

**MINUTES OF THE CITY COUNCIL MEETING
CITY OF MISSION HILLS, KANSAS**

February 14, 2022

The City Council of the City of Mission Hills, Kansas held a regular meeting on February 14, 2022 at 5:30 p.m.

PRESIDING: Mayor David W. Dickey

PRESENT: Councilpersons Bill Bruning, Barbara Nelson (via phone), Braden Perry, Eden Thorne, and Andy Weed

ABSENT: None

ALSO PRESENT: Jennifer Lee, City Administrator; Justin Carroll, Assistant City Administrator; Meghan Woolbright, City Clerk; Spencer Jones, City Treasurer (phone); Anna Krstulic, City Attorney; Police Chief Byron Roberson, Prairie Village Police Department (“PVPD”)

VISITORS: Mike McQuaid, 5630 Belinder Avenue, Fairway, Kansas; Caroline Moran, 2410 W. 64th Street (via phone); Dan McGhee, Lamp Rynearson (via phone); Tom McGuire, CBIZ Insurance Services, Inc.(via phone)

Mayor Dickey called the meeting to order at 5:30 p.m.

GREETINGS AND INTRODUCTIONS

Following the pledge of allegiance, Mayor Dickey greeted visitors and noted that the order of the agenda could be adjusted to accommodate the interests of the visitors.

APPROVAL OF MINUTES OF COUNCIL MEETING

Councilperson Perry moved to approve the minutes of the January 10, 2022, Council meeting. Councilperson Bruning seconded. Councilperson Bruning said that on page 9, four lines up from “and beginning Ms. Krstulic noted” he would like to add “need a strong clause stating the crimes the City has had, and this is focused on protecting integrity. He said he had been advised by police in the past that “solicitation” provided a means for potential burglars to assess security measures of a prospective target (e.g., a barking dog).” Councilperson Perry accepted the changes. Councilperson Weed stated that there was a reference in the discussion about the police report to the city to the east. He asked if that comment should be softened. Councilperson Bruning replied that it is a fair question, but Chief Roberson was just stating a fact. Councilperson Weed said that he wants to make sure that they maintain a good relationship with their neighboring cities. Mayor Dickey stated that he is comfortable with what was said. Councilperson Nelson said that on Page 10 said that she would like to strike “Councilperson Nelson said that it is important that stuff be done in a calculated way” from the record. On page

12 there is reference to the damage that was done to the fountain and there needs to be clarification on the total. Ms. Lee stated that the total should be \$100,000. On page 10, “maybe” needs to be changed to “Mayor.” Councilperson Perry and Councilperson Bruning accepted all changes. **Approved 5-0.**

PUBLIC SAFETY

A. Police Report, 2021 Year End Statistics & Update on Camera/LPR Installation

Chief Roberson stated that there were a couple of burglaries in January. The first was from a construction site where doors were pried open and door frames damaged. Tools and items were taken. The second burglary was into the church. The officers believe that someone broke in for warmth and food. A makeshift bed was found inside, along with some missing food. There were a few thefts from vehicles that were left unlocked. One vehicle had a shattered window, but nothing was taken. A purse was stolen from an unlocked vehicle behind it. The PVPD currently has no leads. Chief Roberson stated that the PVPD is often able to track down where burglars use the cards, which is usually the nearest gas station but that can be difficult because they are using someone else’s ID. Mayor Dickey asked if the address with a burglary on 63rd and Ensley will be covered by a street camera. Mr. Roberson answered yes. He said that a cellphone and wallet were stolen from an unlocked vehicle at 5830 Mission Drive. There was also a theft of a delivered package. Chief Roberson noted that there are not a ton of package thefts from front porches in Mission Hills, even though there were several in December 2021. There were a few accidents on Mission Drive, Tomahawk Road, and Indian Lane. Chief Roberson noted that there was a mistake made on the number of burglaries in 2021 on one of the crime reports and the number of burglaries was 25 instead of 13. He stated that the system records unoccupied dwellings differently than occupied dwellings and the report was done by hand. Now that the PVPD has funding for a crime analyst, everything will be automated which will help catch some of these mistakes. The biggest spike has been in auto thefts and burglaries, which the cameras and LPR’s should help decrease. An LPR was installed in Prairie Village at 75th Street and Mission Road and has resulted in a quite a few stops and arrests. Many of the stops were from warrants. He added that LPR’s and cameras will be installed in the City this week.

Mayor Dickey said that an updated version of the crime numbers will be helpful. Chief Roberson said that the analyst is working on one. Councilperson Bruning asked if the speed signs, like the one on Belinder permanently record speeds. Chief Roberson replied that he can check on that sign but one of the speed signs does store all the information so the PVPD can go back and see what the speeds were. Councilperson Perry asked if they have videos of the cars as well. Chief Roberson answered only data. Councilperson Nelson asked what statistics are included in the total number of calls. Chief Roberson answered every call that the PVPD responds to. Ms. Lee added that there is a “calls answered” category that includes the big number for the year. Chief Roberson stated that they are pushing the non-emergency number and will be reprinting it on magnets, so people have that information readily available.

Mayor Dickey stated that a few residents came to City Hall last week to talk about the incident at Verona Columns in October. He said that the discussion was very productive, and he would be

sending a resident public safety letter on this topic as soon as he has the revised numbers. He will add the non-emergency number along with a reminder to add it to cellphones. Councilperson Weed said that he has received three complaints from different residents about helicopters at night and asked if there was a change in air traffic patterns or activity of the PVPD. Chief Roberson replied that the PVPD did not buy a helicopter but there is a coordinated effort between Kansas and Missouri agencies to get bad guys off the street, so there have been more flights by KCPD helicopters. He said that this will be short term, but he does not know for how long. Councilperson Weed asked if this activity benefits the people of Kansas. Chief Roberson answered yes. Councilperson Thorne asked about the technology used. Chief Roberson replied that very much like the PVPD drone, the helicopter uses heatseeking technology and can track things in the dark. Councilperson Weed asked about the progress of adding additional police officers. Chief Roberson replied that they had more applicants than they have had in a long time and will interview six this week, and six next week. He said that the average number of applicants that will pass is around two or three because they are looking for the best. Chief Roberson said that one woman has just graduated and will be in the City soon.

B. Fire District Report

No additional Fire District Report was given.

CONSENT AGENDA

A. Claims Ordinance No. 1606

Councilperson Perry moved to approve the Consent Agenda as published. Councilperson Bruning seconded. **Approved 5-0.**

FINANCIAL REPORT

A. January Financial Report

Mr. Carroll stated that there is not a lot to report at this time. He said that the City is behind on projected revenues for one month but ahead on actual revenues. He noted that the big expense was the snow events from January.

B. 2021 Year End Financial Report

Ms. Lee stated that the City collected revenues greater than budgeted and the reduced the stormwater scope of a few capital projects. There were additional cost savings on everyday staff operations as well. Ms. Lee stated the 2021 year end was \$1.6 million to the good. Staff is proposing to hold the same amount that resulted from the change of scope in the CIP as an encumbrance to be used in future capital projects. Ms. Lee said that they could work those funds into a 5-year plan or use them for the 65th Street undergrounding. She said that in 2022, they would like to hold up to \$325,000 of that \$775,000 in case they need those funds for Tomahawk Road. Councilperson Weed asked if they will proceed with the sales tax renewal discussion. Ms. Lee replied that they need to make that decision by July of 2023. Councilperson Weed said that they did not expect this surplus and Council should think long-term about the financial stream.

He added that they will not have a \$1.6 million surplus every year and he thinks they should consider how to continue that stream of income from sales tax.

Councilperson Nelson asked about the money for Sunken Garden. Ms. Lee replied that she lumped City Hall and Sunken Garden together. The cost for Sunken Garden is probably \$5,000 to \$7,000 because they have a pump issue. The City Hall fountain is losing water and they do not know why. They need a permanent fix but do not know the scope. Councilperson Weed asked if these funds go through the Park Board. Ms. Lee answered no, maintenance and mechanical items are handled by the staff. Councilperson Nelson asked about the cost of living adjustment. Ms. Lee replied that they discussed increasing staff's salaries to keep wages in line with what the market is doing. Mayor Dickey said that there was a 3.8% cost of living increase for all employees in Prairie Village and he thinks the City should at least match that.

C. 2021 Year End Reserve Fund Report

Mr. Carroll referred to the yearend reserve fund report. There were no further questions or comments.

OLD BUSINESS

A. Repeat Nuisance Properties

Mr. Carroll stated there is a March 8, 2022, hearing scheduled for the homeowner at 3002 W. 66th Terrace. He said that the prosecutor will keep pushing buttons to keep pulling them to court if needed for continued non-compliance. Councilperson Bruning said that he assumed the cost of the attorney filing fee exceeds \$100. He said that this is a clear disregard of the judicial process. Councilperson Weed stated that this was not the desired outcome. Councilperson Bruning asked if there is anything else the City can legally do. Ms. Krstulic replied that referring the case to municipal court provides more oversight and regular monitoring. Mr. Carroll stated that the City has struggled to get another inspection scheduled. Mayor Dickey asked if the new inspection would flow into the hearing. Mr. Carroll answered yes. Councilperson Weed stated that this is an abandoned property, and they are at a stale mate. He said that there should be a way for the City to handle this differently and take action. Councilperson Perry said that this is still private property, and he wants to be very careful. He said that as the City Council, he wants a result that everyone is happy with but there are rights associated with private properties, so they need to make sure that the City follows the law. He said that he does not want to violate resident's rights and if the City pushes beyond what they are allowed to do, there can be significant damages against the City. Councilperson Weed stated that he would never want to do anything illegal. He said that his main concern is the other homeowners who deserve better. Councilperson Perry agreed and said that they should continue the legal route. Mayor Dickey said that a few months ago they put new tools for City staff moving forward. He said that if staff had those tools a few years ago, they would have been able to push this issue further faster. Councilperson Bruning agreed with Councilperson Perry. He said that he once lived next to an abandoned property, and they have an impact on adjoining property values. He said that this house had been abandoned and there is property damage to the adjacent owners, which is what the City is trying to not lose sight of. He noted that there is also danger to kids playing in the area.

Mr. Carroll stated that there has also been discussion about the minimum standards not being met at 2517 W. 68th Street. He said that the minimum building standards have not been met because a utility was shut off and was still shut off as of last week. He said that if the Council would like to proceed with the resolution for the property owner to come in and address the issue, the City can post a public notice for a hearing on March 24, 2022, or soon thereafter. Councilperson Bruning noted this address has a proposal for the ARB. Mr. Carroll agreed. Councilperson Bruning said that to him, the ARB application is a good faith effort to do something about the conditions, even though he is bothered by the utilities being turned off. Mayor Dickey said that if the Council chooses to pass a resolution tonight for a hearing on March 24, 2022, and the homeowners are moving forward in good faith, that will be readily apparent after the ARB meeting and the hearing can be dealt with appropriately. Councilperson Bruning moved to approve Resolution 2022-G to set a public hearing to determine if the structure located at 2517 W. 68th St. should be condemned or ordered repaired or demolished. Councilperson Nelson seconded. **Approved 5-0.**

Ms. Krstulic asked about a meeting time for March 24, 2022. Ms. Lee suggested noon. Mayor Dickey added as soon as practical. Ms. Krstulic said that typically a resolution is prepared ahead of time. Councilperson Weed said that he will be traveling on March 24, 2022. Ms. Lee said that they could wait until the April council meeting. Councilperson Weed said that without him, there would still be a quorum. Mayor Dickey asked if the Council would like to meet on March 24, 2022. The Council agreed.

B. Ordinance No. 1599 – Artificial Turf and Putting Greens

Ms. Clifton said that the Council reviewed the language for artificial turf and putting greens in December and were in favor but asked the Commission to add a definition for a putting green. The proposed definition is: “a smooth area of short Artificial Turf surrounding a hole used for putting on a Lot in District R-1”. This only applied to residential properties. Councilperson Perry moved to approve Ordinance No. 1599. Councilperson Nelson seconded. **Approved 5-0.**

C. Ordinance No. 1605 – Tree Ordinance Revisions

Mr. Carroll said that they cleaned up the language and introduced a new fine structure. The tree ordinance will also move to Chapter 5. The ordinance has almost the exact same information, but there is a new way of treating lots and the City will require a tree protection plan which will be part of the building permit process. There will also be a heavier fine structure for unauthorized removal. Councilperson Perry moved to approve Ordinance No. 1605. Councilperson Weed seconded. Mr. Kirk stated that he appraised the linden tree behind City Hall by the picnic table and the 9th edition of the Guide for Plant Appraisal appraised the tree at \$81,000. He said that he started looking into closing the loophole during construction and reached out to Lake Forest, Illinois who has a robust tree program. He said that they charge up to \$750 per diameter inch so for example, if the linden tree behind City Hall was illegally removed it would be a \$33,000 fine. Councilperson Bruning asked about the definition of caliper. Mr. Kirk replied that caliper is the standard of measurement for nursery trees. He said that caliper is generally measured at 6 inches above the soil line but on larger caliper trees it can be measured up to a foot above grade.

He noted that he does not measure caliper very often and diameter at breast height (DBH) is the standard for established trees in the landscape.

Councilperson Bruning referred to page 12 and asked if it should state “prior written authorization” just to reinforce that it was done ahead of time and not after the fact. Ms. Krstulic replied that the language is clear because it says that they cannot remove a tree without it. Councilperson Perry agreed that means prior. Councilperson Bruning said that it implies forgiveness after the fact, and he thinks that they need to make these issues clear. Mayor Dickey asked if Councilperson Perry agrees with adding “prior”. Councilperson Perry answered yes. Councilperson Bruning said that he is concerned about using the word “impaired” on page 13 of the redlined version because that decision is made at the point it happens and may take several years before a tree is determined to be irreparable. He asked if there is a difference between irreparable and impaired. Mr. Kirk replied that it is a gray area. He said that tree damage can take 5 to 10 years to manifest so he feels like irreparable would be a hazardous condition that posed a threat to human life or structure. Councilperson Bruning suggested removing “impaired.” Mr. Kirk said that if they claim a tree is impaired, monetary compensation can go to nurse that tree if the tree has lost the root system but does not need to be removed immediately. He said that they can get money to improve irrigation if the City were going to require that they keep the tree that they damaged. Mr. Carroll said that discretion can be used and dependent upon ARB approval. Councilperson Perry stated that he would prefer to leave that language to provide flexibility.

Councilperson Thorne asked for clarification on “necessary for construction” under Section E. Ms. Krstulic replied that it talks about no other reasonable accommodations to the allowable building footprint and the need to adjust the design to accommodate tree preservation. Mr. Kirk noted that undue financial burden is another gray area. Councilperson Nelson referred to Page 5 and stated that it should be unlawful to plant in a City park or ROW. She said that there was an egregious denial of that in the ROW for a recent new construction of the Blasi house. She asked how the City is going to enforce that rule. Mayor Dickey replied that the City gave the Blasi’s permission to plant those trees, which was the problem. Mr. Kirk added that since then, staff has made changes to the landscape plan review process. He said that they look for any inconsistencies with City rules and he checks those before they get approved by the ARB. Councilperson Nelson stated that he cannot rely on looking at a plan and will have to be on location to watch the planting. Mr. Kirk said that he thinks the issue would be different if the ARB had not approved the plan. He said that if they planted those hollies in the ROW without ARB approval, then the City would have had a much firmer stance. Mr. Krstulic stated that laws cannot apply retroactively, especially if there is a penalty. Mayor Dickey stated that they have made changes to the ARB process. Ms. Lee added that “no planting or removals in the ROW” is now included in the ARB checklist. She said that it was difficult to see that the plantings were in the ROW based on the site plans. The City also now requires that each building permit applicant attest that the contractor is aware they cannot plant in the ROW and they have to proactively acknowledge that, or they cannot move on with the building permit process. Councilperson Bruning asked if parkway trees are mandated in this draft. Ms. Lee answered no. **Approved 5-0.**

NEW BUSINESS

A. Tree Policy Discussion

Mr. Carroll stated that they are following up with what has been done that in terms of the Comprehensive Tree Policy. Two of the biggest items not currently addressed in the ordinance include: (1) permitting all tree removals in the City including trees on private property and (2) requiring that Right-of-Way (“ROW”) trees be planted at every applicable location in the City. The City Arborist looked around and there are some jurisdictions that do this on a minimum diameter threshold. Councilperson Perry asked if there are other cities that plant trees in the ROW on adjoining private in spite of the objections of property owners. Mr. Kirk replied that he is not aware of any. He said that most cities have an abundance of planting sites relative to their budget. Councilperson Bruning noted that Kansas City, Missouri at one point was aggressively enforcing their right to manage trees on the parkway. Councilperson Weed said that any landscape design or tree that does not fit their master design is a big offense and violation to them. He said that the City is very benevolent but if someone has a look that they want, it should be honored. Mr. Kirk said that most people have lived on a property for years and cannot envision a tree being in an area with no trees. Councilperson Perry said that he loves the trees in the ROW, but he does not know if a forced application of a tree on someone’s property would behoove anyone. Mayor Dickey said that he spoke with some residents who want natural light, and it would be all dark if the property was surrounded by trees, so he is torn on the issue. Mr. Jones said that he lives on the west side of Belinder, and he would reject a ROW tree because his house sits lower than the actual street level and trees would prevent light from coming through his front windows. Councilperson Bruning said that is a good point.

Ms. Krstulic stated that there has been an increased interest in solar energy which is something to keep in mind. Councilperson Perry said that he thinks the proper approach is education, encouragement for ROW plantings, and a philosophy of being a city of trees, but at this point in time he would not be inclined to push for a universal planting for every spot in town. Councilperson Nelson suggested revisiting the topic in a year. She noted that certain people have a real need to not have trees, so she is torn on the topic as well. She said that she thinks trees are wonderful, but everyone’s situation is different. Councilperson Thorne asked about the number of homes that had refused a ROW tree. Mr. Kirk replied that there are approximately 30 properties that do not want ROW trees and reiterated that people are more open to having a replacement tree. He said that when he started making planting sites in places with no history of trees, those people were more resistant to change. He said that he thinks people are starting to see the benefit of trees. Councilperson Weed asked about golf courses, noting that some have distinct programs to cut out trees for better grass growth and less fungus. Mayor Dickey said that the City does not treat country clubs different from a ROW perspective. Councilperson Weed said that it is unique because the City has three country clubs so it might be worth discussing. Mayor Dickey said that they will revisit the issue in a year. Councilperson Bruning said that he does not think the City should be permitting private property trees and he is uncomfortable with a policy that every tree removal needs a permit.

B. Resolution No. 2022 – B: Add ARB Findings to Design Guidelines

Ms. Clifton stated that the Planning Commission (“Commission”) is recommending the language about surrounding structures be added to the Design Guidelines. She said that the Commission proposes it to be added in three different locations. The specific locations were redlined and included in the packet, along with the reasoning. Councilperson Nelson moved to approve Resolution No. 2022 – B. Councilperson Thorne seconded. Councilperson Bruning said that he is concerned about getting into style and that he is bothered by the term “Mission Hills Contemporary.” He said he thinks it should just say contemporary. Ms. Clifton noted that Mission Hills Contemporary is the category that Sargant Town Planning is going to focus on. She asked if flat roof should be a modern. Councilperson Bruning answered yes. Ms. Clifton agreed. Councilperson Bruning said that he does not like the definition for contemporary being specific to the City. Councilperson Perry commented that issue is not part of this resolution. He said that he does not mind the changes being proposed by the Commission, but he wants it to look nicer. Ms. Clifton noted that it will be redesigned, the Council was just presented with the redlined version. **Approved 5-0.**

C. Resolution No. 2022 – C: Contract with LMCC for Construction of Tomahawk Road Project

Ms. Lee stated that six companies were pre-qualified for the bid process and four attended the mandatory meeting. She said that out of those four, there were two bids. She said that one company was struggling with staff issues and the other company has focused more on stormwater. She noted that both bids came in above the engineer’s estimate, but that will not be a problem to manage. Ms. Lee said that they propose not to pursue Alternate 1 or 2 because the current 6-inch under curb drain is functioning well. She said that if they run into places they need to replace, they will. The engineer had suggested upsizing that pipe to allow for more connections. Although water is an issue in some neighborhoods, there are no big pockets along Tomahawk Road with issues at this point, so they would not recommend adding the alternates and will just move forward with the base bid. Councilperson Nelson moved to approve Resolution No. 2022 – C. Councilperson Weed seconded. Councilperson Weed asked about the time frame. Ms. Lee replied that Indian Hills Country Club’s (“IHCC”)100th Anniversary is coming up, so the City made a verbal commitment to be gone from in front of IHCC by May 15, 2022. The end of the project will be substantially complete by October 1, 2022. If utilities continue on their current track, the schedule should go as planned. Councilperson Weed asked if the utilities will stay ahead. Ms. Lee replied that she thinks so. She said they started at the west to keep them ahead as much as possible.

Councilperson Perry noted that the project came in over a million dollars over the estimate. He said that he understands inflation and material changing but cannot justify why they are raising prices. Mr. McGhee replied that with the engineers estimate, they anticipated receiving more than two bids on the project. He said that as the bidding pool gets down, part of the cost may go up accordingly, there are schedule limitations, and some cost implications with the 60 days allowance to work in front of the IHCC, so he thinks all of those factors combined play a role. Councilperson Weed asked if there is an upside cap or clause to allow them additional price increases. Ms. Lee replied that they would have to come to the City with a change order proposal

that goes above the 10% change order authority included in the resolution. Councilperson Weed noted that is a lot of money and the project is already a million dollars up. Ms. Lee said that the City experienced some of this last year as well with the pipe availability. She said that it was minimal and was not as impactful as they thought it would be. She said that the City has a good relationship with LMCC and have never experienced anything with them that would be unmanageable. **Approved 5-0.**

D. Resolution No. 2022 –D: Contract with Lamp Rynearson for Construction Observation of Tomahawk Road Project

Councilperson Perry moved to approve Resolution No. 2022 – D. Councilperson Weed seconded. Councilperson Thorne asked if there will be a person at the construction site any time workers are there. Ms. Lee answered that there may be times when they do not require someone to be there, but probably several times a week. She said that the budget includes observation 8 hours a day for all 180 work days. She said that they maxed that budget out even though there will probably be opportunities to ratchet it back. Councilperson Weed asked if information will be on the website for residents throughout the duration of the project. Ms. Lee answered yes. She said that Lamp Rynearson is more focused on the contractor building to specification, so if a resident found a problem, they should still call the City. She said that the website will have a one-stop page for all Tomahawk Road matters. Councilperson Bruning added that residents also got a hard copy letter with numbers for each utility company. Ms. Lee said that after Council’s approve, staff will draft a letter with project details to Tomahawk Road residents. Councilperson Bruning said that he has gotten two letters from contractors notifying him of their work on Belinder Ave. Mayor Dickey stated that LMCC has done a good job addressing issues on other projects they have done. Councilperson Thorne asked if she could get a copy of the letter. Ms. Lee answered yes. Councilperson Weed commended City staff on their work in putting this together. **Approved 5-0.**

E. Resolution No. 2022 – E: Contract with Intertek PSI for Material Testing of Tomahawk Road Project

Councilperson Perry moved to approve Resolution No. 2022 – E. Councilperson Nelson seconded. **Approved 5-0.**

F. Resolution No. 2022 – F: Contracts for Property, Liability & Workers’ Compensation Insurance

Councilperson Perry moved to approve Resolution No. 2022 – F. Councilperson Bruning seconded. Mr. Carroll stated that the write-up includes a full breakdown. Councilperson Bruning asked for more information on the public entity management liability. Mr. McGuire said that public entity management liability is coverage for decisions the Council makes. Employee benefits is coverage for any decision relating to employees’ benefits, like health insurance. Employment practices include wrongful terminations, sexual harassment, or any employment practices claim that could be brought against the City. Councilperson Weed asked if fine arts coverage includes fountains, statues and artwork around the community. Mr. McGuire answered yes. Councilperson Weed asked about the low deductible. Mr. McGuire replied that is where the

City has historically had it. He said that they have looked over this in the past and the savings for increasing the deductible were not enough to warrant the reduction in premium. Mr. Jones asked if the coverage on cyber liability increased. Mr. McGuire replied that Traveler's Insurance said that they were going to be fairly flat, which they took as a good renewal given the current state of the market. He said that they also knew they were going to be spending an inordinate amount of time trying to get coverage for cyber liability. He said that not seeing the premium double or triple was considered a win because nationwide claims activity is really high right now on that particular line of coverage. Mr. Jones asked if City staff was informed on things that can be done in the coming years to make sure the numbers do not double or triple. Mr. McGuire answered yes, they have a cyber expert in place and are always trying to keep their clients as up-to-date as possible. He said that workers compensation is a function of having more payroll than last year. Councilperson Nelson asked if the City's claim record for the past 10 years has been low. Mr. McGuire answered yes, the City's loss record is exemplary and is a good risk for insurance carriers. Councilperson Nelson asked if the City still has a AAA rating. Mr. McGuire answered yes. **Approved 5-0.**

G. Ordinance No. 1607 – Clarifying Ordinance Language re: Purchasing Demolition Permits

Ms. Clifton stated that the proposed change will make the regulation easier to understand and it follows the intent of the Council. She said that the existing language was confusing. The proposed language states: Except for a Planned Non-Rebuild, the permit for Substantial Exterior Demolition cannot be issued until the ARB has approved, and the City has issued, a building permit for a replacement Structure. Councilperson Bruning moved to approve Ordinance No. 1607. Councilperson Perry seconded. **Approved 5-0.**

H. Community Engagement Committee – 2022 Calendar of Events

Ms. Moran stated that the Community Engagement Committee (CEC) is very excited. Many events are the same as they were in 2021, with two additional events. They propose a concert in the park on May 21, 2022, similar to the 2021 event. The last concert had a great turnout and the CEC received great feedback about the band so they will keep everything the same. The CEC did get some feedback about people wanting a dessert food truck, which can be done at no expense. Councilperson Weed asked if the Tomahawk Road construction will be okay for this timeline. Ms. Lee replied that they will have their first meeting to coordinate tomorrow, but that is on their mind. Councilperson Weed noted that the Verona event in September was extended an hour earlier and half an hour later. Ms. Moran replied that is correct, because the event felt short to people. She said that there will be less light in the fall so if they start earlier, people will have more daylight and they can start asking people to clean up on time. Councilperson Weed asked if there is any pushback from neighbors. Ms. Lee answered not yet. She said that 10:30 p.m. is the hard stop and it takes a good hour to get everything put away. Ms. Moran noted that they shut down the street earlier to prepare and the music will stop at 10:00 p.m.

Councilperson Nelson asked if yoga in the park will be a one-time event. Ms. Moran replied that they are testing to see the turnout. She said that if the event is well received, they will do it more

often. She noted that the event will not be expensive and there will be no road closures. Councilperson Nelson asked if someone would lead. Ms. Moran answered yes, they have someone in mind. She noted that there are a few places in Kansas City that would be glad to lead this event. Councilperson Thorne asked if children are included. Ms. Moran answered yes. Councilperson Nelson said that it sounds like a good idea. Ms. Moran stated that they have two food truck Thursdays, which worked really well last year. She said that they propose to have both food truck Thursdays in June because the July events are not well attended due to vacations and extreme heat. Mayor Dickey said that if they lose one Thursday for rain, it will be good to have another. Councilperson Bruning complimented the CEC on their enthusiasm. Ms. Moran stated that they really enjoy it, and it is fun to see everyone gather. Mr. Carroll noted that they are proposing to move the tree lighting up a week to the Sunday before Thanksgiving.

REPORTS OF CITY STAFF

A. City Clerk

Ms. Woolbright stated that the next Council meeting will be on March 7, 2022, which is the first week of the month instead of the second.

B. City Administrator

Ms. Lee stated that her report touched on Tomahawk Road, Sargent Town Planning, coyotes, and meeting minutes and is happy to answer any questions. She noted that the American Rescue Plan funds are available and ready for use. Councilperson Weed asked if the City is in the minority of cities providing full discussion minutes, noting that it would be great to automate to take the burden off City staff, but a lot of residents also read the minutes. Ms. Lee replied that they thought for the Architectural Review Board ARB and Board of Zoning Appeals (“BZA”), they would generate a transcript of the meeting. For the Planning Commission (“the Commission”) and Crime Prevention and Safety Committee (“CPSC”) they would just provide a summary of what action was taking place. City staff was thinking a summary for the Council as well along with an audio or video of the actual meeting. Councilperson Perry said that he is the counsel for a Kansas board and their minutes include the agenda and who passed/voted for what motion, without any other discussion recorded. He said that the only verbatim required is for executive session motions. He said that every month he is surprised at how much information is in the Council minutes. Councilperson Perry stated that he is happy to have the opportunity for a recording, but he does not think there is any reason to have the minutes they currently do, which seems like a burden to City staff. Councilperson Bruning said that he does not support posting audio or video recordings of the Council meetings because it would change the informal way they make decisions. Councilperson Nelson agreed. She said that she likes rereading the minutes and she thinks it is important that they keep their ability to be fluid. She suggested finding another person to take the minutes.

Councilperson Bruning noted that the Council’s corrections to the minutes are often substantive in their discussion. Councilperson Perry said that changes that are made are made after the fact. He said that he understands the different positions but at times he thinks that summary minutes are better than long minutes. He said that he likes the informal nature of the Council’s

discussions as well. Mayor Dickey stated that City staff proposed different options for each different board. He said that they are wonderful minutes but there is a lot there. Councilperson Perry stated that he would have a bare bones approach to the BZA and ARB. Councilperson Weed said that if the City is going to turn down someone's dream home, they might want it in writing. He said that if it is not in writing, it could cause a problem, noting that people could get pretty animated once they realize they are not on record. Ms. Clifton said that they discussed keeping the transcript if there was ever a question that needs to be resolved. Ms. Krstulic said many people at the ARB talk over each other that she worries how a transcript might not work. Councilperson Weed said that there are certain situations where a record is important but everything they do is probably over documented. Councilperson Thorne suggested keeping an audio of the Council meeting if they want to go back and look at something.

Councilperson Bruning asked how often the minutes are used in the enforcement process. Ms. Clifton answered occasionally, but they mostly try to write any changes on the site plans. Ms. Lee added that they used to do it more, but they adjusted the process to where they are making notes in other spots. Councilperson Thorne asked if residents agree to notes made on plans. Ms. Lee replied that they document what the ARB approves. Ms. Krstulic stated that the only thing that must be verbatim are executive session motions. Councilperson Nelson said that she wants to keep the Council meeting minutes the same and try the other two to see how it works. Mayor Dickey said that they will pursue Option 4 for the ARB and BZA with exception of the Council. He said that the City tries to be as open and transparent as possible. Councilperson Thorne said that she likes to review the minutes. Councilperson Perry said that the Council minutes are a good opportunity for residents to see what they are doing, and he will leave it up to City staff to determine the best way to manage resources and understand requirements. He said that there is a balance between knowledge and efficiency. The Council agreed.

Councilperson Perry said that he received a call from a resident whose dog was killed by coyotes. Mayor Dickey recommended that the City enlist a professional trapping organization to use a live animal trap, not a snare. He said that this method is the least effective, but he sees no good path for using some of the other arguably more effective traps. Councilperson Bruning asked why the City should try and get rid of them, noting that he does not know if they can manage the process once it is started. Councilperson Nelson said that when the City had a problem with Canadian Geese they found a successful way to handle it. Mayor Dickey requested a formal proposal. Councilperson Thorne said that the City also needs to educate residents on trash and composting being potential food sources. Mayor Dickey said that the proposal should take into account that you should not have dogs off leash and has to accommodate how the City works.

C. Assistant City Administrator

Mr. Carroll said that his report was mainly about cyber security and the City email platform. He said that everyone will be required to download the Microsoft Authenticator application, and he will be happy to walk anyone through the process.

D. City Planner

There were no comments on the City Planner's report.

MAYOR'S COMMENTS

A. Liaison Reports

Councilperson Thorne asked about the house with the front facing garage on 69th Street. Ms. Lee replied that the Commission discussed rear-facing garages and Ms. Clifton highlighted one of the ARB's recent approvals of a garage in the front wing. Ms. Clifton said that the Design Guidelines recommend that the garage should not be along the front façade, but the ARB approved a home with a garage in the front wing. Ms. Lee said that there was concern raised and interest in the topic. Councilperson Bruning said that he has no problem with a garage projecting forward and is more supportive of front-entry garages. He said that the presumption is that you have to have a side entry, which leads to the disruption of the street scape. He is supportive of Sargent Town Planning coming in to look at the issue. Ms. Lee said that garages are complicated, and the City has a lot of existing conditions. Councilperson Bruning said that there are a lot of houses with front-entry garages because that is how they were built at the time.

Ms. Lee stated that the City has engaged Sargent Town Planning to further explore non-traditional and adaptive architectural styles that do not fit neatly into the City's housing styles defined in the Design Guidelines. She said that she hopes to get more into the guidelines of what is required of houses that fall into that category and give the ARB and Professional Review Panel ("PRP") more guidance on what is acceptable. Ms. Clifton said that she presented the garage topic to the Commission and they did not want to change the Design Guidelines at this time. She noted that 80% of the homes in the City have a garage in that front corner and the ARB no longer enforces that guideline. She said that architects indicated that residents do not want garages in the back because they want that to be their living area. Ms. Clifton stated that the Commission wanted to leave it up to the ARB to interpret the Design Guidelines, but the Council could always give the ARB and PRP instructions or have Sargeant Town Planning suggest changes to the Design Guidelines. Mayor Dickey stated that this is a journey, not a destination. He said that the City has to constantly look at this because styles and tastes change. He said that he would be in favor of Sargent Town Planning taking a look and bringing forth recommendations. Councilperson Bruning stated that he thinks this needs to be looked at. He stated that he wants to be involved in the process.

Councilpersons Perry, Nelson and Bruning had no liaison reports due to no meetings scheduled. Councilperson Weed stated that the Council already discussed what was talked about at the Commission meeting, so he has nothing further to report.

Mayor Dickey stated that he needs names of people who want to serve on boards and committees. He noted that there are several vacancies impending. Councilperson Nelson said that she knows someone who is very willing, and she will call Mayor Dickey tomorrow. Mayor Dickey said that any recommendations can have an area of interest or just be interested in serving in some capacity. He stated that he wants to revisit the discussion of adding police officers and a car in March 2022. He said that the Council needs to begin thinking about the City Administrator's review and they will probably have an executive session.

B. Appointment

Mayor Dickey stated that he has an appointee for the Park Board, Mary Knighton. Councilperson Perry moved to approve Mary Knighton's appointment. Councilperson Weed seconded.

Approved 5-0.

ADJOURNMENT

Meeting adjourned at 8:05 pm.

/s/Anna Italiano

Recording Secretary