

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

**July 10, 2023**

The City Council of the City of Mission Hills, Kansas held a meeting on July 10, 2023, at 5:30 p.m.

**PRESIDING:** Mayor David W. Dickey

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

**ABSENT:** None

**ALSO PRESENT:** Jennifer Lee, City Administrator; Justin Carroll, Assistant City Administrator; Anna Krstulic, City Attorney; Meghan Woolbright, City Clerk; Jesse Kirk, City Arborist (via phone); Spencer Jones, City Treasurer; Captain Eric McCullough, Prairie Village Police Department (“PVPD”); Chief Steve Chick, Consolidated Fire District No. 2 (“CFD2”)

**VISITORS:** Prentice Hanes, Mission Hills, KS; Mike McQuaid, Fairway, KS; Scott Confer, Phelps Engineering, Inc.

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 would 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 – June 12, 2023**

Councilperson Weed moved to approve the minutes of the June 12, 2023 meeting. Councilperson Nelson seconded. All proposed edits were approved and accepted by Councilperson Weed and Councilperson Nelson. **Approved 5-0.**

**PUBLIC SAFETY**

**A. Police Report**

Captain McCullough referred to the June narrative report and noted there were fewer incidents than previous months. He reported that both the theft from a vehicle and theft of a vehicle occurred at the same time in the Carriage Club parking lot and were likely committed by the same suspect. Captain McCullough noted the report lists the stolen vehicle at 6400 State Line Road because it was recovered in the First Lutheran Church parking lot. He noted 99% of vehicle related thefts involve an unlocked vehicle, but this case was unusual because a window

was smashed to enter the vehicle. Captain McCullough added a license plate reader (LPR) caught the vehicle tag and there is an open investigation. Captain McCullough noted there were five traffic accidents in June, which is more than the typical month. He noted the accident at 6429 High Drive was a hit and run, so there is an open investigation. He added the other four accidents were minor, and in each incident a driver was issued a citation.

Captain McCullough referred to the June activity report and highlighted that Thefts were below the monthly average and Auto Thefts were down 73% for the year. He added the reduction in auto thefts from eleven in 2022 to three in 2023 indicates that residents are actively keeping vehicles locked. Captain McCullough noted failure to yield rates have significantly increased in 2023, which suggests officers are proactively patrolling and interrupting potential law breakers.

Councilperson Weed noted there was a bizarre incident where an individual wandered through the Indian Hills Country Club grounds and was arrested in Missouri. He asked for additional information and lessons learned. Captain McCullough reported that the Kansas City, MO police were involved in a gun fight with an armed robbery suspect. The suspect fled the scene and abandoned their vehicle around 73<sup>rd</sup> Street and Cherokee Lane in Prairie Village. He added multiple agencies worked to find the suspect, a search perimeter was put in place, a Notify JoCo update was sent to nearby residents, and significant resources including a helicopter, several drones, multiple agency's K-9 units, including PVPD's Blitz, were implemented. Captain McCullough noted a resident on 71<sup>st</sup> Street captured the suspect's image on their Ring video camera, which shifted the search perimeter. He added an additional Notify Joco update was sent when the suspect left the area, who was later apprehended by Missouri Highway Patrol near Liberty, MO. Captain McCullough noted the suspect traveled a considerable distance and opined the public was not in danger during the search given the extensive police presence. Councilperson Weed asked what evidence was abandoned by the suspect in Mission Hills. Captain McCullough stated a handgun and clothing were recovered. Councilperson Weed noted appreciation for the Notify JoCo updates.

Councilperson Nelson noted the ongoing construction at Mission Road and planned closure of the Tomahawk Road bridge entering Prairie Village and asked how PVPD will be managing the traffic. She added that the City can be confusing to navigate and she does not want residents to be ticketed due to avoiding construction. Councilperson Bruning asked Ms. Lee if there is a plan for managing emergency vehicles access on Belinder Avenue during the Mission Road construction. Ms. Lee replied that the fire department asked the City if they could use Belinder Avenue as a north – south access road during the Mission Road project. She added the City is monitoring the parking on Belinder Avenue and additional no parking signs were placed to avoid a continuous line of parked cars at the new home projects. Ms. Lee added she met with Prairie Village City staff to share lessons learned from the Tomahawk Road closure, including road closed signs at State Line Road to inform external road users of closures. She noted residents tend to use known routes during closures. She noted the traffic control plan for the Mission Road project is to direct traffic to use 63<sup>rd</sup> Street and 75<sup>th</sup> Street to access Mission Road. Mayor Dickey noted the traffic control plan does not route vehicles to Belinder Avenue avoid to the Mission Road closure. Ms. Lee agreed and noted that Belinder Avenue would only be utilized, if

necessary, as a north-south route by emergency vehicles. She added this was determined by the fire department. Ms. Lee added that when the Mission Road and Tomahawk Road intersection is completely closed any external traffic entering the City on Tomahawk Road will not be able to exit via Tomahawk Road. She reiterated to avoid any confusion the traffic control plan includes road closed signs to direct traffic to alternative routes at State Line Road.

Councilperson Nelson asked how residents are being informed of Prairie Village's Mission Road project road closures. Ms. Lee replied that the City's website has a headline with information on the project that is frequently updated, and the topic is included in the next newsletter. Mayor Dickey noted that his letter to the residents in the next newsletter will include information on the project and traffic controls. Councilperson Nelson asked if walkers could cross the Tomahawk Road bridge during the intersection closure. Ms. Lee replied that the bridge might be completely closed to walkers during the intersection closure, and she could clarify this with Prairie Village City staff. Captain McCullough added the PVPD will actively be working with Prairie Village Public Works on traffic control and signage. Councilperson Nelson opined that the Mission Road project will have a greater impact on Mission Hills' residents than Prairie Village residents, because Mission Hills has fewer entry and exit points. Ms. Lee noted the current timeline is the Mission Road and Tomahawk Road intersection will be closed at the end of July for three or four weeks. Councilperson Weed asked when 71<sup>st</sup> Street will be open. Ms. Lee replied that Prairie Village anticipates 71<sup>st</sup> Street will be opened by September. Mayor Dickey requested the PVPD proactively enforce the City's truck routes, stop signs, and speed limits, in the likely paths of external traffic. Captain McCullough noted at the start of the project the traffic unit supervisor notified the Mission Hills officers of the likely increase in traffic and necessary enforcement.

Councilperson Nelson noted the Swim Championships are being hosted in the City and opined that the attendees are guests in the community who should be welcomed. She noted last year when the Kansas City Country Club hosted the Swim Championships that the PVPD did an outstanding job of managing traffic and providing parking advice to guests, as opposed to ticketing. She added this year's guests should be treated with the same courtesy. Captain McCullough agreed and noted the PVPD generally tries education first as opposed to ticketing unless there is a hazardous type of parking violation. He added the PVPD appreciates the community working together during these major events.

## **B. Fire District Report**

Chief Chick stated he wanted to share an incident that occurred outside of Mission Hills, but within the Consolidated Fire District No. 2 (CFD2). He noted CFD2 crews responded to a late-night call and were confronted by someone, who is believed to have been under the influence of drugs, waving a loaded gun. He added that it took the CFD2 crew about five minutes to calm down the individual and for the gun to be put away. Chief Chick noted he shares this story to demonstrate that CFD2 crews work all hours and cannot always predict what can happen, even when called to help people. He added that safety is always a major concern, but following this event CFD2 crews may be more cautious for a period or request additional assistance from police departments.

Chief Chick reported emergency calls are up about 15% for this year. He noted the June 2023 activity report shows the two call types that have increased are good intent and hazardous condition calls. He noted a good intent call is when a resident reports a broken water line or suspicious activity next door, and a hazardous condition call is when a resident reports a down power line or gas leak. Chief Chick added that data analysis on call statistics is conducted regularly to determine if prevention measures could be taken. Additionally, where there is a gas line strike or break related to construction there is an investigation, which typically finds locate requests were submitted, but misidentified due to the nature of buried utilities. Chief Chick added there has not been any significant fire loss this year.

Chief Chick noted next week the CFD2 Board will meet to set a maximum budget request for publication. He reported approximately 10% of budget expenditures are operations and equipment maintenance and approximately 80% of expenditures are personnel. He added that the CFD2 budget has been impacted by competitive compensation, inflation, and rising healthcare costs. Chief Chick noted inflation is also affecting operation costs. For example, the cost of safety gear and clothing worn into fires has increased by 44% this past year and the timing of this safety gear replacement is set by National Fire Protection Association standards. He added the CFD2 budgets cautiously and given the strong property values there could be a small mill decrease.

Councilperson Weed asked about staffing at CFD2 and noted the PVPD's efforts to remain competitive in the market. Chief Chick noted there are overlapping strategies for attracting candidates to police and fire departments, but fire departments do not have the same challenges attracting candidates as police departments. He added CFD2 is well staffed and there are currently two interns working toward becoming full-fledged firefighters. Councilperson Weed asked for additional information about the fire truck purchased in the past year. Chief Chick replied CFD2 acquired two engine trucks and will be ordering a new engine for the station that serves Mission Hills this year. Councilperson Weed asked about the status of the CFD2 equipment. Chief Chick replied due to the cost constraints of replacing these engines, they are stretching the typical ten-year lifetime. He noted the next engine to be replaced is still reliable at twelve years old and it will take approximately three years for the new apparatus to be delivered. Councilperson Weed asked how the CFD2 budget process impacts Mission Hills. Chief Chick replied there is not a direct budget request to the City and a mill levy for CFD2 is collected from district properties. He noted many fire departments across the country require a bond issue to purchase new apparatus, whereas CFD2 has an equipment reserve fund to purchase apparatus with cash. He added the reserve fund has resulted in a reduced cost for apparatus, while also avoiding bond and interest fees. Chief Chick reiterated that CFD2 is funded by a mill levy and he is not aware of a situation where the CFD2 has requested additional funds directly from Mission Hills' general fund.

Councilperson Nelson noted the national rail tragedies in recent months and asked how often CFD2 is called to provide aid to other communities who are overwhelmed by a fire or other emergency event. Chief Chick replied when the CFD2 responds to a high risk, low frequency

emergency event, for example a house fire in Mission Hills, five to six heavy engines or aerial trucks are needed. He noted CFD2 only has five heavy engines on duty so a house fire would prompt an automatic or mutual aid company response from neighboring agencies. He added this mutual aid relationship also prompts CFD2 to send aid if there is, for example a house fire in Overland Park. Chief Chick noted that Mission Hills has the unique position where the five closest engines are in CFD2. Councilperson Nelson asked if the mutual aid response crosses the state line. Chief Chick replied that CFD2 does not often cross the state line. He noted the CFD2 did provide an engine and helped respond to calls during the recent pallet warehouse fire in Kansas City, MO.

## **CONSENT AGENDA**

### **A. Claims Ordinance No. 1636**

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

## **NEW BUSINESS**

### **A. Replat of 6300 Belinder Avenue**

Ms. Lee referred to the Council packet and noted the Planning Commission reviewed a replat request for 6300 Belinder Avenue to move the north side-yard platted setback (63<sup>rd</sup> Street side) from 50 feet to 40 feet. The Planning Commission approved the replat, which retains the existing 50-foot platted setback but adds a new 40-foot platted setback along on the north side for fences only. Ms. Lee noted the property owners of 6300 Belinder Avenue would still need to take further action to bring their fence into compliance as it encroaches 6.5 feet into the 40-foot north side yard setback. She added the 50-foot setback was originally platted by J.C. Nichols and reiterated the side-yard setback change approved by the Planning Commission would only apply to fences and could not be applied to primary or accessory structures. Councilperson Nelson asked if the neighbor to the west that faces 63<sup>rd</sup> Street would be impacted by the requested replat. Ms. Lee replied that the neighbor to the west has a 40-foot platted building line and the next neighbor further to the west has a 35-foot platted building line. Councilperson Nelson asked if the neighbors had been notified of this replat request. Mr. Hanes, property owner of 6300 Belinder Avenue, stated that he had discussed this replat request with his neighbors and has signatures of approval. Ms. Lee added there is not a City notice requirement for this request. Councilperson Thorne asked for clarification about the setback for accessory structures. Ms. Lee replied that the original 50-foot setback still applies to primary and accessory structures, but the Planning Commission approved the addition of a separate 40-foot platted setback that only applies to a fence (along the Haneses' side yard that abuts 63<sup>rd</sup> Street).

Councilperson Nelson asked if approving the requested replat would impact the previous decision of the Board of Zoning Appeals (BZA) regarding the property owners' fence. Ms. Krstulic clarified that the BZA approved a 10-foot variance from the existing 50-foot setback in the late fall of last year, which is in keeping with the BZA's practice of authorizing 10-foot variances for fences on corner lots with historically platted setbacks. She added that approving

the replat would not impact the BZA's decision and if the replat were approved, the existing fence would have to be relocated 6.5 feet to the south to meet the new 40-foot setback, which is the same location of the variance granted by the BZA. Ms. Krstulic stated that if the question is whether the Haneses could return to the BZA to request another variance for the additional 6.5 feet, she would argue no because the BZA already considered this matter, but this would be a case of first impression that she would need to research. She added that the first condition the BZA considers in a variance request is whether the variance requested arises from a condition that is unique to the property and not created by the property owner. In considering the Haneses' prior variance request, the BZA did not find anything unique about the property to approve more than the 10-foot variance they typically grant for platted setbacks. She noted the first condition for a variance also requires that the cause for the variance request was not created by the property owner—here, the property owners have submitted this replat with a 40-foot fence setback so they would have a difficult argument to make for an additional variance.

Councilperson Nelson asked about the intent of the requested replat. Mr. Hanes replied that their goal is for the existing fence to remain in its current location. He added that he has lived in Mission Hills his whole life, understands the rules are in place for a reason, and he is seeking a solution to an existing issue that respects the City and its citizens.

Mayor Dickey asked to clarify if the BZA granted a variance for the current location of the fence. Ms. Krstulic replied no, the fence currently encroaches 16.5 feet into the 50-foot building line. The Haneses requested a 16.5-foot variance, but the BZA only authorized 10 feet to be consistent with previous determinations. Mr. Hanes noted this issue originated when the fence contractor aligned their fence with the fence two houses to the west (6301 Norwood Street). He added there is a 35-foot setback at the home two houses west and a 40-foot setback at the home directly west. Councilperson Thorne asked if there is 50-foot setback for the house to the east on the other side of Belinder Court. Mr. Hanes replied yes, but the northeastern house in the intersection has a 36-foot deed restriction and was reoriented to have an Overhill Road address. He opined that this is the only intersection in Mission Hills where the homes are all facing different directions and his fence being aligned in location, height, and style with the fence at 6301 Norwood Street could create consistency.

Councilperson Weed asked if any utilities could be affected by the requested replat. Mr. Hanes replied no. Councilperson Bruning noted that he is very sympathetic to the Haneses' situation, but he cannot support a request to change a 100-year old plat for an iron fence that is ephemeral. He supports the 10-foot variance granted by the BZA in keeping with recent concessions for corner lot fences, but the Design Guidelines are imbued with deference to J.C. Nichols' original design and this plat has been maintained for 100 years. He added that he is not comfortable with setting a new precedent. Mr. Hanes stated he pursued the matter to this extent because there are other non-conforming fences that have been approved outside of the original plat. He opined that he is not the first person to make this request, but the first person to use this approach.

Councilperson Weed noted Mr. Hanes has neighbor signatures of approval and asked how this request would affect the tradition of a 100-year plat. Councilperson Thorne stated the spirit of Mission Hills is maintaining the J.C. Nichols design. Councilperson Bruning referred to the statement in the staff report that there is no evidence that a replat for the purpose of moving a

platted setback has ever been proposed. Mr. Hanes said there is a unique situation across the street where an iron fence was placed 15 feet from 63<sup>rd</sup> Street, which appears to be in violation. He noted the lack of consistency in this neighbor's fence placement negates the established setbacks. Councilperson Bruning asked about the history of the neighbor's fence. Ms. Lee replied that she is not familiar with the history of that fence and its installation occurred before her tenure. Mayor Dickey noted Council decision-making is not based on neighbor agreements because future neighbors might take issue. He added that if the replat were accepted, it would not solve the problem because the existing fence would still encroach 6.5 feet into the setback. He asked Mr. Hanes what he is trying to accomplish with the replat. Mr. Hanes replied that he would return to the BZA for an additional variance. Mayor Dickey stated that the BZA already granted a 10-foot variance, which is consistent with precedent, but a replat for the purpose of seeking an additional 6.5-foot variance would set a new precedent. Mr. Hanes said that it would be a difficult argument to make to the BZA, but he is seeking the opportunity to do so.

Ms. Krstulic stated that by Code, the Council's approval with respect to the replat involves accepting or refusing the dedication of land for public purposes. She noted that the building lines are included in the dedications on the replat, and the statutes that address vacation of public reservations include dedicated building setback lines, along with public easements, streets and other rights of way. She noted in summary that the Planning Commission approves plats, and the Council accepts or refuses public dedications. Councilperson Weed opined that the Haneses have submitted a replat that respects the City's process. Councilperson Bruning clarified that a motion of the Council would be to accept or deny public dedications. Ms. Krstulic replied yes, or the Council can defer action for an additional 30 days to ask for modifications to comply with requirements identified by the Council with respect to public dedications on the replat. Mayor Dickey asked for a motion from the Council. Councilperson Weed asked if the Council is required to act. Councilperson Perry noted that the Planning Commission has approved the replat request and submitted to the Council to either accept or deny the dedications. Councilperson Perry moved to accept the dedications on the replat for 6300 Belinder Avenue as recommended by the Planning Commission. Mayor Dickey asked for a second.

Councilperson Thorne asked if the Haneses' request for an additional variance would be sent to the BZA if the Council accepts the dedications. Ms. Krstulic replied that if the Council accepts, the replat will be signed as required and recorded with the County, and the Haneses would then apply to return to the BZA. She noted that during the course of proceedings on this matter, she attended a meeting at City Hall with Mr. Hanes and his counsel at which she discussed the challenges of returning to the BZA for an additional variance. Ms. Krstulic reiterated the Haneses' original variance request was for 16.5 feet, which is the current location of the fence, but the BZA did not find sufficient reason to approve that request and instead approved a 10-foot variance for consistency with precedent. Mayor Dickey noted there was not a second to Councilperson Perry's motion, so the replat dedications are not accepted. Ms. Krstulic affirmed that if the dedications are not accepted, the existing plat would remain, and this action would be a final decision of the City Council. Councilperson Bruning noted the 10-foot variance granted by the BZA also remains in place. Councilperson Weed asked what action is now required for the existing fence. Ms. Krstulic replied there is an existing compliance order that requires

relocation of the fence within 30 days following a final decision of the City. She added that if Mr. Hanes took action to appeal the final Council decision, that would stay the 30-day compliance order. Councilperson Bruning asked if the Haneses can appeal. Ms. Krstulic replied that any final decision of the City Council is appealable and noted that for purposes of the record, she would recommend a motion to deny, seconded and carried. Councilperson Bruning moved to deny the public dedications on the replat of 6300 Belinder Avenue. Councilperson Nelson seconded. **Approved 3-1-1** (Councilperson Perry voted no; Councilperson Weed abstained).

Councilperson Weed noted he would need more information to decide on this matter. Mayor Dickey asked Councilperson Weed to contact him if he found cause for the request to be added to the next Council agenda. Councilperson Perry noted he defers to the majority of the Council and his dissent to the motion is because the Planning Commission had previously reviewed and approved this replat request and submitted it for Council acceptance. Ms. Krstulic clarified that if the Council wants further review of the replat, the completed motion to deny would need to be withdrawn by motion of Councilperson Bruning, seconded by Councilperson Nelson, and carried. Mr. Hanes asked if there is an opportunity to appeal the decision of the Council. Ms. Krstulic replied that Mr. Hanes would need to consult with an attorney, but she believes the applicable statute requires an appeal to be filed with the District Court within 30 days of the Council's decision. Councilperson Weed thanked Mr. Hanes for respectfully submitting his request to the Council.

## **B. Replat of 6509 Belinder Avenue**

Ms. Lee noted that when the property to the south of 6509 Belinder Avenue was platted, the surveyor determined that there was a strip of property between 6509 Belinder Avenue and 6515 Belinder Avenue that belonged to neither of the owners. She added the 8-foot strip of property was created when the original legal descriptions for each property were measured starting from different locations. Ms. Lee noted the property owners at 6509 Belinder Avenue have acquired this strip of property and are requesting to replat it with their current property. She added the Planning Commission approved the replat request at its June meeting. Councilperson Bruning asked who owned this strip of property. Ms. Lee noted the measuring error was made in the 1800s, so her understanding is that the residents at 6509 Belinder Avenue found the heirs of this property and purchased it from them. Councilperson Bruning moved to accept the replat of 6509 Belinder Avenue. Councilperson Thorne seconded. **Approved 5-0.**

## **FINANCIAL REPORT**

- A. June Financial Report**
- B. 2<sup>nd</sup> Quarter Analysis**
- C. 2<sup>nd</sup> Quarter Reserve Fund Analysis**

Ms. Lee referred to the financial reports and noted the June report included a few notations for clarification. She added the 2<sup>nd</sup> quarter analysis is on a combined spreadsheet with the 2024 Budget request. Ms. Lee noted the 2<sup>nd</sup> quarter reserve fund analysis was also included in the packet for review. She added that sales tax continues to be higher than budgeted and traffic fines



collections are also now higher than anticipated. She noted that staff is proposing the savings from the 70<sup>th</sup> Terrace project bid be programed toward the State Line Road and Mission Drive repaving projects. Councilperson Nelson opined that regardless of these unexpected savings, Mission Drive needs repaving. Ms. Lee agreed and noted Mission Drive from 56<sup>th</sup> Street to the Verona Columns was on the 2023 mill and pave schedule and with the apparent savings resulting from the bid process, Mission Drive from 56<sup>th</sup> Street to Tomahawk Road can be completed in 2023. Mayor Dickey noted support of programing the 70<sup>th</sup> Terrace savings to complete all of Mission Drive in 2023 and added the City would need to coordinate timing with the Prairie Village Mission Road project. Ms. Lee agreed and noted that City staff have started discussions with Prairie Village. She added the State Line Road repaving would have a rolling closure with traffic detouring to Ward Parkway. Councilperson Bruning noted the various road projects in Mission Hills and Prairie Village and asked how traffic patterns will be managed. Ms. Lee replied that the traffic engineers have designed traffic control plans with these projects in mind. She added that if the Council approves Resolution No. 2023-P to mill and pave Mission Drive and State Line Road, staff will schedule a pre-construction meeting with the project contractor to address any issues in advance. Councilperson Weed asked when this project would commence. Ms. Lee replied that the tentative start date would be in late September with October completion. Councilperson Nelson noted that drivers are trying to avoid the metal plates on Mission Drive, which can be a safety issue. Ms. Lee noted the City continues to strongly encourage WaterOne to complete their work. She added that WaterOne is connecting residents to the new main, but the crew making the connections also responds to system breaks, so their work is often interrupted. Ms. Lee noted she corresponded with WaterOne last week and expressed the City's frustration that their work has not been completed. She noted the City cannot complete the Mission Drive project until WaterOne is finished. Mayor Dickey noted another correspondence is in order. Councilperson Nelson agreed and reiterated that the current driving conditions on Mission Drive are a safety issue.

Councilperson Bruning asked if there is a schedule of all the road projects to be completed before the end of the year. Ms. Lee replied yes and that she anticipates the closure of the Tomahawk Road and Mission Road intersection will be complete before the Mission Drive and State Line Road mill and pave projects. She added that Prairie Village's Mission Road project will continue, and the detour will be in effect, but the City's projects will be manageable. Councilperson Bruning asked if the City's mill and pave project would be completed in phases. Ms. Lee replied yes, and any new information from the Prairie Village project would be considered in decision making during the project. She added the mill and pave of 66<sup>th</sup> Street is scheduled for this Thursday and Friday and the stormwater project on Indian Lane between the wooden bridge and Wenonga Road has a completion estimate of 4 to 6 weeks. Ms. Lee added the Mission Drive mill and pave is tentatively scheduled for the third week of September prior to the Diner a Verona. She noted the State Line Road mill and pave would directly follow. Ms. Lee asked if Captain McCullough had additional information on the timeline of the Mission Road project. He replied the project is scheduled for fall completion.

Ms. Lee asked if there were any additional questions related to the 2<sup>nd</sup> quarter reports. Councilperson Weed referred to the 2<sup>nd</sup> quarter analysis and 2024 requested budget report and

noted that the City did not receive supplemental American Rescue Plan Act (ARPA) funding and revenues continue to be ahead of the 2023 budget. He noted at the Council's financial retreat he raised the question whether the Council has the responsibility to measure our financial progress and be responsive. Councilperson Weed noted he asked CFD2 fire chief specific financial questions to inform the budget discussion and gauge if there will be requests for additional funding. Ms. Lee noted the Council discussed the budgetary and policy goals for the 2024 budget at their financial retreat. She added that the 2024 Budget reflects tempered revenues as discussed at the financial retreat, including reduced building permit fee revenues as those fees have slowed this year and no growth in sales tax is projected for 2024 either. Mr. Carroll added that state-wide sales tax collections are down in 2023, so the 2024 budget reflects this data. Ms. Lee noted that the 2024 budget has built-in conservatism, but also anticipates fully expending the budget. She added that the goal is to hold down expenses when possible. Ms. Lee noted during her tenure the policy has been to project revenues conservatively, but realistically, and fully budget for expenditures. Mayor Dickey added if the 2025 budget cycle shows City is once again ahead on revenues, it would be appropriate to discuss a measured reduction of the mill levy. Councilperson Nelson noted the City has been very cautious in adjusting the mill levy and noted there have been projects that tested the City's budget, including the 63<sup>rd</sup> Street bridge project in 2016. Mayor Dickey agreed and added the 2024 budget was impacted by the unexpected increase in the police budget. He stated for the record that if the revenues continue to be ahead in 2024, there could be a review and potential reduction of the mill levy.

## **NEW BUSINESS (CONTINUED)**

### **F. 2024 Budget**

#### **i. Review 2024 Requested Budget**

Mayor Dickey noted at the Council's request City staff met with the PVPD to discuss the increase in the police budget for the 2024 budget. He added that the significant increase from 2023 and 2024 merits further discussion for the Council and resident's understanding. Ms. Lee stated City staff met with the PVPD Chief and three captains who explained in great detail the police department's budgetary formula and referred to the 20-year budget history in the packet. She added the increases the last two years compared to increases in the past 18 years appear to be an anomaly. She added the recruitment, retention and compensation decisions adopted by the Prairie Village Council following their compensation study drove most of the budget increases. Ms. Lee noted the police budget formula accounts for increases in salaries, benefits, and the City's percentage of crime over the past ten years. She noted overall the City funds approximately 20% of the PVPD budget. Mayor Dickey noted that the 10-year average crime rate is also a factor in the City's percentage of the police budget. Captain McCullough agreed that the primary driver of the budget increase was the compensation study findings and noted the additional costs to implement these measures were not included in the City's last two months of 2022 billing. He noted the 2023 Prairie Village budget was adopted with \$500,000 to implement the study results, but the true cost to implement these measures was \$1,200,000. Captain McCullough noted that since the 2023 budget was already adopted, the City's billing amount did not change, and the increased percentage of cost to the City is now reflected in the 2024 budget. He added the market for police officers is extremely competitive, especially in Johnson County.

Ms. Lee stated to clarify that all increases related to personnel are now incorporated into the base budget beginning in 2024. Captain McCullough replied yes and looking ahead to the 2025 budget, there should be a return to the previous 4% increases in personnel costs.

Councilperson Weed asked the number of vacancies on the police roster. Captain McCullough replied that Mission Hills traffic patrol is fully staffed, and the department has 43 officers with 39 currently operational. He added that the department is authorized for 47 officers, so the hiring pipeline is currently open. He added for example when he was hired by PVPD there were 100 candidates for one opening, while now there are 10 candidates for one opening and the market for strong candidates is competitive. Councilperson Nelson asked the starting salary for officers, how that compares to other agencies, and what agencies are comparable. Captain McCullough replied that McGrath completed the compensation study and identified 10 to 15 comparable cities mostly in Johnson County, KS. He added that Kansas City, MO was not included in the comparable agencies. Captain McCullough stated for reference that prior to the compensation study the starting salary for a police officer was \$44,000 and after the study the starting salary is \$56,900. He added the base salary increased significantly, which translates to increases throughout the entire department. Captain McCullough noted that when the increases were adopted in 2022 the base salary was at the top in Johnson County, and now the average range for starting salary is \$54,000. Councilperson Nelson noted this average range increase in the County shows that other agencies are having this same conversation. Captain McCullough agreed and noted the compensation study included all Prairie Village employees, but the police market is so competitive that additional incentives including signing bonuses, pension changes, matching contributions to employees' 457 retirement accounts were implemented. Councilperson Nelson noted there are few opportunities for a pension. Captain McCullough agreed and noted the pension program helps attract candidates to government service when they could earn a higher wage in the private sector. He added pensions are also a retention tool. Councilperson Nelson asked what percentage of the PVPD officers hold a 4-year degree. Captain McCullough replied approximately 60% percent have college degrees, which is a high percentage, and several officers have master's degrees. He added strong candidates typically have some college, a college degree, or military experience.

Councilperson Weed noted that he appreciates that Mission Hills is fully staffed and asked if that leaves Prairie Village understaffed. Captain McCullough replied that if all positions were operational there would be 47 officers assigned throughout all units, such as patrol, investigations, and traffic. He added that four of the current 43 officers are in training at the police academy and will become operational. He added that special assignments have fewer officers due to being understaffed. Councilperson Weed asked for clarification on the division of labor and costs, and asked if Mission Hills is bearing a cost burden since the City is fully staffed and Prairie Village is not. Captain McCullough replied that the Mission Hills traffic patrol is fully staffed, but the City also contributes a cost percentage to the detectives, crime prevention and DARE officers' budgets, so until those positions are filled both Mission Hills and Prairie Village share this burden. He added for example Mission Hills uses these special unit services when a burglary occurs, and a detective is assigned to work on the case. Councilperson Bruning thanked Captain McCullough for the budget increase explanation and data showing this was the

third highest percentage of budget over 20 years. He added it was fair for the City not to be billed for the last two months in 2022 because the 2023 budget was already adopted and this discussion alleviates his concerns for the 2024 budget.

**ii. Set Public Hearing to Exceed the Revenue Neutral Rate**

Councilperson Nelson moved to notice a public hearing to Exceed the Revenue Neutral Rate on September 11, 2023 at 5:30 pm. Councilperson Thorne seconded. **Approved 5-0.**

**iii. Set Public Hearing for 2024 Budget**

Councilperson Bruning moved to notice a public hearing for the 2024 Budget on September 11, 2023 directly following the Revenue Neutral Rate public hearing. Councilperson Thorne seconded. **Approved 5-0.**

**OLD BUSINESS**

**A. Repeat Nuisance Properties**

Mr. Carroll referred to the packet and noted that this property was also included in last month's repeat nuisance report. He added that the property owner communicated with City staff and is receptive to addressing outstanding issues through the building permit process. Councilperson Thorne asked if the residents live in the home. Mr. Carroll replied it appears that the home is occupied. Mayor Dickey noted that the repeat nuisance properties report provides the appropriate discussion forum and provides staff with the tools to address these issues.

**NEW BUSINESS (CONTINUED)**

**C. Resolution No. 2023 – O: Contact with Gartman Remodeling for Renovation of Basement Bathrooms at City Hall**

Councilperson Nelson moved to approve Resolution No. 2023-O for a contract with Gartman Remodeling for renovation of the basement bathrooms at City Hall. Councilperson Bruning seconded. **Approved 5-0.**

**D. Resolution No. 2023 – P: Contract with McAnany Construction for Mill/Pave of Mission Drive and State Line Road**

Councilperson Nelson moved to approve Resolution No. 2023-P for a contract with McAnany Construction for the mill and pave of Mission Drive and State Line Road. Councilperson Bruning seconded. Councilperson Thorne asked if McAnany Construction is highly recommended. Ms. Lee replied that the City has not directly hired McAnany Construction in the past, but the previously discussed good experience that Councilperson Bruning had with a utility contractor was McAnany Construction. Additionally, McAnany Construction has contracted with WaterOne for restoration, so the City has inspected their work in the past. Councilperson Bruning noted that McAnany Construction was very responsive, and he suggested inviting them

to bid on projects. Councilperson Nelson asked if McAnany Construction or a subcontractor would complete the work. Ms. Lee replied McAnany Construction would complete the work and would subcontract for traffic control. Councilperson Weed noted the Mission Drive and State Line Road projects were combined and asked the cost savings for bidding these projects together. Ms. Lee replied that the City had budgeted \$1.2 million to complete both projects individually and with a combined bid the project contract is for \$871,000. Councilperson Weed congratulated staff on these savings. Ms. Lee noted the funding sources also include Kansas City, MO for their half of State Line Road and Mission Woods, KS for their portion at Shawnee Mission Parkway. Councilperson Bruning noted that this project does not change the standing maintenance agreement between the City and Kansas City, MO. Ms. Lee replied no, the City will continue snow and ice control and Kansas City, MO will continue to repair potholes and maintain the traffic signals.

**Approved 5-0.**

**D. Resolution No. 2023 – Q: Interlocal Agreement with Kansas City, MO for Mill/Pave of State Line Road**

Councilperson Bruning moved to approve Resolution No. 2023-Q for an interlocal agreement with Kansas City, MO for the mill and pave of State Line Road. Councilperson Nelson seconded. **Approved 5-0.**

**E. Resolution No. 2023 – R: Contract with Lamp Rynearson for Construction Administrator and Construction Observation of Mission Drive/State Line Road Project**

Councilperson Nelson moved to approve Resolution No. 2023-R for a contract with Lamp Rynearson for Construction Administration and Construction Observation of Mission Drive/State Line Road Project. Councilperson Thorne seconded. **Approved 5-0.**

**G. Traffic Calming Methods**

Ms. Lee noted there are images of the traffic calming methods referred to at the June Council meeting in the packet for reference. Mayor Dickey suggested the City could consider implementing this traffic calming method incrementally or in concurrence with street projects. He referred to the methods on 67<sup>th</sup> Street between Nall Avenue and Hodges Drive and 87<sup>th</sup> Street east of Nall Avenue that narrow the roadway. He noted the City learned from the Tomahawk Road project that narrowing the roadway reduces drivers' speeds and suggested this calming method could be in keeping with the City's design philosophy. Mayor Dickey opined that residents would be appreciative of reduced speeds on streets that have high speed traffic. Councilperson Nelson noted she visited 67<sup>th</sup> Street and noticed several cars traveled down the center of the road to avoid the curb, so oncoming traffic will need to be careful. Councilperson Weed noted this road constriction method would cause traffic to slow down. Councilperson Nelson suggested that additional road striping would be needed to inform pedestrians if the method at 67<sup>th</sup> Street were replicated in the City. Councilperson Thorne noted safety is the

Council's first concern and added she has noticed this calming method over the past few years. Councilperson Thorne opined this method could be a great idea if modified for the aesthetics of the community. She added this method appears to be adjacent to a sidewalk in Prairie Village, so there could be a need for additional safety consideration for walkers in the City if there is not an adjacent sidewalk. Councilperson Nelson agreed. Councilperson Bruning noted street parking could be a consideration when implementing calming methods. Councilperson Nelson agreed and added landscapers with large trucks and trailers could be challenging to navigate around due to their size if parked on the street. Mayor Dickey requested staff engage with Overland Park and Prairie Village on lessons learned with these calming methods. Councilperson Bruning noted that Belinder Avenue could be an option for this calming method and asked if there were additional opportunities. Ms. Lee noted the City has received feedback about speeding on 69<sup>th</sup> Street between Tomahawk Road and Belinder Avenue. Mayor Dickey added there could also be an opportunity for this method on 67<sup>th</sup> Street.

## **REPORTS OF CITY STAFF**

### **A. City Clerk**

Ms. Woolbright noted the July BZA meeting has been cancelled and there is a BZA meeting scheduled for both August 15<sup>th</sup> and August 30<sup>th</sup>. Councilperson Nelson noted the August 15<sup>th</sup> meeting is scheduled to start at 12:30 pm.

### **B. City Administrator**

Councilperson Weed noted the update on the 65<sup>th</sup> Street undergrounding project and if that project would commence in 2023. Ms. Lee replied that the project engineer indicated a 2023 start date was possible with the completion of a final engineering review and the Council adopting approving an agreement with Evergy. She added this could be an appropriate winter project.

### **C. Assistant City Administrator**

Mr. Carroll added that the City will be engaging another playground vendor. Councilperson Nelson asked for more information on vendor issues. Mr. Carroll replied the first vendor's price was off base and so far, the vendors do not have availability because of school projects. Councilperson Bruning asked if the playground should be closed in the intervening time. Mr. Carroll replied no, the structure needs replacement but there are no safety issues at this time.

### **D. City Planner**

There were no questions or comments on the City Planner report.

## **MAYOR'S COMMENTS**

### **A. Liaison Reports**

Councilperson Perry reported the Crime Prevention and Safety Committee had not met.

Councilperson Weed reported the Planning Commission met and elected a chair. He noted the Planning Commission previously discussed the replats submitted to the Council. He added that the Planning Commission continues to discuss massing and wings.

Councilperson Thorne reported the ARB met and would meet tomorrow.

Councilperson Nelson reported the Board of Zoning Appeals (BZA) met and Councilperson Thorne attended on her behalf.

Councilperson Bruning reported the Park Board is recessed until September. Councilperson Weed noted that the duck weed has been mitigated and is not on Eisenhower Pond this summer.

Mayor Dickey noted the topics in his letter to the residents in the next newsletter are the 2024 budget process, updates on the Prairie Village Mission Road project, and the City's Mission Drive and State Line Road mill and pave projects. He added the newsletter would also include Community Engagement events information.

### **ADJOURNMENT**

The meeting was adjourned at 7:14 p.m.

/s/ Meghan Woolbright