

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

May 9, 2022

The City Council of the City of Mission Hills, Kansas held a regular meeting on May 9, 2022, directly following the Arbor Day Celebration at 5:00 p.m.

PRESIDING: Mayor David W. Dickey

PRESENT: Councilpersons Bill Bruning, Barbara Nelson, Braden Perry, Eden Thorne, and Andy Weed

ABSENT: None

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

VISITORS: Curt Krizek, 3515 64th Street; Mike McQuaid, 5630 Belinder Avenue, Fairway, Kansas; and Russell Weltner, 2801 66th Street

Mayor Dickey called the meeting to order at 5:12 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. Mayor Dickey noted that the meeting would be recorded for the purpose of meeting minutes.

APPROVAL OF MINUTES OF COUNCIL MEETING

Councilperson Bruning moved to approve the minutes of the April 1, 2022 meeting. Councilperson Nelson seconded. **Approved 5-0.**

Councilperson Weed moved to approve the minutes of the April 11, 2022 meeting. Councilperson Thorne seconded. All proposed edits were approved and accepted by Councilperson Weed and Councilperson Thorne. **Approved 5-0.**

Councilperson Nelson moved to approve the minutes of the April 15, 2022 meeting. Councilperson Bruning seconded. All proposed edits were approved and accepted by Councilperson Nelson and Councilperson Bruning. **Approved 5-0.**

PUBLIC SAFETY

A. Police Report

Chief Roberson referred to the April police report and noted crime levels continue to remain low and are mostly crimes of opportunity. He noted there was one theft from an unlocked vehicle that occurred on 70th Terrace. Chief Roberson stated a combination of everyone's effort, including the increased messaging on social media and reminders for residents to complete the 9 PM Routine is resulting in a reduction in crimes of opportunity. He noted that the 9 PM Routine is the campaign for residents to check that valuables have been removed from vehicles and car doors are locked, garage doors are closed, and all exterior doors are closed and locked before going to bed. He added that officers are conducting traffic stops after dark and this presence discourages potential criminals.

Chief Roberson added there was one theft of a package left on the doorstep. He noted this type of theft only occurs sporadically and is another example of a crime of opportunity. He added a vehicle, which was unlocked with the keys inside was stolen and then recovered the next day. Lastly, Chief Roberson reported there was a residential burglary of a construction site where the padlock to the gate was cut and removed and the lock box for equipment on site was stolen. He added there was video of the incident and investigations is working the case.

Chief Roberson noted the installation of cameras and supportive technology at City Hall and the intersection of State Line Road and 63rd Street is complete. He noted the cameras have been installed at the intersections of Tomahawk Road and Mission Road and 63rd Street and Mission Road and the supportive technology will be placed shortly. He added the next locations for installation are Mission Drive and State Line Road and Belinder Circle. Councilperson Nelson asked how the PVPD view the data collected by the cameras and license plate readers (LPR). Chief Roberson replied that the data feed is directly connected to the Police Department and if the LPR identifies a stolen vehicle or vehicle associated with a felony alert then Mission Hills patrol officers will receive a dispatch alert in their patrol computer and dispatch will also receive notification. Chief Roberson noted that the LPRs are always recording, so that if there is a tag associated with a crime the PVPD can review the data and determine if the vehicle was in the vicinity. He noted there were initially firewall challenges due to emerging threats, but these concerns have been managed with greater data security protocols.

Councilperson Nelson noted in the theft of a vehicle activity report that a stun gun was stolen and asked if the procedure for a missing firearm applies to that situation. Chief Roberson stated a stun gun is not a firearm and stun guns can be purchased by anyone at a sporting goods store. He noted that stun guns are typically a personal safety measure and can be effective if someone is properly trained and it is accessible. He added that stun guns should not be left unattended in vehicles, because it could be used against you or law enforcement. Chief Roberson noted that any personal protection can be taken away or used against you if you are not properly trained. He noted that indoor shooting ranges provide personal protection classes for stun guns.

OLD BUSINESS

C. Coyote Discussion

Mr. Carroll noted the Council had previously authorized staff to pursue targeted coyote trapping. He stated that the City Arborist continues to monitor the trail cameras for sites to place the traps, but there have not been any recent sightings or coyotes captured on the trail cameras. He added the trail cameras located near Indian Lane were recalibrated for a wider view of the creek bank. Mr. Carroll stated that previously staff was receiving weekly calls from residents with coyote sightings, but the City is not receiving coyote sighting reports at this time nor has a den been located. Mayor Dickey noted that residents were reporting coyote sightings along Indian Lane with great frequency until the last two weeks. Mayor Dickey stated the Council had authorized the CPSC recommendation to place traps with appropriate signage on the property of a resident with frequent coyote sightings. Mayor Dickey opined that the City should continue with the CPSC recommendation and allow the professional trappers to respond accordingly. He noted conversations with residents along Indian Lane between 63rd Street and Mission Road who might provide additional locations for trapping. Mayor Dickey stated he continues to receive a high volume of feedback from residents, especially with high profile new stories related to coyotes in other states.

Councilperson Perry noted as the CPSC liaison he has discussed this issue with the Committee and engaged residents. He noted the first issue is locating the coyotes and the second issue is effective trapping. Councilperson Perry stated there is some want for more aggressive action by the City. He suggested that if coyote trapping is not successful and sightings continue or increase then the CPSC could reconvene and identify additional options. Mayor Dickey suggested the City continue the trapping program. Councilperson Bruning asked how the City would proceed absent of further incidents or sightings. Mayor Dickey replied that the Council's response would be based upon whether or not coyote reports continue, or the traps capture any coyotes. Councilperson Perry agreed and clarified that if the coyotes become more aggressive then the City's response should be more aggressive. Mayor Dickey stated for the record that coyotes are nuisance animals in the state of Kansas and if any coyotes are trapped, they will be euthanized. Councilperson Nelson asked if the City had received communication from the three country clubs about coyote sightings. Mayor Dickey stated that members and staff of the Kansas City Country Club have reported sightings, but not in the last two weeks.

Mr. Krizek stated his dog was killed in a coyote attack and that he had provided City staff with photos of two coyotes in a resident's yard along Indian Lane three weeks ago. He noted residents have reached out to him because of his experience and he could share a list of locations of coyote sightings from these residents with the City. He opined there is especially a concern for people with little children and referenced an incident in Texas where a coyote attacked a two-year old on a residential porch. He stated that type of incident is rare and would most likely not happen in Mission Hills, but no one wants to take a chance. Mr. Krizek stated from his experience growing up in western Kansas that snare traps are successful at trapping coyotes, while not harming other animals, including dogs. He opined that snare trapping along Indian Lane is a good action step. Mayor Dickey thanked Mr. Krizek and noted the trapping program would continue and the CPSC could provide additional action steps based on the results of the trapping program. Councilperson Thorne asked how the area around the snare trap would be identified. Mayor

Dickey stated a resident is willing to allow a snare trap to be placed on their private property and has requested signage around the trap to inform lawn service providers and kids playing in the creek. Councilperson Thorne asked if the trap would be hidden in the brush and noted concern that a child could walk into the trap. Mayor Dickey noted the snare would be on private property and the signage would be in place, so hopefully a child would not be allowed to wander alone in someone's back yard. Councilperson Bruning asked if there is danger in using snare traps. Chief Roberson noted he is not familiar with snare traps, but as Mayor Dickey indicated the areas in which the traps are being placed are not play areas or where a person would typically be walking. He noted there could be some risk, but the traps will not be in highly trafficked or easily accessible areas. Councilperson Perry stated the licensed individual hired to conduct the trapping should implement appropriate trapping safety procedures. He noted that the CPSC recommendation is based upon hiring an expert who will determine the appropriate safety measures.

NEW BUSINESS

B. Mid America Regional Council (MARC) 50 Proclamation

Mayor Dickey stated that the MARC 50 Proclamation recognizes the 50 years of MARC, who is a great partner with Mission Hills and other communities around the metropolitan area. Ms. Nagel stated MARC appreciates the City of Mission Hills and the ability to serve the City. She added MARC looks forward to continuing to work closely with the City and the other municipalities in the region. Mayor Dickey read the MARC 50 Proclamation, declaring June 10, 2022, MARC 50 – Forward Day.

Ms. Nagel thanked the Council and invited everyone to attend the MARC 50 – Forward Day celebration and luncheon on June 10, 2022.

PUBLIC SAFETY

B. Fire Report

There were no comments on the Fire Report.

CONSENT AGENDA

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

FINANCIAL REPORT

A. April Report

Mr. Carroll noted there could be a broader financial discussion at the upcoming financial and strategic planning meeting. He referred to the April financial report and noted the revenues continue to be strong and are greater than the 2021 year-to-date collections. Mayor Dickey noted

the City Treasurer recommended in advance of the financial and strategic planning meeting that the Council consider how higher inflation, potentially over a longer term could impact the City's budget process.

OLD BUSINESS

A. Repeat Nuisance Properties

Mr. Carroll referred to repeat nuisance properties report and noted the deadline for the property owner to repair or demolish the structure at 3002 W. 66th Terrace is August 1, 2022. He noted that with the new calendar year and growing season, the lawn maintenance nuisance process would start over, and the full notice process would be conducted if there was a violation. He added that after the initial nuisance notice process, any additional lawn maintenance nuisances could then be directly addressed by the City.

Mr. Carroll reported that the property owner at 2517 W. 68th Street purchased their building permit today, which satisfies the agreement reached at the special Council meeting on April 1, 2022. Councilperson Bruning asked if the property taxes were paid at 2517 W. 68th Street. Ms. Lee stated the deadline for payment is May 10, 2022.

B. Discussion of Renewal of 0.25% Sales Tax Dedicated to Capital Improvements

Mayor Dickey noted the Council had previously discussed options for conducting a vote on renewing the 0.25% sales tax dedicated to capital improvements, which is now at a decision point. Ms. Lee referred to the previous election data from Johnson County included by request in the staff report. Councilperson Bruning asked the budgeting consequences if the sales tax election were part of the General Election in November. Ms. Lee stated that it would be nice to know in advance of the 2023 budget, but the current sales tax collection will continue until September 2023. She noted whether the election occurred after the 2023 budget adoption or the residents elect to not renew the 0.25% sales tax, the City would need to identify an alternative solution. Ms. Lee noted the 2023 budget revenues would include the 0.25% sales tax until it sunsets in September 2023. City staff would then have time to adjust course at the Council's direction through cost savings or changing the direction or scope of a project if needed.

Councilperson Weed noted the potential renewal of the 0.25% sales tax was discussed at the Tomahawk Road Homes Association (TRHA) meeting and there was general satisfaction with the ongoing review of the sales tax collection and its purpose. Councilperson Nelson noted the exceptional voter turnout evidenced by the historical election data from the County and recommended the 0.25% sales tax renewal be part of the General Election. Councilperson Bruning agreed. Councilperson Perry suggested to place the renewal of the 0.25% sales tax dedicated to capital improvement on the November 8, General Election ballot.

Councilperson Bruning noted the City can provide educational material to residents that highlights the 0.25% sales tax renewal as a continuation of good government and reliable facts. Mayor Dickey agreed and stated the education material to residents could include specific projects that were completed with the dedicated sales tax funding. He added he would include

information in the upcoming newsletter to the residents. Councilperson Weed noted the dedicated sales tax also demonstrates the City's multiple streams of income, which is particularly significant for a small city. Mayor Dickey agreed and noted the City has a reliable track record of demonstrating financial needs and delivering services to residents. Ms. Lee noted the staff analysis completed in preparation of the financial and strategic planning meeting bolster the case for a sales tax renewal. Councilperson Nelson noted the Council's practice of sunseting the sales tax every five years, as opposed to a perpetual tax, requires the Council to produce results and demonstrate the need to the residents.

NEW BUSINESS

A. Ordinance No. 1613 – Elimination of Breed Specific Reference

Mayor Dickey stated many cities in Johnson County have eliminated breed specific references in their ordinances and Ordinance No. 1613 would remove the breed specific references in the City's animal ordinance. He added the City has a very robust dangerous dog ordinance, which has been enhanced over time, and the removal of the breed specification would bring the City into alignment with neighboring cities. Councilperson Weed moved to approved Ordinance No. 1613. Councilperson Thorne seconded. Mayor Dickey added that he received a letter from a seventh-grade resident requesting the Council discussion of this matter. **Approved 5-0.**

REPORTS OF CITY STAFF

A. City Clerk

Ms. Woolbright referred to the City calendar and noted the upcoming financial and strategic planning meeting is scheduled for Wednesday, May 11 at the Mission Hills Country Club in the Gallery room. Mayor Dickey noted the upcoming Community Engagement Committee (CEC) events including the Concert in the Park, Street Fair, and Food Truck Thursdays and encouraged everyone to attend when possible. Councilperson Weed complimented staff on the CEC social calendar postcard.

B. City Administrator

Councilperson Nelson stated Waffles & Stormwater was an extraordinary event with a nice attendance and interesting information. Councilperson Nelson added those attending the event were engaged, learned from each of the stations, and had an opportunity to engage. She suggested the City consider holding more educational events throughout the year. Mayor Dickey agreed and noted they are looking for the next opportunity to offer Coffee with a Cop. He added there are opportunities to hold events once or twice a year that focus on specific topics of interest for residents, such as stormwater and the City's tree canopy.

Ms. Lee referred to the City Administrator report and noted on the Tomahawk Road project the stormwater work in front of the Indian Hills Country Club (IHCC) has proceeded slowly because of extensive rock breaking. The hope is to make great progress and move past the IHCC by the end of the month. Councilperson Perry asked when the intersection of Tomahawk Road and

Mission Road would be reopened. Ms. Lee stated the City has to provide the IHCC access to the western parking lot, so today the intersection of Tomahawk Road and Mission Road was opened to the western lot's driveway to allow access to that lot. She added that once the stormwater work proceeds east past the IHCC the Tomahawk Road and Mission Road intersection could be opened until the road is asphalted. Ms. Lee noted the tentative date for this is the beginning of June. Councilperson Weed noted the extensive rock breaking needed for the stormwater work and asked if there is a budgetary implication. Ms. Lee stated the project budget included rock breaking, but if the amount of rock breaking exceeds the engineer's budget, then there could be an upcharge. She added that has not yet occurred and the additional time needed for the work has been the greatest concern.

Ms. Lee referred to the staff report and noted the City Hall parking lot and Tomahawk Circle were milled and paved using end of the year encumbrances. She stated that the City is waiting for feedback from the Kansas City Country Club in regard to the Belinder Low Water Crossing. She added the City is in the process of upgrading the hardware for the flood warning system, which required the rebuilding of five flood warning pillars. She noted the flood warning hardware was funded by the County and the City is funding the stone masonry. Ms. Lee noted the flood warning system has not been operational for several years, so staff is proposing public education through resident correspondence when it becomes operational. Councilperson Perry asked if the new system would automatically close the flood gates in a rain event. Ms. Lee replied no, the flood gates will continue to be closed manually. Mayor Dickey noted there were conversations about an automatic flood gate, but there was a concern for the sensor's accuracy and that someone could get closed inside the gate during a rain event. Ms. Lee noted the new hardware allows the City to set a trigger point, such as 30 minutes before the creek will overtop the roadway, to inform the PVPD by text message when the gates should be closed.

Councilperson Bruning noted the City's increased engagement with utilities and requiring that they communicate directly with resident. He noted a neighbor whose yard was impacted by utility equipment and asked if the utility locator could be required to also locate the City's right of way limits. Ms. Lee stated a survey company would have to be engaged to mark the right of way. Councilperson Bruning opined utilities with permanent boxes appear to park their equipment adjacent to their work and might not be within the right of way limits. Ms. Lee stated this could be an opportunity to remind utilities of the right of way limits. Councilperson Perry noted sprinkler heads along Tomahawk Road have been damaged during the project and asked the reporting procedure. Ms. Lee replied that staff is tracking down who is responsible for repairs and restoration as issues arise and residents could call City Hall. Mayor Dickey added that residents can also use the See Click Fix application to report an issue.

C. Assistant City Administrator

Mr. Carroll referred to the staff report and noted he is continuing to work through the maintenance contracts bidding process. He noted the City's maintenance work, Robert Gardner, is retiring Friday and he is training his replacement, Eddie Reuscher.

Mr. Welter noted that Google Fiber initially installed their lines in the roadway and asked if the lines are being moved into the right of way greenspace behind the curb. Ms. Lee replied yes,

Google Fiber will be moving their lines behind the curb City wide. She added Google moved their lines north of 63rd Street last year, will move their lines this year in the Tomahawk Road Homes Association, and at the end of this year and beginning of next year they will move their lines in the Indian Hills Homes Association.

D. City Planner

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

MAYOR'S COMMENTS

Annual Appointments

Mayor Dickey recommended for reappointment Ms. Lee as City Administrator, Meghan Woolbright as City Clerk, Anna Krstulic as City Attorney, Spencer Jones as City Treasurer, Kathryn Marsh as City Prosecutor, and Lauren Allen as City Judge. Mayor Dickey recommended for reappointment Tim McQuaid, Joseph Reuben, Tim Thornton, and Mike Sinatra to the Crime Prevention and Safety Committee; Mary Ann Powell, Carrie Wagstaff, and Lynn Devins to the Park Board; Sherry Coughlin, Wyatt Cobb, and Sara Greenwood to the Planning Commission; Mary Jane Barnes as Board of Zoning Appeals alternate and Casey Halsey and Judy Moore to the Board of Zoning Appeals; Susan Creidenberg as Architectural Review Board alternate and Tim Woofter to the Architectural Review Board. Councilperson Perry moved to approve the Mayor's reappointments and Councilperson Bruning seconded. **Approved 5-0.**

Mayor Dickey noted there are several board and committee positions open, and he is working through the resumes to place the candidates appropriately. He thanked the Council for providing recommendations for appointment.

Mayor Dickey thanked the Council and the volunteers of the City for their service.

Liaison Reports

Councilperson Weed reported the Planning Commission would meet Wednesday.

Councilperson Thorne reported the ARB would meet tomorrow and reported that at the previous ARB meeting there was a proposal from a resident on Mission Drive for a pool and addition project that would have exceeded the greenspace allowance by approximately 2,000 square feet. She stated the ARB was stringent and did not approve the application because it did not meet the minimum greenspace allowance.

Councilperson Perry reported the CPSC would schedule a meeting, if needed, to continue the discussion regarding coyotes.

Councilperson Nelson reported the BZA met and granted one variance. She opined that the board is well functioning and cohesive.

Councilperson Bruning reported the Park Board met and focused on the spring cleanup. He noted the island improvement at Wenonga Road and Wenonga Terrace would be completed in late May. Councilperson Bruning stated that the City Arborist has compiled a list of trees that are appropriate for the City's environment, which will be available to residents. He added the Arborist has significantly cleaned up the plantings in Peetwood Park, which currently must be maintained by hand due to the springs and provided a maintenance schedule for Peetwood Park. Mr. Carroll stated that staff is working to include Peetwood Park maintenance in the specifications of upcoming maintenance contracts for bid.

Mayor Dickey noted he received an email from a resident who was alarmed when an inspector entered their backyard. He stated the inspector followed the City's policy and knocked on the front door to indicate he was entering the backyard, but the resident was asleep and was caught off guard when they saw the inspector.

Mayor Dickey stated he has provided the Chief Roberson with requests from residents to conduct speed enforcement as traffic is detoured during the Tomahawk Road project. He noted that would continue to evolve as the project progresses and Chief Roberson is committed to targeted enforcement as resources allow. Councilperson Bruning noted the increased traffic on Belinder Avenue and suggested placing a traffic speed alert sign.

Mayor Dickey noted the appeals period for the Kansas City Country Club fan case lapsed. He added there could be opportunities for incremental connectivity in the City. Councilperson Perry asked if the City has recently received complaints about organized biking or running groups. Mayor Dickey replied no and stated there have been fewer opportunities for this during the Tomahawk Road project.

Councilperson Weed noted there was a discussion at the Tomahawk Road Homes Association meeting regarding the usefulness of the printed homes association directory. He clarified that the City Council is separate from the homes association, but there was a request for guidance from the Council. Councilperson Nelson supported the continuation of a printed homes association directory. Councilperson Perry agreed with continuing to print the homes association directory. Ms. Lee stated anecdotally that staff receives weekly calls asking for directory information, because often it is assumed that the City produces them. Councilperson Bruning opined that the homes associated directory should include all City residents. Councilperson Weed noted there are currently homes in the City that are not included in any homes association due to the development of the neighborhoods in the City.

Meeting adjourned at 6:23 p.m.

/s/ Meghan Woolbright

City Clerk