: 1/19/16 /	\$	1,951.41		1/19/2016
KPERS	101	2050.101 Insurance Withholding Payable	EFT#1/19/16 Invoice: 1/19/16 /	\$	122.70		1/19/2016
KPERS	107	5123.107 KPERS City Contribution	EFT#1/19/16 Invoice: 1/19/16 /	\$	3,310.89		1/19/2016
KPF	101	2045.101 KP&F Employee Withholding Payable	EFT#1/19/16 Invoice: 1/19/16 /	\$	2,338.91		1/19/2016
KPF	101	2050.101 Insurance Withholding Payable	EFT#1/19/16 Invoice: 1/19/16 /	\$	84.10		1/19/2016
KPF	107	5131.107 KP&F City Contribution	EFT#1/19/16 Invoice: 1/19/16 /	\$	6,679.78		1/19/2016
Miller Management Systems, LLC	101	5214.101 Other Contracted Services	Invoice: EFTFEB /	\$	1,558.00		2/1/2016
Wex Bank	104	5302.104 Motor Fuels & Lubricants	EFT#250776080 Invoice: 43763922 EXTRA	\$	123.45		2/8/2016
Wex Bank	106	5302.106 Motor Fuels & Lubricants	EFT#250776080 Invoice: 43763922 EXTRA	\$	900.75		2/8/2016

\$ 274,585.19

Item Number: Consent Agenda- II.-B.
Committee 2/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: December 21, 2015 City Council Minutes
Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
☐ 12212015 Council minutes	Cover Memo

**Roeland Park City Council Meeting
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, December 21, 2015 6:00 P.M.**

- Joel Marquardt, Mayor
- Becky Fast, Council Member
- Tim Janssen, Council Member
- Ryan Kellerman, Council Member

- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Poppa, Council Member
- Michael Rhoades, Council Member
- Erin Thompson, Council Member

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

Admin

Janssen
Poppa

Finance

Rhoades
Kelly

Safety

McNeil
Thompson

Public Works

Fast
Kellerman

Pledge of Allegiance

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

Roll Call

City Clerk Bohon called the roll and all members were present.

Modifications to the Agenda

The Council agreed with CMBR Fast's request to remove from the Consent Agenda, Item E. Ordinance 924, An Ordinance Relating to Animal Control and Regulation; Amending and Repealing Existing Section 2-119 of the Code of the City of Roeland Park, Kansas.

The Council agreed to CMBR Rhoades' request to add a discussion under New Business regarding the potential hiring of real estate/development consultant by the Ad Hoc Development Committee.

The Council agreed to add CMBR Kelly's report for 1st Tier Suburbs Coalition to Reports from City Liaisons.

CMBR McNeil will postpone her Animal Control report until January as more information will be available then for a more thorough report.

PUBLIC HEARING FOR THE 2015 BUDGET AMENDMENT

Jennifer Jones-Lacy, Assistant City Administrator/ Finance Director reported that two funds are being amended from 2015 budget and will fulfill state requirements. The first fund to be amended is the TIF A/B, the Walmart Bella Roe TIF. The TIF is exceeding its original budget as additional bond principal was paid because the bonds became callable in August 2015. The funds are available and this will essentially prepay some of the debt. The second fund to be amended is the Equipment Building Reserve Fund. Monies have been put into this fund for Community Center maintenance and these monies will be transferred out of the Equipment Building Reserve Fund to the Community Center fund. This is a transfer of funds, not an expense and does not affect the budget.

Mayor Marquardt opened the Public Hearing for discussion on the Budget Amendment.

There was no public comment.

Mayor Marquardt closed the Public Hearing.

I. CITIZENS' COMMENTS

Tom Madigan. Mr. Madigan spoke to Airbnb and the regulations Prairie Village has developed, also read into the record the reviews of a Roeland Park home on Airbnb.

Cathy Creed. Ms. Creed spoke in regards to the donation policy as it relates to trees in R Park and shew would like to see the price of donating a tree remain at \$350 versus the current proposed \$1,300.

Doug Taylor. Mr. Taylor spoke to his request to have his kennel variation permit extended.

Sharon Vandenberg, 5025 Parish Drive. Ms. Vandenberg spoke in support of extending Mr. Taylor's request.

Steven Lewis, 4910 Juniper. Mr. Lewis spoke in favor of more trees in R Park. He also spoke to issues with the City's feral cat regulations and his personal treatment in municipal court.

Tom Phillips, 4400 West 55th Street. Mr. Phillips spoke to the tree donation policy of the City and requested keeping donations at \$350 as he didn't want the cost to be too prohibitive.

It was noted that the representative for Almighty Tow Service was not present.

II. Consent Agenda

- A. Appropriation Ordinance #887
- B. September 21, 2015 Council Minutes
- C. October 19, 2015 City Council Minutes
- D. Resolution 647 401A Retirement Plan
- ~~E. Ordinance 924 Relating to Animal Control Regulations~~
- F. Approval of KCATA Additional Bus Stops
- G. 2015 Budget Amendment
- H. Reappoint Ad-Hoc Development Committee
- I. 2016 Johnson County Cities Joint Legislative Platform

MOTION: CMBR POPPA MOVED, CMBR KELLY SECONDED, TO APPROVE THE CONSENT AGENDA AS MODIFIED.
(MOTION PASSES 8-0)

III. BUSINESS FROM THE FLOOR

- A. Applications/Presentations
 - 1. KC Blazers and Roeland Park Stingrays

CMBR Fast said she has served on the Roeland Park Pool Advisory Committee for the last four years with Jim Armstrong. She said they are very fortunate to have him in charge and he looks for ways to save the City money. Some of the things he has done is paint the small pools and establishing relationships with Bishop Miede and Horizons Academy.

Jim Armstrong thanked the City for allowing the pool to host the KC Blazers who are internationally, nationally, regionally and locally known for their quality of coaching and their athletes. The Stingrays have hired some of the best coaches in the area for their summer swim league.

Mr. Armstrong also said the newly installed boiler that heats the pool water has saved \$38,000 from January to November and in a few years will pay for itself. Mr. Armstrong said he will be retiring with the Parks and Rec District after working with them for 30 years.

Gardner Holland, head coach of the KC Blazers for the past five years thanked the City of Roeland Park for continuing to provide a unique and valuable amenity to any place in the Kansas City area.

CMBR Fast wanted to highlight that the Blazers raised \$45,000 towards the repair of the pool dome and \$20,000 towards the replacement of the heater. Both fundraising efforts are greatly appreciated.

(Applause)

Sean Lynn-Bequette introduced herself as head coach of the Roeland Park Stingrays for the past two years. She said she is excited for this summer and the growing program. She added that last year the team got embroidered polo shirts that have the Roeland Park logo on them.

(Applause)

2. Community Events Update – Scott Ferrell

Scott Ferrell, 5531 Sherwood Drive, Chair of the Community Events Committee, provided a recap of the 2015 events. He also thanked everyone who came out and supported them.

Easter at Nall Park was well attended. The City-wide block party in June fantastic and the new layout for the tents was well received as it allowed for a more shaded area and conversational space. The new tent city layout was well-received and allowed for more shaded area and conversational space. They also found out that the Mayor is a professional frisbee player. Barktoberfest went well and the vendors were pleased. The Events Committee has raised approximately \$500 to help supplement their budget and they will continue with Barktoberfest.

Mr. Ferrell noted the tree lighting done by Public Works and City staff did a fantastic job. He also mentioned their new committee member Tiffany Ringot, and thanked the Council for approving her appointment. He also mentioned Deb Settle, President and CEO of the Northeast Johnson County Chamber, who is to be appointed to the committee. He also added that his committee includes the Strategic Plan in their discussions and development. He also said the committee will offer their assistance to any residents wishing to plan an event in the city, but their focus will remain on their currently planned events.

2016 schedule

March 26 - Easter at Nall Park

June 4 - City-Wide Block Party

October (1st or 2nd week) Barktoberfest (TBA)

Mayor Marquardt said Mr. Ferrell has really stepped up and has done so much and he wanted to say thank you and that he really appreciates what he does.

Mr. Ferrell said it's for everyone in the community.

(Applause)

Mayor Marquardt added that a thank you letter was sent to "Saint Nick" for the tree lighting.

IV. MAYOR'S REPORT

No report was given.

V. WORKSHOP REPORT

No report was given.

VI. REPORTS OF CITY LIAISONS

A. Northeast Animal Control (Sheri McNeil/Ryan Kellerman)

A full report will be given at the January 19th City Council meeting.

B. 1st Tier Suburbs Coalition

CMBR Kelly, co-chair for the 1st Suburbs Coalition, reported on their progress. The coalition, which is a bi-state organization put together by the Mid-America Regional Council (MARC), has been working for the last nine years on the creation of sustainable neighborhoods and also the Community for All Ages projects. There is now an opportunity for citizens, the Governing Body and staff to offer feedback on two questions the coalition has. They are looking to re-vision and update and create a list of new priorities. CMBR Kelly invited everyone offer their feedback by visiting www.marc.org/community/first-suburbs-coalition.

VII. UNFINISHED BUSINESS

CMBR Kellerman said he would like the Council to add to the agenda, discuss and vote on boarding houses in the City and how they are adjudicated.

There was Council discussion whether to discuss the topic at the Council meeting or take it back to a Governing Body Workshop.

MOTION: CMBR KELLERMAN MOVED, CMBR MCNEIL SECONDED, TO DISCUSS THAT THE CITY OF ROELAND PARK ENFORCES CURRENT ORDINANCES REGARDING THE PROHIBITION OF TOURIST HOMES, BOARDING HOUSES AND LODGING HOUSES IN SECTION 5-604, LINE ITEM H AND I, AND SECTION 16-405, LINE ITEM E, NUMBER 6, OTHERWISE KNOWN AS THE UNLAWFUL BUSINESS BEING CONDUCTED IN CITY HOMES ADVERTISED ON AIRBNB AND OTHER ADVERTISING PLATFORMS. (MOTION FAILS 5-4)

Roll Call Vote:

Fast - N McNeil - Y Janssen - Y Rhoades - Y Kellerman - Y Thompson - N Kelly - K Poppa - N Marquardt- N

The Mayor said this topic will be discussed in the Workshop following the meeting.

VIII. NEW BUSINESS

A. Committee Appointment/Reappointment 2016

MOTION: CMBR POPPA MOVED, CMBR THOMPSON SECONDED, THE REAPPOINTMENT TO THE SUSTAINABILITY COMMITTEE FOR JUDY HYDE, MICHAEL KELLY AND BRANDON GILLETTE, AND THE APPOINTMENT OF DEB SETTLE TO THE EVENTS COMMITTEE, AND THE REAPPOINTMENT OF MARK KOHLES TO THE PLANNING COMMISSION. (MOTION PASSES 8-0)

CMBR Fast thanked Deb Settle and Judy Hyde, who were in attendance, for volunteering to serve.

B. Donation Policy

City Administrator Moody said that tree donation policy changes reflected are based upon the direction staff received at the last Workshop where the board reviewed the edits. Mr. Moody also noted that attached in the packet is a summary of the costs associated with donating a tree with a memorial plaque.

CMBR Poppa offered an amendment that supported the Mayor's suggestion to have a certain amount of trees planted per year and the creation of a list that will offer the price of a tree of \$225 with a plaque at \$175 for a total price of \$400 for the trees on the list.

CMBR Kelly suggested the item cost be without a plaque, but include the installation. If a plaque was desired, it would be an extra charged. She expressed support of having a planted tree planting design.

CMBR Fast said the City does not have a tree planting plan, but there is a tree budget. She advocated paying more out of the tree budget and allowing people to donate to the R Park fountain.

MOTION: CMBR POPPA MOVED, CMBR MCNEIL SECONDED, TO AMEND THE MOTION TO CHANGE THE TREE PLANTING PRICE TO \$405 FOR TREE PURCHASE AND PLANTING AND NO PLAQUE. (MOTION PASSES 8-0.)

MOTION: CMBR THOMPSON MOVED, CMBR POPPA SECONDED, TO APPROVE THE ADOPTION OF THE DONATION POLICY AS AMENDED. (MOTION PASSES 8-0)

C. Adopt Amended Council Training Policy

MOTION: CMBR Fast moved, CMBR Kelly seconded, to approve the Revised Council Training Budget Policy. (Motion passes 8-0)

D. Ordinance 924 Relating to Animal Control Regulations

MOTION: CMBR POPPA MOVED, CMBR MCNEIL SECONDED, TO CHANGE PORTIONS OF CHAPTER II, SECTION 2119, KEEPING A LARGE NUMBER OF ANIMALS; SPECIAL PERMIT: TO ONLY ALLOW A MAXIMUM OF THREE DOGS OR CATS PER HOUSEHOLD AS AMENDED. (MOTION PASSES 8-0)

MOTION: CMBR FAST MOVED, CMBR THOMPSON SECONDED, AN AMENDMENT TO TAKE CONSIDERATION OF MISSY AND DOUG TAYLOR, WHO RECEIVED THEIR PERMIT IN 1982, AND ALSO TO INCLUDE PERSONS WHO RECEIVED CITY COUNCIL APPROVAL PRIOR TO DECEMBER 31, 2003, AS BEING EXEMPT FROM APPLICATION OF SPECIFIC ANIMALS FOR WHICH THE SPECIAL PERMIT WAS ISSUED. (MOTION PASSES 8-0)

E. Ad Hoc Development Committee Hire.

CMBR Rhoades said that the Ad Hoc Development Committee has discussed hiring a real estate/development consultant to help in the determination of what is appropriate at the old cave site and the southeast Johnson and Roe site. There is a potential that the cost could exceed \$7,500, and if that's the case the committee would like to have the approval of Council before moving forward with a decision to hire someone.

City Administrator Moody said he understands there is a set budget for the work at the cave site and all the funds have not been used to date. He felt that this expense would likely be within that allowance. Anything over \$7,500 would need Council approval.

CMBR Rhoades said he believed the City Administrator was authorized to spend up to \$100,000 on this project. Mayor Marquardt said that authority was for the spending of TIF dollars and the hiring of a consultant cannot be paid for out of a TIF. The Council agreed to move this approval to New Business at the next Council meeting.

CMBR Thompson said the committee obviously wants Council approval before moving forward. Their next step is to put out an RFP for a consultant and City Administrator Moody would then seek approval from the Council before spending any fees. City Administrator Moody expects to see a scope of services and a fees negotiated for the service, then they will need to interview and select the consultant.

The Council agreed to discuss whether the approval of funds greater than \$7,500 outside of TIF funds would need Council approval.

IX. ORDINANCES AND RESOLUTIONS

A. Charter Ordinance 31 – A CHARTER ORDINANCE EXEMPTING THE CITY OF ROELAND PARK, KANSAS FROM THE PROVISIONS OF K.S.A. 12-4112, AND AMENDMENTS THERETO, AND PROVIDING AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

MOTION: CMBR POPPA MOVED, CMBR KELLY SECONDED, TO APPROVE Charter Ordinance 31 - A CHARTER ORDINANCE EXEMPTING THE CITY OF ROELAND PARK, KANSAS FROM THE PROVISIONS OF K.S.A. 12-4112, AND AMENDMENTS THERETO, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT. (LANGUAGE) (MOTION PASSES 8-0)

City Attorney Shortlidge said the public hearing has been held and the matter has been discussed in a Governing Body Workshop. The Charter Ordinance is exempting the City from the statute in the Municipal Court Act that prohibits the municipal court from imposing court costs. This ordinance would allow the judge to impose court costs.

X. REPORTS OF CITY OFFICIALS

No reports were given.

XI. ADJOURNMENT

CMBR Kellerman said he would like City Attorney Shortlidge available for the continuation of the Governing Body Workshop at the conclusion of the meeting.

CMBR Rhoades said he would like to continue the Workshop session where they are meeting.

MOTION: CMBR FAST MOVED, CMBR KELLY SECONDED, TO ADJOURN. (MOTION PASSES 8-0)

Joel Marquardt, Mayor

Kelley Bohon, City Clerk

Item Number: Consent Agenda- II.-C.
Committee 2/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: January 4, 2016 Special Called City Council Minutes
Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
☐ C. January 4, 2016 Special Called City Council Minutes	Cover Memo

SPECIAL CALLED CITY COUNCIL MEETING
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, January 4, 2016, 6:00 P.M.

- Joel Marquardt, Mayor
- Becky Fast, Council Member
- Tim Janssen, Council Member
- Ryan Kellerman, Council Member

- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Poppa, Council Member
- Michael Rhoades, Council Member
- Erin Thompson, Council Member

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

Admin

Kellerman
Janssen

Finance

Poppa
Rhoades

Safety

Kelly
McNeil

Public Works

Thompson
Fast

PLEDGE OF ALLEGIANCE

Mayor Marquardt led everyone in the Pledge of Allegiance.

ROLL CALL

Ms. Jones-Lacy called the roll and all members were present.

I. ORDINANCE 925 SHORT TERM RENTAL

Mayor Marquardt opened the meeting up for public comments for the limited purpose of discussion whether to allow short-term rental within the City of Roeland Park.

Public Comments:

Kate McLaurie - Ms. McLaurie spoke in support of the short-term rental and also the positive experiences she has had with her neighbor's rental property.

Mike Fultz - Mr. Fultz spoke in support of the short-term rentals, his personal experiences with them, and felt they were a fantastic idea.

Mike Kelly – Mr. Kelly, a member of Sustainability Committee, Community Foundation Advisory Board, spoke as a citizen in support of the opportunity for individuals and business, and recommended adoption of inspection regulations comparable to the current rental inspections.

Tom Madigan – Mr. Madigan commented Ms. Jones-Lacy and Fox 4, positive report for Roeland Park and Airbnb. He also felt that amnesty on enforcement should be in effect until the law is finalized.

MOTION: CMBR FAST MOVED, CMBR RHOADES SECONDED, TO APPROVE ORDINANCE 925, WHICH PROVIDES CLARIFYING LANGUAGE IN THE CITY CODE AND WHAT CONSTITUTES A PERMISSIBLE SHORT-TERM RENTAL.

CMBR Kellerman asked that everyone show courtesy so that item can be thoroughly discussed before calling the question.

MOTION: CMBR POPPA MOVED, CMBR THOMPSON SECONDED, OFFERED AN AMENDMENT ADDING LANGUAGE TO SECTION 5-601, TO THE PROPOSED DEFINITION OF BOARDING HOUSES. TO DISTINGUISH BETWEEN A HOMEOWNER THAT'S RENTING A ROOM TO A FRIEND OR SOMETHING FOR LONG-TERM, SO SOMETHING THAT READS, PROVIDED, HOWEVER, WHERE A RESIDENT/HOMEOWNER LEASES SPACE TO NO MORE THAN TWO ROOMMATES FOR TERMS OF

A YEAR OR MORE, IT SHALL NOT BE CONSIDERED TO BE A BOARDING HOUSE. (MOTION PASSES 8-0)

CMBR Kellerman questioned the reasoning for redefining boarding house. CMBR Poppa said it is not defined in Section 5-602, but later in Chapter 16, Zoning and Subdivision Regulations. He advised it be removed from Chapter 16 and to put a definition for boarding houses into Article VI, Home Occupation.

Ms. Jones-Lacy defined short term rental as defined in Section 6 of the ordinance. Rooms rented or used for a period of time less than 30 days with six or fewer guests, but excludes boarding houses. The key is 30 days or less and six or fewer guests for short-term rentals. Whereas, boarding house, did not change the definition.

City Administrator Moody said the definition of boarding house should be removed as it is not an allowed business and also the regulations include the homeowner must be a resident in their home.

CMBR Rhoades spoke to Article VII, Rental Housing Section 5-704. He wants a clear definition that there is a difference between rental and short-term rental. City Attorney Shortlidge clarified that the section has to do with non-resident owners that are offering properties for rent or lease and would apply to short-term rentals.

There was Council discussion to clarify language for an owner-occupied property that would not allow a renter to then sublet the property.

There was also a brief discussion of how to verify that the neighbors have been notified of the request for a short-term rental.

MOTION: CMBR RHOADES MOVED, CMBR KELLERMAN SECONDED, TO CHANGE, "30 DAYS AFTER NOTIFYING THE NEIGHBORS." IF THE CITY CLERK HAS RECEIVED NOT MORE THAN ONE PROTEST CONCERNING SHORT-TERM RENTALS FOR WHICH THE PERMIT IS BEING APPLIED, THE CITY CLERK SHALL ISSUE A PERMIT. IF TWO OR MORE OBJECTIONS ARE RECEIVED THE PERMIT SHALL BE DENIED. (MOTION FAILS 5-3).

CMBR Fast attempted a motion that would require all rental properties during their annual reapplication procedure send courtesy notices to all adjacent homeowners.

CMBR Rhoades would like to see verbiage similar to the animal ordinance that 30 days after notifying the neighbors if the City Clerk has not received more than one protest concerning short-term rental for which the permit is being applied for, the City Clerk shall issue a permit. If two or more objections are received the permit shall go before the City Council. If three or more objections are received, the permit shall be denied.

The discussion turned to what percentage of a street could be a short-term rental. CMBR Rhoades didn't want too many homes becoming rentals in a concentrated area. CMBR McNeil said it was discussed at a Workshop to have five percent of a block.

MOTION: CMBR RHOADES MOVED, CMBR KELLERMAN SECONDED, NOT TO ALLOW A SHORT-TERM RENTAL WITHIN 250 FEET OF ONE CURRENTLY PERMITTED. (MOTION FAILS)

CMBR Rhoades brought up the inspection process outlined in Section 5-706.A.2 for interior and exterior inspections. City Attorney Shortlidge said the ordinance passed requires internal inspections for rentals effective January 1, 2016. Internal inspections would be done annually with the renewal of the permits.

Ms. Jones-Lacy suggested that staff can create a web link to the Code to explain all the nuances in layman's terms for easier understanding by the public as opposed to the legal language in the ordinance.

CMBR McNeil wanted to make sure that every time a renter left the property, the property would not be considered as vacant and would not require an inspection.

CMBR Kellerman directed the discussion towards the percentage of use of a home for business. Section 5-602(d) states that a home occupation shall not occupy more than 25 of floor and how would the short-term rental fall into that definition.

CMBR Thompson said that as a rental, it allows for inspection of the entire home.

Fire Chief Lopez addressed the Governing Body that the Fire Department requires some form of egress in a basement if remodeling and putting a bedroom there. He will be meeting with the Fire Marshal and will discuss whether they will require and inspection of short-term rental properties.

Mayor Marquardt said the new use would fall under the internal inspection.

CMBR Fast asked if the City currently inspects and in-home business to see if they're using the 25 percent limit. She also added that for businesses like babysitting it's unrealistic to expect it to be kept to 25 percent.

CMBR Kellerman said that payments for permits, licenses and the home occupation tax would have to be made since they are listed under both rentals and home occupation.

City Attorney Shortlidge added that the current language states the rental fee covers the home occupation license, and the occupation tax ordinance also states that. He also said that fees are established by a resolution of the Council.

The Council then discussed remedies for nuisance properties or where complaints are received.

Ms. Jones-Lacy said if there are complaints, then it would be a nuisance abatement issue. City Codes Enforcement staff would evaluate the problem. The Police Department regulates parked cars in the street and if that's the issue they would look into that. She also added that the short-term rental would be permitted through the rental permitting process.

City Administrator Moody said rental properties are identified specifically in the occupation fee section of the City Code, Section 5-104, specifically rental property, persons, firms, partnerships, or a corporation engaged in the business of owning and renting property located in the City and shall pay an annual occupation fee in an amount established by resolution adopted by the Governing Body. This procedure for payment of occupation fees and issuance of licenses for rental properties shall be set forth in Article VII. Chapter 7 addresses the fact that the occupational fee is the rental fee.

CMBR Kellerman thinks short-term rental should be taken off of home occupation in regards to fees.

CMBR McNeil suggested commercial insurance for the properties as Airbnb does not cover loss. She said it was important to make people aware of that. She would also like to see a Suggestions for Success where items such as insurance could be mentioned. CMBR McNeil also stated that if there are complaints on a property there needs to be a quick remedy as a neighbor shouldn't have to live with the problem until the next renewal application.

CMBR Kelly echoed CMBR McNeil's idea that an information pamphlet was a good idea. She also said that if there are complaints the City's codes protocols are in place to handle it and the problem would not have to wait until the next renewal. CMBR Kelly also said that if there is a problem, then people need to say speak up and say something.

MOTION: CMBR JANSSEN MOVED, CMBR MCNEIL SECONDED TO AMEND THE PRIMARILY MOTION TO ADD AN AMENDMENT THAT THE APPLICANT SHALL PRODUCE A CERTIFICATE OF INSURANCE WHEN APPLYING FOR THE APPLICATION AND ALSO UPON RENEWAL AND TO PROVIDE A CERTIFICATE OF INSURANCE AT THE TIME OF LICENSING. THE POLICY SHOULD CARRY \$250,000 IN GENERAL LIABILITY INSURANCE AND BE PLACED UNDER PERFORMANCE STANDARDS FOR SHORT-TERM RENTALS ON PAGE 6, SECTION 5-704(B)(5). (MOTION FAILS)

CMBR Poppa clarified that this amendment would only apply to short-term rentals.

CMBR Rhoades said that Airbnb offers a \$1 million people for people that rent their house and added that most insurance companies do not insure short-term rental properties. CMBR McNeil said Airbnb's insurance doesn't cover private information that's stolen and used in identity theft, nor does it cover jewelry, fine arts, furs, automobiles, pets, cash or securities.

CMBR Kellerman said that under §16-201 of the Zoning regulation, Prohibited Occupations, boarding house was added, but did not see one for lodging home.

City Administrator Moody said there is no definition for tourist home in the current regulations, and the previous redlines show one was developed, provided, and then shown as deleted.

CMBR Rhoades felt the proposed ordinance does not provide any remedies if there is a problem and said issue could possibly come before the Council for resolution. CMBR McNeil also said they could come to the Council instead of going through the court system.

CMBR Kellerman inquired about the possible imposition of a transient tax.

CMBR Kelly said that the state statute that applies to charging tax on overnight stay and the short-term rental does not meet those requirements.

City Administrator Moody spoke with Kansas Department of Revenue, and said that based on the number of rooms rented, three or more bedrooms will qualify for the transient tax.

MOTION: CMBR JANSSEN MOVED, CMBR RHOADES SECONDED, TO PROPOSE AN AMENDMENT TO CAP THE NUMBER OF AIRBNB HOST HOMES TO FIVE PERCENT PER STREET, NOT TO BE LESS THAN ONE. (MOTION FAILS 5-4, WITH MAYOR MARQUARDT CASTING THE DECIDING VOTE)

Ms. Jones-Lacy said that whenever an inspection is performed they make certain the property is in compliance with all City codes, and will include proper ingress/egress language and incorporate those elements into the code. They will be following the same inspection standards as HUD requirements.

CMBR Kellerman would like to hear from Fire Chief Lopez before the Council makes their final vote.

Fire Inspection Discussion.

CMBR KELLY: With our rental interior inspections, our codes would cover anything the Fire Marshal would be concerned about, correct? I mean, if there is ingress issues or egress, whatever that term is.

MS. JONES-LACY: Correct.

CMBR KELLY: You're not going to be able to -- just like in my house, I wouldn't be able just to wall off the corner of my basement and pass an inspection unless I have proper exit and fire alarms and carbon monoxide detectors

and all of that. So, that is covered under our code, which would be an inspection issue when they apply for their permit.

MS. JONES-LACY: Correct. Whenever the inspection is performed they make sure that they're in compliance with all City codes. So, that would include proper ingress/egress, and we incorporate those elements into our code. And they follow the same inspection standards as the HUD standards, or HUD requirements.

MAYOR MARQUARDT: I think Mr. Kellerman and then Mr. Rhoades.

CMBR KELLY: Thank you.

CMBR KELLERMAN: Yeah. Councilmember McNeil, I agree. I mean I would actually rather hear back, and he said he would come back with that information if I'm not mistaken. I'd rather hear that directly from the Fire Chief's mouth, not to say that, Jennifer, that you're incorrect about that, but I know that things changed. We've talked about egress window. We've talked about the top-notched egress window at a Workshop meeting that we would have to have the most appropriate top-notch egress window. And I would very much like to hear what the Fire Chief would say about that.

MAYOR MARQUARDT: Mr. Rhoades.

CMBR RHOADES: I just -- I need to know that that is covered because I'm not for sure it is because you can have a bedroom. I mean, you can have a room in your basement without an egress window. So, if they're advertising on the platform that that's where you're going to sleep, which actually is happening in Roeland Park just so you know, and there is a fire in that place, what happens? Well, you know, I mean the bottom line, I mean I'll tell you what happens if you really want to know - a person dies a horrible death. So, I would like to make it clear what happens. You know, is it legal or not? Because I don't know that if -- if we don't define -- you're allowed to have a room there, and if so -- if we're not looking at where they're sleeping it makes a difference to me, so.

MAYOR MARQUARDT: Ms. Jones-Lacy.

MS. JONES-LACY: Whenever we did the rental housing forum and we made a presentation mostly -- it was primarily Mike Flickinger who presented the information to those who owned rental housing, he had said that that is something that he looks at. And I know that as something that he reviews is proper ingress/egress of a bedroom, so there have been situations in the past that somebody has a basement that doesn't have that proper ingress/egress, so they wouldn't allow a residential bedroom in the basement if that doesn't exist. I know that's something that he had specifically mentioned. We would inspect all, the entire -- according to this ordinance we would inspect the entirety of the unit there -- or the house, not just the single bedroom, but the entire house. So, they would ensure that's something that is appropriate. Now, we don't do specific, I mean, we don't do specific fire inspections. That would be something that, you know, would be left to the City Fire Department, but our code does incorporate basic life safety requirements.

CITY ATTORNEY SHORTLIDGE: We've adopted a fire code.

MS. JONES-LACY: Okay. Yeah. So, we have --

MAYOR MARQUARDT: Mr. Kellerman, I think you had your hand up, then Mr. Poppa.

CMBR KELLERMAN: She answered my question.

CMBR POPPA: I was going to say, so just to clarify, we did adopt a fire code and that's part of our ordinances already. Okay. Thank you.

MAYOR MARQUARDT: Mr. Rhoades?

CMBR RHOADES: I'm fine with it if we're saying that this is taken care of in our ordinance. I would like this small part of the conversation for the record and the minutes so I can go back and read the minutes on what was said on this if there's ever any --

MAYOR MARQUARDT: And that would be the fire codes?

CMBR RHOADES: Yes. I would like all parts of this for the person transcribing this for our minutes because I would like to go back and be able to read what was said on this if this does become an issue.

CMBR McNeil wanted to address the percentage of the floor space for other businesses, recommending 100 percent if allowing short-term rentals in the City.

The Council discussed the possible reasoning behind limiting in-home business use to 25 percent of a property with the Mayor suggesting it may have been for keeping a residential neighborhood in residential use as opposed to turning it to commercial.

CMBR Poppa said the 25 percent seems an arbitrary as a lot of the other permitted business such as foster care or day care can only be limited to that percentage. He inquired if there was a way to differentiate between office and/or work space and use of space within a home.

City Administrator Moody said there's not a limit on the amount of space inside of the home that can be used for a short-term rental.

Ms. Jones-Lacy recommended that since the percentage of use has not been fully vetted that Council revisit the issue to allow staff to research exactly the meaning of 25 percent use limit.

CMBR Fast agreed that the vote should wait. She felt that there was no real urgency to rush the issue through. She also agreed with Tom Madigan, who spoke earlier in Public Comment that the public was not notified that the section was going to be amended. She added that is a separate issue that the Council needs to spend time on and the public needs to know about it.

CMBR Poppa said the ordinance could be modified as it relates to short-term rentals.

Ms. Jones-Lacy said an ordinance approval for short-term rental can still be discussed and voted on. The floor space usage of other home-based businesses will affect a lot of people and everyone should have the facts in place and understand them before a decision is rendered on an issue just introduced at this meeting.

CMBR McNeil said she felt the Council was rushing and jumping over some of the issues to get this passed and this wouldn't give an opportunity for the Fire Chief to speak. She didn't see this as a dire emergency to vote on if there were still outstanding questions.

MOTION: CMBR MCNEIL MOVED, CMBR KELLERMAN SECOND TO ELIMINATE THE 25 SQUARE FOOT LIMIT ON IN-HOME BUSINESSES. (MOTION TABLED)

MOTION: CMBR RHOADES MOVED, CMBR FAST SECONDED, TO TABLE THE DISCUSSION ON PERCENTAGE OF FLOOR AREA FOR HOME OCCUPATIONS OTHER THAN SHORT-TERM RENTAL. (MOTION PASSES)

Staff was directed to do the research on the occupations and the history behind the 25 percent and the review of each occupation and what might be appropriate.

City Attorney Shortlidge will also look into the transient tax process.

CMBR Rhoades requested an overview of all the changes that have been made to the primary motion.

Ms. Jones-Lacy read into the record that under the definition section 5-601, Item E under Boarding House will be added to the end, “provided, however, where a resident homeowner leases space to no more than two roommates for term of a year or more shall not be considered a boarding house.”

CMBR McNeil stressed that she would like the issue held open to have the Fire Chief come back and speak with them after meeting with the Fire Marshal.

CMBR Kellerman said the Council agreed to have a community forum on this topic. This will also need to go back to the Planning Commission and to the community forum. What is under zoning still entails part of short-term rentals and he questioned why it would go to the Planning Commission?

City Attorney Shortlidge said that there is a definition of boarding house in the zoning ordinance, but nowhere in the zoning ordinance is boarding house listed as a permitted use, so it’s a superfluous definition that should be eliminated.

MOTION: CMBR KELLY MOVED, CMBR FAST SECONDED, TO CALL THE PRIMARY QUESTION FOR A VOTE.
(MOTION FAILS)

CMBR Rhoades said that he can’t believe that one person’s right to have a short-term rental trumps two or more people’s right not to have it next to them, adding that when people move into their home, they did not anticipate their neighbor’s home becoming a rental.

CMBR Kellerman said he felt everything was being given away, but they were getting nothing in return. He also commented that he would like to see the transient tax and permits. He is interested in having a revenue stream to help compensate for businesses that have already left the community. He also questioned by the City would allow home occupation to this extent to occur when there are other cities out there that are profitable off of this. He said he felt Roeland Park was in dire straits and that revenue is needed.

CMBR Poppa said it has been his observation and experience that the Council focuses a lot on worst case scenarios and fear and that a lot of decision-making is based on those worst case scenarios and fears. He thinks this need to stop and the Council should start legislating the City to move forward instead of trying to remain in the past. He added that valid points have been made by everyone, but we need to move ahead and see how this goes. When objective criteria comes forward that this short-term rental should not be allowed, then it will go through the proper channel which currently is the municipal court.

MOTION: CMBR POPPA MOVED, CMBR KELLY SECONDED, TO CALL THE QUESTION. (MOTION PASSES 5-3)

MOTION: CMBR FAST MOVED, CMBR RHOADES SECONDED, TO APPROVE THE SHORT TERM RENTAL AS AMENDED. (MOTION PASSES 5-3)

POLL THE COUNCIL:

FAST - Y McNEIL - Y JANSSEN - N RHOADES - N KELLERMAN - N THOMPSON - Y KELLY - Y POPPA - Y

II. ADJOURN

MOTION: CMBR KELLY MOVED, CMBR FAST SECONDED, TO ADJOURN. (MOTION PASSES 8-0)

Joel Marquardt, Mayor

Kelley Bohon, City Clerk

Item Number: Consent Agenda- II.-D.
Committee 2/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: January 25, 2016 Special Called City Council Minutes
Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
☐ D. January 25, 2016 Special Called City Council Minutes	Cover Memo

**SPECIAL CALLED CITY COUNCIL MEETING
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, January 25, 2016, 6:00 P.M.**

- | | | |
|---|---|---|
| <ul style="list-style-type: none">○ Joel Marquardt, Mayor○ Becky Fast, Council Member○ Tim Janssen, Council Member○ Ryan Kellerman, Council Member | <ul style="list-style-type: none">○ Teresa Kelly, Council Member○ Sheri McNeil, Council Member○ Michael Poppa, Council Member○ Michael Rhoades, Council Member○ Erin Thompson, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Jennifer Jones-Lacy, Asst. Admin.○ Kelley Bohon, City Clerk○ John Morris, Police Chief○ Jose Leon, Public Works Director |
|---|---|---|

Admin

Kellerman
Janssen

Finance

Poppa
Rhoades

Safety

Kelly
McNeil

Public Works

Thompson
Fast

PLEDGE OF ALLEGIANCE

Mayor Marquardt led everyone in the Pledge of Allegiance.

ROLL CALL

City Clerk Bohon called the roll and all members were present.

I. ORDINANCE 927 AMENDING CHAPTER 5 BUSINESS LICENSE

City Administrator Moody said the proposed changes to Chapter 5, which deal with business licensing and separation, will reflect a distance requirement or distance separation of 5,000 feet between other similar business types for thrift stores and small-box discount retailers.

MOTION: CMBR RHOADES MOVED, CMBR POPPA SECONDED, TO PASS ORDINANCE 927 RELATING TO SMALL-BOX DISCOUNT RETAILERS AND THRIFT STORES; ADDING ARTICLE 13 TO CHAPTER V OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS; ADDING NEW SECTIONS 5-1301, 5-1302, 5-1303 AND 5-1304 TO THE CODE OF THE CITY OF ROELAND PARK, KANSAS. (MOTION PASSES 7-1, WITH CMBR FAST VOTING NAY)

CMBR Fast said the proposed definition shows the majority of items to be sold by a retailer to be under \$5. Her research has shown that the perception of a discount retailer includes shops such as Aldi, Tuesday Morning, Payless Shoes and Toys R Us. She believes the term “discount” relates to under market value.

CMBR Rhoades said the definition of discount in the ordinance relates to household goods, not toys and the like, and the storefronts are limited to less than 15,000 square feet.

CMBR Thompson clarified that the \$5 only applies to the thrift store and not to the small-box discount. This ordinance change is only adding distance requirements and would potentially allow three such discount retailers within the City.

CMBR Fast questioned the theory behind the distance requirements when there are two pharmacies and two fast food restaurants within close proximity to one another.

City Administrator Moody said it was not the intent to describe the size of the floor space and the inexpensive price of household goods to discourage retailers from coming to the City.

II. RESOLUTION 648 AMENDING THE FEE SCHEDULE FOR BUSINESS LICENSE

City Administrator Moody said the amendment is to reflect two definitions that were added to Chapter 5, and provides a licensing fee that's in step with other businesses that would require a similar permitting process, which is \$100.

MOTION: CMBR RHOADES MOVED, CMBR JANSSEN SECONDED, TO PASS RESOLUTION 648, A RESOLUTION ADOPTING A FEE. (MOTION PASSES 8-0)

CMBR Rhoades asked for a clarification of other fees within the City. City Administrator Moody read into the record the list that was last modified on July 1, 2015.

Adult Entertainment - \$250
Amusement Operators - \$100
Amusement Distributor - \$200
Home Occupation - \$40
Massage Establishments - \$150
Massage Therapist - \$50
Pay-day loans - \$1,000
Peddlers & Solicitors - \$20/day
Rental License \$75

III. EXECUTIVE SESSION

MOTION: CMBR RHOADES MOVED, CMBR POPPA SECONDED, THAT THE COUNCIL RECESS INTO EXECUTIVE SESSION UNDER THE ACQUISITION OF REAL ESTATE EXCEPTION TO THE OPEN MEETINGS ACT IN ORDER TO DISCUSS THE POTENTIAL ACQUISITION OF REAL ESTATE ADJACENT TO CITY-OWNED PROPERTY WITH THE OPEN MEETING TO RESUME IN COUNCIL CHAMBERS AT 6:15 P.M. (MOTION PASSES 8-0)

MOTION: CMBR POPPA MOVED, CMBR MCNEIL SECONDED, THAT THE COUNCIL RECESS INTO EXECUTIVE SESSION UNDER THE ACQUISITION OF REAL ESTATE EXCEPTION TO THE OPEN MEETINGS ACT IN ORDER TO DISCUSS THE POTENTIAL ACQUISITION OF REAL ESTATE ADJACENT TO CITY-OWNED PROPERTY WITH THE OPEN MEETING TO RESUME IN COUNCIL CHAMBERS AT 6:35 P.M. (MOTION PASSES 8-0)

CMBR Poppa reported that no decisions were made and no votes were taken.

MOTION: CMBR POPPA MOVED, CMBR MCNEIL SECONDED, THAT THE COUNCIL RECESS INTO EXECUTIVE SESSION UNDER THE ACQUISITION OF REAL ESTATE EXCEPTION TO THE OPEN MEETINGS ACT IN ORDER TO DISCUSS THE POTENTIAL ACQUISITION OF REAL ESTATE ADJACENT TO CITY-OWNED PROPERTY WITH THE OPEN MEETING TO RESUME IN COUNCIL CHAMBERS AT 6:46 P.M. (MOTION PASSES 8-0)

IV. PROPERTY ACQUISITION

V. ADJOURNMENT

Mayor Marquardt stated that a quorum was present.

MOTION: CMBR KELLY MOVED, CMBR MCNEIL SECONDED, TO ADJOURN. (MOTION PASSES 5-0)

Joel Marquardt, Mayor

Kelley Bohon, City Clerk

Item Number: Consent Agenda- II.-E.
Committee 2/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date: 1/19/2016
Submitted By: Keith Moody
Committee/Department: Administration
Title: **Super Pool Pass Agreement and Swim Meet Letter of Understanding**
Item Type: Agreement

Recommendation:

Staff recommends approval.

Details:

This agreement is similar to one the City has entered into for a number of years with the same partner cities. It allows a special pass to be used from approximately the end of May to the beginning of September, 2016 to gain access to any of the pools and aquatic centers located in any of the participating Cities. Each City retains half of the revenue from the sale of the super pass and the other half is distributed based on the number of times the super pool pass is used at a City's pool facility divided by the total number of super pool pass use count overall. For example if there are 500 occasions the super pass has been used during 2016 at all pool facilities and 100 of them are at the Roeland Park Aquatic Center then Roeland Park would receive 20 percent of the pooled revenue. The cost of the super pool pass is \$50 for up to 5 individuals on one pass, same as last year.

The second motion allows area aquatic centers to honor other center's memberships on days an agency is hosting a swim or dive meet.

Financial Impact

Amount of Request: \$0

Budgeted Item?	Budgeted Amount: \$0
Line Item Code/Description: N/A	

Additional Information

Roeland Park's participation in the Superpass program generated \$4,710 in 2015 and \$5,025 in 2014 for the City.

ATTACHMENTS:

Description	Type
☐ Superpass	Cover Memo
☐ Swim Meet Letter of Understanding	Cover Memo

**AGREEMENT BY AND AMONG THE CITY OF FAIRWAY, KANSAS, THE CITY OF
LEAWOOD, KANSAS, THE CITY OF MERRIAM, KANSAS, THE CITY OF MISSION,
KANSAS, THE CITY OF PRAIRIE VILLAGE, KANSAS, THE CITY OF ROELAND
PARK, KANSAS, AND JOHNSON COUNTY PARK AND RECREATION DISTRICT
FOR USE OF SWIMMING POOL FACILITIES**

This Agreement made and entered into as of the effective date specified herein by and among the City of Fairway, Kansas (“Fairway”), the City of Leawood, Kansas (“Leawood”), the City of Merriam, Kansas (“Merriam”), the City of Mission, Kansas (“Mission”), the City of Prairie Village, Kansas (“Prairie Village”), the City of Roeland Park, Kansas (“Roeland Park”), and Johnson County Park and Recreation District (“JCPRD”) as operator of the Roeland Park swimming pool facility.

RECITALS

A. The cities of Fairway, Leawood, Merriam, Mission, Prairie Village and Roeland Park (each a “City” and collectively the “Cities”) and JCPRD as operator of the swimming pool facility for Roeland Park, operate the public outdoor swimming pool facilities (“Pool Facilities”) described on the attached Exhibit A.

B. The Cities desire to enter into this Agreement to allow the residents of each City the option to use all of the Pool Facilities during the 2016 swim season with the purchase of a special pass.

C. K.S.A. § 12-2908 authorizes the cities to enter into this agreement.

D. K.S.A. § 19-2862 authorizes JCPRD to enter into this agreement.

NOW, THEREFORE, pursuant to, and in accordance with, the statutory authority invested in the parties to this Agreement, and in consideration of the mutual advantage received by each party, the parties hereto enter into this Agreement upon, and subject to, the following terms and conditions:

I. PURPOSE AND INTENT.

The purpose of this agreement is establish cooperation among the Cities, and JCPRD as operator of the Roeland Park pool facility, by making all of the Pool Facilities available for use by the qualified patrons of all the Cities with the purchase of a special pass during the 2016 swim season, which commences approximately May 28, 2016 and ends approximately September 5, 2016.

II. EFFECTIVE DATE AND TERM.

This Agreement shall become effective upon its adoption by each participating jurisdiction and shall remain in full force and effect for a term of one (1) year from the effective date hereof.

III. COOPERATION USE OF POOL FACILITIES.

As part of its program for use of its Pool Facilities during the 2016 swim season, each City shall establish and authorize a category of pool pass entitled "Super Pool Pass" with the following features:

a. The Super Pool Pass will be offered by each City as an additional option to Qualified Patrons, defined below, who are purchasing a family or individual season pass to that City's Pool Facilities. As to each City, the term "Qualified Patron" means (a) residents of the City, and (b) non-residents of the City who have purchased a pool membership in the City for the immediately preceding year.

b. For Qualified Patrons who are residents of a City, the cost of a Super Pool Pass will be \$50 per up to five (5) person family category of seasonal pool pass, with an additional charge of \$5 for each additional family member, and \$25 per individual category of seasonal pool pass. For Qualified Patrons who are non-residents of a City, the cost of a Super Pool Pass will be \$55 per up to five (5) person family category of seasonal pool pass, with an additional charge of \$5 for each additional family member, and \$30 per individual category of seasonal pool pass.

c. The Super Pool Pass fee will be collected by each City in the same manner as standard seasonal pool passes.

d. The Super Pool Pass will be designated with a high quality, not easily reproducible sticker added to the seasonal pass card of qualified patrons. The Cities will agree in advance on the form and cost of the sticker. Cities without seasonal pass cards will need to produce a form of season pass card on which to affix the sticker. The cost of the stickers will be funded by the pooled dollars described below.

e. The Super Pool Pass will authorize the holders access to any of the Pool Facilities described on the attached Exhibit A during the 2016 swim season.

f. Each City will keep track of (i) the sales of Super Pool Passes by category, and (ii) the number of times each day a Super Pool Pass is used to enter any of its Pool Facilities and how

many individuals are admitted for each use of a family Super Pool Pass; and report these counts by email at the end of June, July, August and at the end of the season, to the Assistant to the City Administrator at Prairie Village. Prairie Village will email the tally to all of the Cities promptly upon receipt of the tallies from all Cities.

g. Each City will retain one-half of the Super Pool Pass revenue, and hold the other half (the “Shared Revenue”) in suspense until the end of the season.

h. The Shared Revenue will be summed to reach a total of pooled revenue, and used initially to pay for the cost of the stickers. The remaining pooled revenue will then be distributed proportionally to each City based on the Super Pool Pass use count at the City’s Pool Facilities divided by the total number of Super Pool Pass use count. The calculation will be used to determine the transfer of funds among Cities based on money collected and due each entity. For example, if at the end of the 2016 swim season Super Pool Passes were used on 500 occasions at all Pool Facilities, and on 100 occasions at the Mission Pool Facilities, then Mission would be credited 1/5th of the pooled revenue. This number will be compared to dollars collected in Mission to determine transfer in or out of funds.

i. Qualified Patrons who are residents may only purchase Super Pool Passes from the City in which they reside.

IV. POOL SAFETY STANDARDS

Each City agrees to operate and maintain its Pool Facility in compliance with safety standards generally applicable to municipal pool facilities in Kansas, including, but not limited to, the following practices:

a. All Pool Facilities must comply with federal regulations contained in the Virginia Graeme-Baker Act.

b. All Pool Facilities must be municipally owned and either (a) operated by municipal staff, (b) operated by a professional pool management company engaged by the city, or (c) operated by JCPRD.

c. All Pool Facilities must meet facility standards in regards to proper placement of guards, number of guards on duty and facility readiness standards as published by the American Red Cross, Ellis and Associates, or Starguard.

d. All lifeguards must receive lifeguard certification from an accredited association.

V. LIABILITY

The purpose of this Agreement is only to set forth the rights and duties of the parties with regard to the cooperative use of Pool Facilities described above. This Agreement does not create any right, benefit, or cause of action for any third party. By executing this Agreement, none of the parties waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. Each party shall be solely responsible for any loss, damage, injury, or death to a third party (parties) arising out of or related to the acts or omissions of its employees or agents and not those of any other party.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by each of the parties hereto on the day and year indicated by each signature.

[signature pages follow]

CITY OF FAIRWAY, KANSAS

By _____
Jerry Wiley, Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF LEAWOOD, KANSAS

By _____
Peggy Dunn, Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF MERRIAM, KANSAS

By _____
Ken Sissom, Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF MISSION, KANSAS

By _____
Steve Schowengerdt, Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF PRAIRE VILLAGE, KANSAS

By _____
Laura Wassmer, Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

CITY OF ROELAND PARK, KANSAS

By _____
Joel Marquardt, Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

JOHNSON COUNTY PARKS AND
RECREATION DISTRICT

By _____
Paul Snider, Board Chair

Attest:

Michael Pirner, Secretary

Approved as to Form:

Ernie Ballweg, District Legal Counsel

Exhibit A

CITY	OUTDOOR POOL FACILITIES
Fairway	6136 Mission Road Fairway, KS 66205
Leawood	10601 Lee Boulevard Leawood, KS 66206
Merriam	6040 Slater Merriam, KS 66202
Mission	6090 Woodson Road Mission, KS 66202
Prairie Village	7711 Delmar Street Prairie Village, KS 66208
Roeland Park/Parks and Recreation District	4843 Rosewood Drive Roeland Park, KS 66205

Letter of Understanding

This UNDERSTANDING (“Understanding”) is made and entered into this ____ day of _____, by and between the **Johnson County Park & Recreation District** and the **Cities of Fairway, Leawood, Prairie Village, Roeland Park, Mission and Merriam** (individually referred to as “Hosting Agency and collectively as “Hosting Agencies”), for the following arrangement (the "Arrangement"): On days when an agency hosts a swim or dive meet, all other non-hosting agencies will honor host agency memberships.

RECITALS

1. The Hosting Agencies recognize the importance of cooperation for the purposes of providing high quality services to their constituents; and
2. Each of the Hosting Agencies is involved in the Johnson County Swim and Dive League or the MOKAN Swim and Dive League.

CONDITIONS

1. This Arrangement shall only apply to the 2016 swim and dive team season from the beginning of June to the end of July.
2. This Arrangement is only applicable on days when a Hosting Agency must be closed during regular business hours to host a meet.
3. Members of the Hosting Agencies may gain admission, at no cost, to any non-Hosting Agency’s outdoor swimming pool facilities by providing agency issued membership identification.
4. Non-Hosting Agencies will honor host agency memberships during ALL regular business hours on meet days.
5. Any Hosting Agency may “opt out” of this Arrangement by providing written notice to each other Hosting Agency. Hosting Agencies shall meet at the end of the season to evaluate the success of the Arrangement and determine participation for the 2016 season.
6. The purpose of this Agreement is only to set forth the rights and duties of the parties with regard to the cooperative use of Pool Facilities described above. This Agreement does not create any right, benefit, or cause of action for any third party. By executing this Agreement, none of the parties waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. Each party shall be solely responsible for any loss, damage, injury, or

death to a third party (parties) arising out of or related to the acts or omissions of its employees or agents and not those of any other party.

[signatures]

CITY OF FAIRWAY, KANSAS

By: _____
Jerry Wiley, Mayor

Attest: _____

CITY OF LEAWOOD, KANSAS

By: _____
Peggy Dunn, Mayor

Attest: _____

CITY OF MERRIAM, KANSAS

By: _____
Ken Sissom, Mayor

Attest: _____

CITY OF MISSION, KANSAS

By: _____
Steve Schowengerdt , Mayor

Attest: _____

CITY OF PRAIRIE VILLAGE, KANSAS

By: _____
Laura Wassmer, Mayor

Attest: _____

CITY OF ROELAND PARK, KANSAS

By: _____
Joel Marquardt, Mayor

Attest: _____

JOHNSON COUNTY PARK AND RECREATION DISTRICT

By: _____
Paul Snider, Board Chair

Attest: _____

Item Number: Consent Agenda- II.-F.
Committee 2/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date: 1/28/2016
Submitted By: Staff
Committee/Department: Admin.
Title: **2016 Roeland Park Sports Dome Lease Agreement**
Item Type: Agreement

Recommendation:

To approve a lease agreement with Johnson County Parks and Recreation District for the land that contains the Roeland Park Sports Dome for 2016.

Details:

Since 1989, the City has had a strong working relationship for the Roeland Park Sports Dome. The City provides the land for \$1 a year and the structure and costs to provide the activities at the Dome are covered by Johnson Country Parks and Recreation. The terms and format of the attached agreement are the same as prior years.

Financial Impact

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

Additional Information

ATTACHMENTS:

Description

Type

**2016 ROELAND PARK SPORTS DOME LEASE AGREEMENT
BETWEEN THE CITY OF ROELAND PARK, KANSAS
AND JOHNSON COUNTY PARK AND RECREATION DISTRICT**

This lease agreement ("Lease Agreement") is entered into this 20th day of January, 2016, by and between the City of Roeland Park, Kansas, hereinafter referred to as "City," and Johnson County Park and Recreation District whose address is 7900 Renner Road, Shawnee Mission, Kansas 66219, hereinafter referred to as "JCPRD."

WHEREAS, the City owns the Roeland Park Community Center generally located at 4850 Rosewood, Roeland Park, Kansas, hereinafter referred to as the "Center"; and

WHEREAS, since December 21, 1989, JCPRD has leased from the City a certain piece of property owned by the City and located near the Center on which JCPRD has previously erected, and has operated and continues to operate, an inflatable dome structure commonly known and referred to as the Roeland Park Sports Dome, hereinafter referred to as the "Sports Dome"; and

WHEREAS, JCPRD has established and it conducts programs at the Sports Dome to provide for the recreational, cultural, educational and social needs of Roeland Park residents and/or citizens of Johnson County; and

WHEREAS, JCPRD desires to continue leasing from the City and the City desires to continue leasing to the JCPRD that real property on which the Sports Dome is situated.

WHEREAS, the City Council of the City did approve and authorize its Mayor to execute this Agreement by official vote of said body on the ____ day of _____, 2016; and

WHEREAS, the Governing Body of JCPRD did authorize its chairperson to execute this Agreement by official vote of said body on the 20th day of January, 2016.

NOW, THEREFORE, in consideration of the above recitals, and mutual covenants and agreements herein contained, and for other good and valuable consideration, the parties agree as follows:

1. Purpose of the Agreement. The City agrees to lease to JCPRD the general land on which the Sports Dome is situated, including reasonable access thereto. JCPRD shall use the area subject to this lease for the purpose of operating the Sports Dome and its programming therein.

2. Duration of Agreement and Termination. The term of this Agreement shall be effective as of the 1st day of January, 2016, shall continue through and inclusive of the 31st day of December, 2016, provided that this Agreement may otherwise be renewed annually by both parties by approving an annual Addendum to this Agreement. Notwithstanding anything contained herein to the contrary, this Agreement and any renewal or extension thereof, may be terminated at any time by either party giving

at least ninety (90) days prior written notice to the other party of its intention to terminate this Agreement, and further provided that if the City or JCPRD shall fail or refuse to comply with any of the obligations or provisions herein agreed, the affected party shall have the right to notify the other party in writing of such default; and if the party so notified shall remain in default for thirty (30) days thereafter, the affected party may elect to terminate this Agreement immediately thereafter.

3. No Legal Entity Created. There will be no separate legal entity created under this agreement.

4. Responsibilities.

A. JCPRD agrees as follows:

(1) To pay to the City one dollar (\$1.00) per year for the rental of the real property identified in this Agreement.

(2) To provide all funding and personnel necessary to manage and operate the Sports Dome.

(3) To be solely responsible for and to pay for all maintenance, water utilities used at or by the Sports Dome and for all maintenance, repair, replacement, and general upkeep of equipment used therein or thereon.

(4) JCPRD may not make any physical changes to the premises except as approved in advance in writing by the City.

(5) Only persons qualified to conduct programs will be permitted to instruct, lead or supervise the classes and it shall be the responsibility of JCPRD to insure that the instructors are qualified.

(6) To operate the Sports Dome at times not to exceed the hours of 8:00 a.m. to 11:00 p.m., Sunday through Thursday, and 8:00 a.m. to Midnight, Fridays and Saturdays.

(7) To provide security and supervision of the Sports Dome during all scheduled operating hours.

(8) To notify the City, if for mechanical reasons or inclement weather, the Sports Dome will not be operated during previously scheduled hours.

(9) To provide for use a trash container at the Sports Dome with regularly scheduled pick-up and removal.

(10) To generally maintain all sidewalks at the Sports Dome, including

snow removal.

(11) To obtain and maintain in full force and effect the insurance coverage as set forth in Paragraph 5.

(12) It is not the agent of the City and it will not hold itself out as the agent of the City, nor as offering a program which has either been approved or is supervised by the City.

(13) It will abide by the laws of the government of the United States and the statutes of the State of Kansas.

B. The City agrees as follows:

- (1) To lease to JCPRD for one dollar (\$1.00) per year for the property identified in this Agreement.
- (2) To provide the public use of the City's parking lots for participants engaged in the program activities at the Sports Dome.
- (3) To maintain all roadways and parking areas, providing access and use by pedestrians and vehicular traffic including snow removal.

5. Insurance. JCPRD shall secure and maintain, or have maintained throughout the duration of this contract, insurance of such types and in such amounts as may be necessary to protect JCPRD and the City against all hazards or risks generated by JCPRD or any of its agents. The District shall offer to the City other evidence of such insurance coverage, and any and all renewals thereof, in the form of a Certificate of Insurance. The Certificate of Insurance shall list the City as an additional insured. The Certificate shall list the following insurance coverage:

Commercial General Liability	\$ 500,000
General Aggregate	\$1,000,000
Products	\$1,000,000
Personal and Advertisement Injury	\$ 500,000
Personal & Advertisement (each occurrence)	\$ 500,000
Fire Damage	\$ 300,000

Workers Compensation and Employers Liability as determined by Kansas Statutes

6. Acquisition, Holding and Disposal of Property. The land and fixtures, including the entrance structure and concrete floor, shall remain the property of the City and the actual dome at the Sports Dome and the tangible personal property and equipment of JCPRD located and/or used therein is and shall

remain the property of JCPRD. No land, equipment or other tangible personal property is to be jointly owned. At the end of the term of this Agreement and any renewals or extensions thereof, JCPRD reserves the right to dismantle and dispose of its dome and all of its tangible personal property and equipment located and/or used therein.

7. Verbal Statements Not Binding. It is understood and agreed that the written terms and provisions of this Lease Agreement shall supersede all prior verbal statements of any and every official and/or other representative of the City and JCPRD, and such statements shall not be effective or be construed as entering into, forming a part of, or altering in any way whatsoever the written Lease Agreement.

8. Inspection of Premises by City. The City shall have the right to inspect the Sports Dome and facilities occupied by JCPRD at all reasonable times.

9. Indemnification. JCPRD shall indemnify, defend and hold City harmless from any and all liability, injury, damage, loss claims, costs and expenses which may arise from or in connection with the rights and privileges granted to JCPRD herein and the use of the real property on which the Sports Dome is situated. However, JCPRD's indemnification and obligation shall not apply to such liability, injury, damage or loss as is determined to be caused by the negligence or willful and intentional conduct of the City, its employees, agents or representatives. Nothing in this Agreement shall constitute a waiver by JCPRD of any defense JCPRD may have against a third party under the Kansas Tort Claims Act, K.S.A. 75-6101, et seq. and amendments thereto.

10. Provisions Separable. It is the intent of the parties hereto in the preparation and execution of the Agreement to avoid a conflict with the State of Kansas; and if any provisions herein are found to be in conflict with the State Cash Basis or Budget, Law, or any other state law or regulation, it is the intent of the parties hereto that such provision shall have no force and effect, and the remainder of this Agreement shall be valid as though such conflicting provision had not been written or made a part hereof.

IN WITNESS WHEREOF, the above and foregoing Agreement has been approved by each of the parties on the day and year first above written.

CITY OF ROELAND PARK

Date: _____

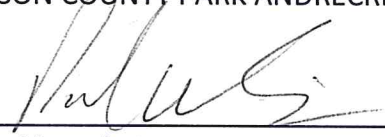
Joel Marquardt, Mayor

ATTEST:

By: _____
Kelley Bohon, City Clerk

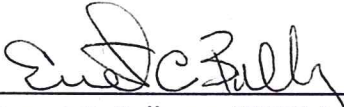
BOARD OF PARK AND RECREATION COMMISSIONERS
JOHNSON COUNTY PARK AND RECREATION DISTRICT

Date: 1/20/16



Paul Snider, Chair

APPROVED AS TO FORM:



Ernest C. Ballweg, JCPRD Legal Counsel

Item Number: Consent Agenda- II.-G.
Committee 2/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date: 2/1/2016
Submitted By: Jose Leon, Director of Public Works
Committee/Department: Public Works
Title: **R Park Amenities Plan Location Approval**
Item Type: Other

Recommendation:

The Parks Committee recommends approval of the installation locations for the remaining amenities for R Park.

Details:

The revised R Park master plan has been updated to reflect current and proposed amenity locations (benches, picnic tables, and trash receptacles). Approval is just for locating those items that have been purchased through fund raising. The major land use and facility components shown on the site are not ready for final approval. This approval is to afford staff the opportunity to begin installing items that have already been purchased.

Funds are available in the 2016 budget to cover cost of installation.

Financial Impact

Amount of Request: \$13,393	
Budgeted Item?	Budgeted Amount: \$80,000
Line Item Code/Description: 5438.270	

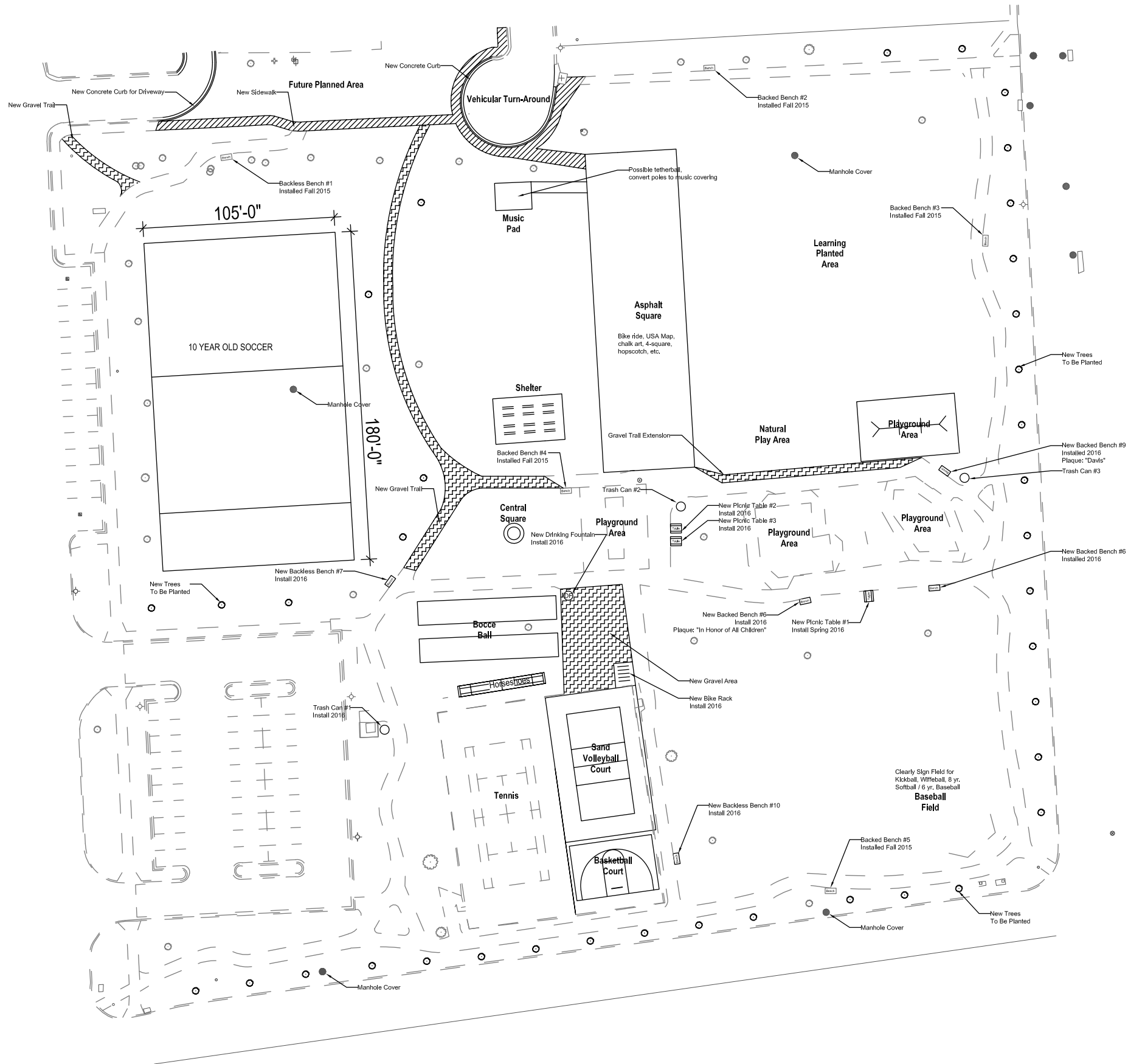
Additional Information

ATTACHMENTS:

Description		Type
1602023 R Park Aerial Plan Revision 2		Cover Memo
160203 R Park Amenity Plan Revision 1		Cover Memo



R Park Amenity Plan
Scale: 1/64" = 1'-0"
February 1st, 2016 (Revised February 3rd, 2016)



R Park Amenity Plan

Scale: 1/64" = 1'-0"
February 1st, 2016 (Revised February 3rd, 2016)

Item Number: Applications/Presentations- A.-1.
Committee 2/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:

Submitted By:

Committee/Department:

Title: **Government Finance Officers Association Award in Excellence
in Financial Reporting**

Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
 GFOA Award for 2014 CAFR	Cover Memo



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**City of Roeland Park
Kansas**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

December 31, 2014

Executive Director/CEO

Item Number: Mayor's Report- IV.-A.
Committee 2/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date:

Submitted By:

Committee/Department:

Title: Proclamations Bishop Miede (Michael Rhoades and Tim Janssen)

Item Type:

Recommendation:

Details:

Financial Impact

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

Additional Information

ATTACHMENTS:

Description	Type
☐ Miede football	Cover Memo
☐ Miede volleyball	Cover Memo



Proclamation

“Bishop Miego High School State Football Champions Week”

WHEREAS, The Bishop Miego High School Football Team in Roeland Park Kansas won the Kansas State 4A Division 1 State Championship on November 28, 2015 against Andover Central at Hummer Park in Topeka Kansas by a score of 68 to 12; and

WHEREAS, this is the sixth State Championship for the Bishop Miego High School Football Team since its inception and Bishop Miegies’ latest accomplishment is rather exceptional, winning back to back State Championships with a record of 25 – 1 over those two seasons; and

WHEREAS, Roeland Park Resident and Head Coach Jon Holmes, along with assistant coaches Justin Hoover, Tim Grunhard, Steve Koester, Kevin Mulvaney, Jim Giokaris, Travis Grosdidier, Nico Giokaris and Mike Galvin helped teach these young men that they are students first and athletes second. These coaches taught and continue to teach these young student athletes sportsmanship, self-discipline, self-confidence, and help to give them the tools to develop their Faith. They taught them what TEAM really means, (Together Everyone Achieves More); and

WHEREAS, the sixteen Seniors on this Championship Football Team have volunteered more than one thousand two hundred and eighty hours of community service and should be commended for helping to make our community a better place; and

WHEREAS, as a result of their success, the Bishop Miego High School football players and coaches now serve as role models to younger members of the community to also participate in productive endeavors such as athletics and other extra-curricular activities.

NOW THEREFORE, I, Joel Marquardt, Mayor of the City of Roeland Park, along with members of the City Council do hereby proclaim the week of February 15th through February 21st, 2016 as

“Bishop Miego High School State Football Champions Week”

FURTHER, I urge all residents of Roeland Park to join me in recognizing and celebrating the team’s achievement and wish the members of the Team, Coaching Staff, Faculty, and Student Body continued success.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Seal here

JOEL MARQUARDT
Mayor



Proclamation

“Bishop Miego High School State Volleyball Champions Week”

WHEREAS, The Bishop Miego High School Volleyball Team in Roeland Park Kansas won the Kansas State 4A Division 1 State Championship on October 24th 2015 defeating McPherson 25-14 , 25-16 at the Bicentennial Center in Salina Kansas; and

WHEREAS, This is the 24th State Championship for the Bishop Miego Volleyball Team, the third State Championship in a row, and ten Championships in a fourteen year period, a spectacular achievement; and

WHEREAS, recognition and appreciation is due to Head Coach Gwen Pike, who was named a 2015 Kansas Volleyball Coaches Association Coach of the Year, along with assistant coaches Kathleen Ludwig, Danni Sperry, Caroline Schurle as well as the young Student Athletes who are the State Champion Volleyball Team along with Faculty, Staff, Student Body, Parents, Fans and Supporters of Bishop Miego High School; and

WHEREAS, the young women of the Bishop Miego High School Volleyball Team should be commended for being exceptional students in the classroom, achieving a team accumulative GPA of 3.75, as well as being tremendous Athletes on the court; and

WHEREAS, the young women on this Championship Volleyball Team have volunteered over three hundred and fifty hours of community service and should be commended for helping to make our Community a better place; and

WHEREAS, as a result of their success, the Bishop Miego High School Volleyball Players and Coaches now serve as role models to younger members of the community to also participate in productive endeavors such as athletics and other extra-curricular activities; now

THEREFORE, I, Joel Marquardt, Mayor of the City of Roeland Park, along with members of the City Council do hereby proclaim the week of February 22nd through February 28th, 2016 as

“Bishop Miego High School State Volleyball Champions Week”

IN THE City of Roeland Park Kansas; and

FURTHER, I urge all residents of Roeland Park to join me in recognizing and celebrating the team’s achievement and wish the members of the Team, Coaching Staff, Faculty, and Student Body continued success.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Seal here

JOEL MARQUARDT
Mayor

Item Number: Workshop Reports- V.-A.
Committee 2/15/2016
Meeting Date:



City of Roeland Park Action Item Summary

Date: 2/11/2016
Submitted By: Jennifer Jones-Lacy, Asst. City Administrator/Finance Director
Committee/Department:
Title: **2/1/2016 Workshop and Ad Hoc Summary**
Item Type:

Recommendation:

For informational purposes only

Details:

Budget Priorities

The Governing Body discussed council priorities as they lined up with the goals of the City's strategic plan.

1. **Collaborate with peer Cities on development issues** - action on this goal is ongoing working with the City of Mission and Westwood on various projects
2. **Evaluate the historical, present and future financial commitments of the City and create a plan.** City staff are working to provide a debt capacity analysis for future financial needs for the City.
3. **Form committee to work with Council on Strategic Plan implementation.** Committee of citizens is formed and had their first meeting. Also includes staff and Council member Kelly.
4. **Identify and prioritize potential commercial development sites to attract and retain developers and retain constituents supporting sustainable goals.** In process led by the Ad-Hoc Development Committee
5. **Prioritize grant funding** - The City will apply for grants as they are available and logical for our purposes.
6. **Communication to citizens/businesses and nonprofits** - Discussed re-instituting the business breakfasts and potentially expanding the newsletter and revamping the website. The topic will be discussed in more detail later.
7. **Rebranding** - In process, the branding committee is reviewing proposals and will set up interviews.

8. **Enhance promotion of community events and recreation opportunities in the City** - In process, added wayfinding signs for parks and community center and started monthly meetings with Johnson County Parks and Recreation.

Super Pass Agreement and Sports Dome Lease Agreement with Johnson County

Moved both items to the Consent agenda for Council meeting.

Administrative Assistant Job Description

Ms. Bohon provided an explanation of the changes to the job description for an administrative assistant position that recently became vacant and is posted for hire.

Quarterly Code Enforcement Activity

Ms. Jones-Lacy provided an update of code enforcement activity that has taken place in the last quarter city-wide.

R Park Plan Next Steps

Kyle Rogler (local architect) and Jennifer Proven (Parks Committee) presented a revised layout for the R Park plan for the location of amenities. That plan was moved to Council for the consent agenda.

Ad Hoc Development Committee

CBC continues to work on analysis of the two development sites (the caves and NE Johnson and Roe). SKW is moving forward on conducting a survey to develop a legal description for a quit claim deed on the northeast corner of Johnson and Roe.

-

Financial Impact

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

Additional Information