

AGENDA
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall, 4600 W 51st Street
July 10, 2023 6:00 PM

- Michael Poppa, Mayor
- Trisha Brauer, Council Member
- Benjamin Dickens, Council Member
- Jan Faidley, Council Member
- Jennifer Hill, Council Member

- Miel Castagna-Herrera, Council Member
- Tom Madigan, Council Member
- Kate Raglow, Council Member
- Michael Rebne, Council Member

- Keith Moody, City Administrator
- Micah Rehmert, Asst. Admin.
- Kelley Nielsen, City Clerk
- John Morris, Police Chief
- Donnie Scharff, Public Works Director

Admin

Dickens

Rebne

Finance

Hill

Castagna-Herrera

Safety

Madigan

Brauer

Public Works

Faidley

Raglow

Pledge of Allegiance

A. Instructions on Logging into Meeting Remotely

Roll Call

Modification of Agenda

I. Public Comments

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. Comments about items that appear on the agenda will be taken as each item is considered. Citizens Are Requested To Keep Their Comments Under 5 Minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be accommodated within the time available. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.

II. Consent Agenda

Consent agenda items have been studied by the Governing Body and will be acted on in a single motion. If a Council member requests a separate discussion on an item, it can be removed from the consent agenda and placed on new business for further consideration.

A. Appropriations Ordinance #1023

B. City Council Meeting Minutes June 20, 2023

III. Business From the Floor

A. Applications / Presentations

IV. Mayor's Report

V. Workshop and Committee Reports

VI. Reports of City Liaisons

A. Arts Committee

VII. Unfinished Business

VIII. New Business

- A. Consent to Publish Notice of Public Hearing on the Intent to Exceed Revenue Neutral Rate, on the Adoption of the 2024 Budget and to Amend 2023 Budget (5 min)
- B. Approve Work Directives (Change Order) for Community Center - (10 min)
- C. Approve Engineering Task Order for Nall from 51st to 58th Street Improvement (5 min)
- D. Approve Interlocal Agreement with Westwood for Mission Road Project (5 min)
- E. Approve Survey and Preliminary Design Task Order for 2025 CARS Mission Road Project (5 Mins)

IX. Ordinances and Resolutions:

- A. Ordinance 1046 - Adopting Current LKM Code of Procedures (5 min)
- B. Resolution 704 Approving Grading Bond from EPC for the Rocks Site (5 min)

X. Workshop Items:

XI. Reports of City Officials:

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

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

- A. **Audience Decorum.** Members of the audience shall not engage in disorderly or boisterous conduct, including but not limited to; the utterance

of loud, obnoxious, threatening, or abusive language; clapping; cheering; whistling; stomping; or any other acts that disrupt, impede, or otherwise render the orderly conduct of the City Council meeting unfeasible. Any member(s) of the audience engaging in such conduct shall, at the discretion of the Mayor (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or removal from that meeting. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.

- B. **Public Comment Request to Speak Form.** The request form's purpose is to have a record for the City Clerk. Members of the public may address the City Council during Public Comments and/or before consideration of any agenda item; however, no person shall address the Council without first being recognized by the Mayor (Chair). Any person wishing to speak, whether during Public Comments or on an agenda item, shall first complete a Public Comment or Request to Speak form and submit this form to the City Clerk before the Mayor (Chair) calls for Public Comments or calls the particular agenda item
1. **Public Comment on Non-Agenda Items.** The Agenda shall provide for public comment about matters that are within the jurisdiction of the City but are not specifically listed on the Agenda. A member of the public who wishes to speak under Public Comments must fill out a Public Comment Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls for Public Comments.
 2. **Public Comment on Agenda Items.** Public comment will be accepted on Agenda items. A member of the public, who wishes to speak on an Agenda item, including items on the Consent Agenda, must fill out a Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls the Agenda item.
- C. **Purpose.** The purpose of addressing the City Council is to communicate formally with the Council regarding matters that relate to Council business or citizen concerns within the subject matter jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the Council.
- D. **Speaker Decorum.** Each person addressing the City Council, shall do so in an orderly, respectful, dignified manner and shall not engage in conduct or language that disturbs, or otherwise impedes the orderly conduct of the Council meeting. Any person, who so disrupts the meeting shall, at the discretion of the Mayor (Chair) or a majority of the Council Members present, be subject to removal from that meeting.

- E. **Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the City Council, each speaker shall limit comments to five minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be accommodated within the time available.
- F. **Speak Only Once.** Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law. No speaker will be allowed to yield part or all of his/her time to another, and no speaker will be credited with time requested but not used by another.
- G. **Addressing the Council.** Comment and testimony are to be directed to the Mayor (Chair). Dialogue between and inquiries from citizens at the lectern and individual Council Members, members of staff, or the seated audience is not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor (Chair). Always speak from the microphone to ensure that all remarks are accurately and properly recorded. Only one speaker should be at the microphone at a time. Speakers are requested to state their full name, address and group affiliation, if any, before delivering any remarks.
- H. Agendas and minutes can be accessed at www.roelandpark.org or by contacting the City Clerk

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

Item Number: Pledge of Allegiance- -A.
Committee 7/10/2023
Meeting Date:



City of Roeland Park

Action Item Summary

Date:

Submitted By:

Committee/Department:

Title: **Instructions on Logging into Meeting Remotely**

Item Type:

Recommendation:

See instructions to log in below.

Details:

The City Council Meeting will be held remotely. Below are instructions for joining the meeting by phone, online or both.

Kelley Nielsen is inviting you to a scheduled Zoom meeting.

Topic: City Council and Governing Body Workshop Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

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

Meeting ID: 977 6759 2270

Passcode: council

One tap mobile

+16699006833,,97767592270# US (San Jose)

+12532158782,,97767592270# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 977 6759 2270

Find your local number: <https://zoom.us/j/97767592270>

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	6/30/2023 - 12:42 PM

Goals/Objectives & Terms

Item Number: Consent Agenda- II.-A.
Committee 7/10/2023
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Appropriations Ordinance #1023**
Item Type:

Recommendation:

Details:

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	7/6/2023 - 4:47 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Appropriations Ordinance #1023	Cover Memo

Appropriation Ordinance - 7/10/2023 - #1023

4600 West Fifty-First Street

Roeland Park, Kansas 66205

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

Friday, July 7, 2023

Appropriation Ordinance - 7/10/2023 - #1023

An Ordinance making Appropriation for the payment of certain claims. Be it ordained by the Governing Body of the City of Roeland Park, Kansas:

Section 1: That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the City Treasury the sum required for each claim.

Section 2: This Ordinance shall take effect and be in force from and after its passage. Passed and approved this July 10, 2023.

Attest:

City Clerk

Mayor

Total Appropriation Ordinance

\$

335,838.34

Appropriation Ordinance - 7/10/2023 - #1023

						Check / EFT		
Vendor	Dept	Acct #	Description	Invoice Description	Date	Amount	Chk #	Check Amount
						Distribution	Check	
Vendor	Dept	Account	Account Description	Reference	Date	Amount	Check #	Amount
ADP, Inc.	101	5214.101	Other Contracted Services	636312361	07/06/23	261.48	75167	261.48
All City Management Services, Inc.	102	5214.102	Other Contracted Services	86219	07/06/23	97.64	75168	97.64
All Copy Products Inc.	102	5214.102	Other Contracted Services	AR3970383	06/28/23	113.57	75147	210.98
All Copy Products Inc.	105	5214.105	Other Contracted Services	AR3970383	06/28/23	97.41		
All Nations Flag Co., Inc.	106	5306.106	Materials	209308	07/06/23	91.00	75169	91.00
American Fidelity Assurance	101	2052.101	Supplemental Insurance Payable	D605138	06/28/23	628.42	75148	628.42
American Rigger's Supply, Inc.	106	5306.106	Materials	4684041	07/06/23	81.00	75170	81.00
Aqua Products K.C.	220	5311.220	Pool Equipment	29895	07/06/23	36.00	75171	36.00
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	107798	07/06/23	3,868.01	75172	3,868.01
Aspen Lawn Care Inc.	300	5470.300	Park Maintenance	2586	07/06/23	180.00	75173	180.00
AT&T	101	5202.101	Telephone	3241 6/21/23	07/06/23	391.87	75174	391.87
Augustine Exterminators, Inc.	290	5214.290	Other Contracted Services	2399449	07/06/23	84.98	75175	84.98
Black & McDonald	101	5220.101	Street Light Repair & Maintenance	761500551	07/06/23	2,135.66	75176	3,444.66
Black & McDonald	101	5222.101	Traffic Signal Expense	761500551	07/06/23	1,309.00		
Bledsoe's Rental Inc.	106	5263.106	Tree Maintenance	182607	07/06/23	186.45	75177	186.45
The Bullet Hole	102	5206.102	Travel Expense & Training	205042	07/06/23	35.00	75178	35.00
City of Overland Park	102	5214.102	Other Contracted Services	152202301	06/28/23	2,234.05	75149	2,234.05
Constellation Newenergy- Gas Div	290	5289.290	Natural Gas	3774254	06/28/23	19.42	75150	19.42
Corporate Health - Medical Pavilio	220	5207.220	Medical Expense & Drug Testing	32182600	07/06/23	650.00	75179	650.00
Custom Rods Interiors, LLC	102	5260.102	Vehicle Maintenance	600836	07/06/23	85.00	75180	85.00
Michael C. Duma, Attorney at Law	101	4725.101	Police Reports	7/6/23 Ck Req	07/06/23	125.00	75181	125.00
E. Edwards, Inc.	220	5326.220	Chemicals	IN116617	07/06/23	1,887.00	75182	1,887.00
Ben Egidy	102	5206.102	Travel Expense & Training	6/11-14/23 Hotel	06/28/23	351.03	75151	351.03
ETC Institute	101	5214.101	Other Contracted Services	31223	07/06/23	749.55	75183	749.55
Evergy Energy Solutions, Inc.	101	5214.101	Other Contracted Services	MS007715	07/06/23	996.80	75184	2,076.67
Evergy Energy Solutions, Inc.	220	5214.220	Other Contracted Services	MS007715	07/06/23	456.87		
Evergy Energy Solutions, Inc.	290	5214.290	Other Contracted Services	MS007715	07/06/23	623.00		
Galls, LLC	102	5308.102	Clothing & Uniforms	24718706	07/06/23	446.98	75185	639.48
Galls, LLC	102	5308.102	Clothing & Uniforms	24734241	07/06/23	192.50		
Green For Life Environmental	115	5235.115	Disposal Fees	AS0001149277	07/06/23	185.00	75186	1,826.25
Green For Life Environmental	115	5235.115	Disposal Fees	AS0001158435	07/06/23	1,641.25		
Frank Gilman	103	5214.103	Other Contracted Services	Recurring Check	07/01/23	1,190.00	75157	1,190.00
Goodyear Auto Service	102	5260.102	Vehicle Maintenance	36301	07/06/23	188.99	75187	188.99
Harding Heating & Air Conditionin	101	4265.101	Business Occupational Licenses	7/6/23 Reim	07/06/23	40.00	75188	40.00
Hometown Lawn, LLC	106	5214.106	Other Contracted Services	621	07/06/23	2,035.00	75189	9,280.00
Hometown Lawn, LLC	106	5214.106	Other Contracted Services	962	07/06/23	2,035.00		
Hometown Lawn, LLC	106	5214.106	Other Contracted Services	1046	07/06/23	2,225.00		
Hometown Lawn, LLC	106	5214.106	Other Contracted Services	1123	07/06/23	2,035.00		

Hometown Lawn, LLC	360	5442.360	Building Improvement	2493	07/06/23	950.00		
Anna Jacobson	360	5209.360	Professional Services	1	07/06/23	3,050.00	75190	3,050.00
Joe Smith Company	220	5325.220	Concessions Food and Supplies	327109	07/06/23	175.36	75191	333.04
Joe Smith Company	220	5325.220	Concessions Food and Supplies	328797	07/06/23	157.68		
KS Assn. for Court Management	103	5206.103	Travel Expense & Training	2023 Conf	07/06/23	125.00	75192	125.00
Kansas City Board of Public Utilities	101	5222.101	Traffic Signal Expense	2834 6/26/23	07/06/23	35.20	75193	35.20
Key Equipment & Supply	106	5211.106	Maintenance & Repair Equipment	KC208792	07/06/23	3,210.47	75194	3,210.47
Kansas Gas Service	101	5287.101	Water	6/12/23 X2	06/28/23	261.73	75152	588.97
Kansas Gas Service	106	5287.106	Water	6/12/23 X2	06/28/23	106.68		
Kansas Gas Service	106	5289.106	Natural Gas	7027 6/29/23	06/28/23	220.56		
Kiesler's Police Supply, Inc.	102	5309.102	Ammunition	IN216895	07/06/23	1,955.76	75195	1,955.76
Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services	32300101000005	07/06/23	3,140.40	75196	28,119.42
Lamp, Rynearson & Assoc., Inc.	300	5421.300	Street Maintenance	322001090000003	07/06/23	1,021.94		
Lamp, Rynearson & Assoc., Inc.	270	5430.270	Residential Street Reconstruction	322001040000012	07/06/23	13,956.48		
Lamp, Rynearson & Assoc., Inc.	360	5442.360	Building Improvement	323012010000005	07/06/23	7,514.10		
Lamp, Rynearson & Assoc., Inc.	270	5466.270	2023 CARS - 48th from Roe Lane to	322001050000008	07/06/23	806.50		
Lamp, Rynearson & Assoc., Inc.	300	5472.300		322001100000002	07/06/23	1,680.00		
League of Kansas Municipalities	101	5203.101	Printing & Advertising	6941	07/06/23	200.00	75197	200.00
The Legal Record	101	5204.101	Legal Printing	L13143	07/06/23	53.29	75198	53.29
Lynda Leonard	101	5230.101	Art Commissioner	Recurring Check	07/01/23	200.00	75158	200.00
Lexington Plumbing & Heating Co.	300	5470.300	Park Maintenance	139765	07/06/23	197.50	75199	1,346.00
Lexington Plumbing & Heating Co.	300	5470.300	Park Maintenance	139837	07/06/23	846.00		
Lexington Plumbing & Heating Co.	300	5470.300	Park Maintenance	143284	07/06/23	302.50		
MARC	108	5206.108	Travel Expense & Training	926	07/06/23	79.00	75200	79.00
Mauer Law Firm PC	101	4530.101	Reimbursed Expense	6/20/23	07/06/23	2,037.00	75201	10,857.00
Mauer Law Firm PC	101	5215.101	City Attorney	6/20/23	07/06/23	7,413.00		
Mauer Law Firm PC	101	5215.101	City Attorney	6/20/23	07/06/23	1,386.00		
Mauer Law Firm PC	101	5215.101	City Attorney	6/20/23	07/06/23	21.00		
Venessa Maxwell-Lopez	103	5209.103	Professional Services	6/16/23	07/06/23	150.00	75202	150.00
MEI Total Elevator Solutions	101	5210.101	Maintenance & Repair Building	1024102	07/06/23	675.00	75203	675.00
Midwest Public Risk	107	5126.107	Health/Dental/Vision Insurance	6/2023 Final	06/28/23	34,734.00	75153	73,304.00
Midwest Public Risk	107	5126.107	Health/Dental/Vision Insurance	7/2023 Final	06/28/23	38,570.00		
Mission Electronics, Inc.	101	5210.101	Maintenance & Repair Building	51652IN	07/06/23	1,800.87	75204	2,150.87
Mission Electronics, Inc.	101	5210.101	Maintenance & Repair Building	51699IN	07/06/23	350.00		
Missouri Municipal League	101	5203.101	Printing & Advertising	2023 MML	07/06/23	90.00	75205	90.00
Moss Printing	110	5262.110	Grounds Maintenance	16896	07/06/23	79.00	75206	79.00
Tim Oberle	115	5271.115	Compost Bin Rebate Program	WH 6/29/23	07/06/23	70.91	75207	70.91
Office of the Chief Financial Officer	101	5213.101	Audit Fees	6/23/23 Ck Req	07/06/23	175.00	75208	175.00
Optimum Forensic Solutions	102	5206.102	Travel Expense & Training	202309CSI	07/06/23	695.00	75209	695.00
Adam Peer	103	5209.103	Professional Services	6/28/23	07/06/23	150.00	75210	150.00
Principal Life Insurance Co.	107	5130.107	City Paid Life/ST Disability	10001 6/16/23	06/28/23	852.82	75154	852.82
Priority Roofing and Construction	550	5214.550	Other Contracted Services	6/6/23	07/06/23	5,800.00	75211	5,800.00
T2 Holdings, LLC	102	5214.102	Other Contracted Services	1190288	07/06/23	26.77	75212	53.54
T2 Holdings, LLC	105	5214.105	Other Contracted Services	1190288	07/06/23	26.77		

Purchase Power	101	5205.101	Postage & Mailing Permits	7903 6/20/23	06/28/23	425.91	75155	425.91
Pur-O-Zone, Inc.	220	5304.220	Janitorial Supplies	875555	07/06/23	58.72	75213	419.77
Pur-O-Zone, Inc.	220	5304.220	Janitorial Supplies	876428	07/06/23	361.05		
Wex Bank	106	5302.106	Motor Fuels & Lubricants	89863613	06/16/23	1,075.65	32847	1,075.65
Rejis Commission	102	5214.102	Other Contracted Services	509856	07/06/23	71.25	75214	310.13
Rejis Commission	102	5214.102	Other Contracted Services	510241	07/06/23	238.88		
Ripple Glass, LLC	115	5272.115	Solid Waste Contract	5900	07/06/23	7,187.50	75215	7,407.50
Ripple Glass, LLC	115	5272.115	Solid Waste Contract	7190	07/06/23	220.00		
SFS Architecture	360	5442.360	Building Improvement	15405	07/06/23	6,922.05	75216	6,922.05
Shawnee Mission Ford, Inc.	360	5315.360	Machinery & Auto Equipment	29980	07/06/23	46,215.00	75217	46,215.00
Strasser True Value	106	5306.106	Materials	433826	07/06/23	14.20	75218	14.20
Sysco Kansas City, Inc.	220	5325.220	Concessions Food and Supplies	557549680	07/06/23	599.19	75219	1,094.49
Sysco Kansas City, Inc.	220	5325.220	Concessions Food and Supplies	557563796	07/06/23	495.30		
Terminix Processing Center	106	5214.106	Other Contracted Services	434618157	07/06/23	80.00	75220	80.00
Terracon Consultants, Inc.	360	5442.360	Building Improvement	TJ42178	07/06/23	4,000.00	75221	4,000.00
Titan Environmental Services, Inc.	360	5442.360	Building Improvement	23308AB01	07/06/23	43,234.02	75222	43,234.02
Karen Torline	103	5214.103	Other Contracted Services	Recurring Check	07/01/23	1,445.00	75159	1,445.00
Town & Country Building Services	101	5214.101	Other Contracted Services	156757	07/06/23	745.00	75223	745.00
Universal Construction Co.	360	5442.360	Building Improvement	6/30/23	07/06/23	20,110.79	75224	20,110.79
Validity Screening Solutions	106	5207.106	Medical Expense & Drug Testing	233191	07/06/23	76.00	75225	76.00
Verizon Wireless	102	5202.102	Telephone	9937984049	07/06/23	723.48	75226	843.51
Verizon Wireless	104	5202.104	Telephone	9937984049	07/06/23	80.02		
Verizon Wireless	106	5202.106	Telephone	9937984050	07/06/23	40.01		
Capital One	109	5316.109	K9 Expenses	7511 7/14/23	06/28/23	111.61	75156	111.61
Watchmen Security Services, LLC	106	5210.106	Maintenance & Repair Building	79817	07/06/23	29.16	75227	29.16
Water District No 1 of Johnson Co	101	5287.101	Water	6/26/23 Multi	07/06/23	64.80	75228	3,082.65
Water District No 1 of Johnson Co	106	5287.106	Water	6/26/23 Multi	07/06/23	412.30		
Water District No 1 of Johnson Co	220	5287.220	Water	6/26/23 Multi	07/06/23	2,605.55		
Evergy	101	5201.101	Electric	6/20/23 EFT	06/20/23	802.14	EFT	802.14
Evergy	101	5201.101	Electric	6/27/23 Multi	06/27/23	1,030.82	EFT	1,030.82
Evergy	106	5201.106	Electric	6/27/23 Multi	06/27/23	444.02	EFT	444.02
Evergy	220	5201.220	Electric	6/27/23 Multi	06/27/23	1,889.65	EFT	1,889.65
Evergy	290	5201.290	Electric	6/27/23 Multi	06/27/23	443.71	EFT	443.71
Evergy	101	5222.101	Traffic Signal Expense	6/27/23 Multi	06/27/23	106.67	EFT	106.67
Evergy	101	5222.101	Traffic Signal Expense	7/5/23 EFT	07/05/23	5,495.40	EFT	5,495.40
Evergy	106	5290.106	Street Light Electric	7/5/23 EFT	07/05/23	1,648.82	EFT	1,648.82
Kansas City Board of Public Utilities	106	5201.106	Electric	6657 5/24/23	06/20/23	182.27	EFT	182.27
Kansas City Board of Public Utilities	106	5201.106	Electric	6657 5/24/23	06/20/23	45.53	EFT	45.53
Kansas City Board of Public Utilities	101	5222.101	Traffic Signal Expense	6657 5/24/23	06/20/23	(82.53)	EFT	(82.53)
Kansas City Board of Public Utilities	106	5287.106	Water	6657 5/24/23	06/20/23	200.37	EFT	200.37
Kansas City Board of Public Utilities	106	5288.106	Waste Water	6657 5/24/23	06/20/23	14.70	EFT	14.70
KPERS	101	2040.101	KPERS Accrued Employee	6/22/23 PR	06/30/23	2,372.67	EFT	2,372.67
KPERS	101	2040.101	KPERS Accrued Employee	6/22/23 PR	06/30/23	3,606.31	EFT	3,606.31
KP&F	101	2045.101	KP&F Employee Withholding Payab	6/22/23 PR	06/30/23	2,294.83	EFT	2,294.83

KP&F	101	2045.101	KP&F Employee Withholding Payab 6/22/23 PR		06/30/23	7,337.10	EFT	7,337.10
Miller Management Systems, LLC	101	5214.101	Other Contracted Services	Recurring EFT	06/20/23	2,363.00	EFT	2,363.00
Wex Bank	102	5302.102	Motor Fuels & Lubricants	6429 7/5/23	07/05/23	<u>2,661.20</u>	EFT	<u>2,661.20</u>
						<hr/>		
						\$	335,838.34	

Item Number: Consent Agenda- II.-B.
Committee 7/10/2023
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **City Council Meeting Minutes June 20, 2023**
Item Type:

Recommendation:

Details:

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
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- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	7/5/2023 - 1:39 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ City Council Meeting Minutes June 20, 2023	Cover Memo

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, June 20, 2023, 6:00 P.M.

- | | | |
|---|--|---|
| <ul style="list-style-type: none">○ Michael Poppa, Mayor○ Trisha Brauer, Council Member○ Benjamin Dickens, Council Member○ Jan Faidley, Council Member○ Jennifer Hill, Council Member | <ul style="list-style-type: none">○ Tom Madigan, Council Member○ Castagna-Herrera, Council Member○ Michael Rebne, Council Member○ Kate Raglow, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Open, Asst. City Administrator○ Kelley Nielsen, City Clerk○ John Morris, Police Chief○ Donnie Scharff, Public Works Director |
|---|--|---|

Admin
Dickens
Rebne

Finance
Hill
Castagna-Herrera

Safety
Madigan
Brauer

Public Works
Faidley
Raglow

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

Pledge of Allegiance

Mayor Poppa called the City Council meeting to order and led everyone in the Pledge of Allegiance.

Roll Call

City Clerk Nielsen called the roll. CMBR Dickens and Brauer were absent; all other Governing Body members were present. Staff members present were City Attorney Mauer, Public Works Director Scharff, Police Chief Morris, and City Clerk Nielsen.

Executive Session

MOTION: CMBR HILL MADE A MOTION TO MOVE THE GOVERNING BODY RECESS INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS PURSUANT TO THE NON-ELECTED PERSONNEL MATTER EXCEPTION, K.S.A. 75-4319(B)(1). THE OPEN MEETING TO RESUME IN THE COUNCIL CHAMBER AT 6:05PM SECONDED BY CMBR MADIGAN. (MOTION CARRIED 6-0)

Modification of Agenda

CMBR MADIGAN MADE A MOTION TO REMOVE ITEM C UNDER NEW BUSINESS AND ITEM A UNDER ORDINANCES AND RESOLUTIONS SECONDED BY CMBR RAGLOW. (MOTION FAILED 3-4 WITH CMBR FAIDLEY, HILL, REBNE AND MAYOR POPPA VOTING NO)

I. PUBLIC COMMENTS

George Reichman (5215 Clark Drive) Mr. Reichman spoke regarding the Tree Preservation Ordinance.

Karen Grotewohl (5049 Parish Drive) Ms. Grotewohl spoke regarding the Tree Preservation Ordinance.

Cathy Creed (5007 Howe Drive) Ms. Creed spoke regarding the Tree Preservation Ordinance.

Megan Reavis (5628 Birch Street) spoke regarding the Tree Preservation Ordinance.

Judy Hyde (5113 W 58th Street) wrote via Zoom chat regarding the Tree Preservation Ordinance. Audio issues precluded virtual engagement during Public Comment. Ms. Hyde's chat comments were read aloud by Mayor Poppa for the community members attending in-person.

II. Consent Agenda

- A. Appropriations Ordinance #1022**
- B. Council Meeting Minutes June 5, 2023**

MOTION: CMBR MADIGAN MOVED AND CMBR CASTAGNA-HERRERA SECONDED TO APPROVE THE CONSENT AGENDA ITEMS AS PRESENTED. (MOTION CARRIED 6-0.)

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

There was no Business from the Floor.

IV. Mayor's Report

No reports were given.

V. Reports of City Liaisons and Committees

No reports were given.

VI. Unfinished Business

There was no Unfinished Business to discuss.

VII. New Business

- A. Approve Adding Workplace Gender Transition Policy to Employee Handbook**

Mayor Poppa stated the policy aims at further protecting transgender community members from the anti-transgender bills passed by the Kansas Legislature which become law on July 1. He provided an overview of one piece of legislation, Senate Bill 180 (SB 180). Mayor Poppa stated the City wishes to reaffirm their commitment to equity and take concrete steps, internally, to protect transgender members of the community. He reviewed the Workplace Gender Transition Policy and noted that it is simply an internal resource providing direction to City staff and clarifying questions that may arise when an employee is transitioning.

Mr. Mauer provided a legal opinion on SB 180 and stated while it recognizes separate accommodations based on sex the bill does not direct individuals on which accommodations to use or prohibit individuals from utilizing accommodations that align with their gender identity. Notably, the measure also does not provide a private right of action, create a crime, or impose penalties for noncompliance.

Mayor Poppa reassured that the City's nondiscrimination ordinance will still be in full force and effect after July 1. Additionally, he stated that the Kansas Human Rights Commission includes sexual orientation and gender identity in their definition of "sex" as it relates to discrimination in employment, housing, and public accommodations.

MOTION: CMBR HILL MOVED AND CMBR RAGLOW SECONDED TO APPROVE ADDING WORKPLACE GENDER TRANSITION POLICY TO EMPLOYEE HANDBOOK. (MOTION CARRIED 6-0)

B. Appoint Aiden Ellis to the Sustainability Committee

MOTION: CMBR HILL MOVED AND CMBR MADIGAN SECONDED TO APPOINT AIDEN ELLIS TO THE SUSTAINABILITY COMMITTEE. (MOTION CARRIED 6-0)

C. Entertain a Motion to Take from the Table the Tree Preservation Policy Ordinance

MOTION: CMBR REBNE MOVED AND CMBR FAIDLEY SECONDED TO TAKE FROM THE TABLE THE TREE PRESERVATION POLICY ORDINANCE. (MOTION CARRIED 4-3 WITH CMBR MADIGAN, RAGLOW AND CASTAGNA-HERRERA VOTING NO)

VIII. Ordinances and Resolutions

A. Ordinance 1046 Establishing a Tree Preservation Policy

CMBR Madigan, Raglow and Castagna-Herrera requested that the ordinance be tabled until the results of the resident satisfaction survey would be in and reviewed by the Council at the July 24, 2023, City Council Meeting. CMBR Madigan stated that there had been no resident education on the Tree Preservation Policy since it was tabled at the meeting on December 19, 2022. CMBR Faidley, Hill and Rebne stated that the Governing Body that the policy had been discussed numerous times, and did not believe that tabling the issue, again, would be beneficial. A robust discussion ensued, debating the merits of those positions.

MOTION: CMBR MADIGAN MOVED AND CMBR RAGLOW SECONDED TO TABLE THE TREE PRESERVATION POLICY UNTIL THE RESIDENT SUREVEY RESULTS WERE IN AND BRING BACK AT THE FIRST MEETING IN AUGUST. (MOTION FAILED 3-4 WITH CMBR FAIDLEY, HILL, REBNE AND MAYOR POPPA VOTING NO.)

MOTION: CMBR FAIDLEY MOVED AND CMBR REBNE SECONDED TO APPROVE ORDINANCE 1046 ESTABLISHING A TREE PRESERVATION POLICY WITH 180 DAYS LEAD TIME FOR COMMUNITY EDUCATION PRIOR TO ORDINANCE GOING INTO EFFECT. (MOTION ULTIMATELY FAILED 4-3 WITH CMBR MADIGAN, RAGLOW AND CASTAGNA-HERRERA VOTING NO.) **Per City code Sec.1-214, the adoption of an ordinary ordinance requires 5 affirmative votes of the Council.**

IX. Reports of City Officials

Adjourn:

MOTION: CMBR RAGLOW MOVED AND CMBR REBNE SECONDED TO ADJOURN. (MOTION CARRIED 6-0.)

(Roeland Park City Council Meeting Adjourned at 7:05 p.m.)

Kelley Nielsen, City Clerk

Michael Poppa, Mayor

Item Number: Reports of City Liaisons- VI.-A.
Committee 7/10/2023
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 7/10/2023
Submitted By: Arts Committee
Committee/Department: Arts Committee
Title: **Arts Committee**
Item Type: Report

Recommendation:

Informational only. Mary Schulteis and Marek Gliniecki to provide update.

Details:

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

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- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	7/10/2023 - 4:11 PM

Goals/Objectives & Terms

Item Number: New Business- VIII.-A.
Committee 7/10/2023
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 7/6/2023
Submitted By: Keith Moody
Committee/Department: Finance
Title: **Consent to Publish Notice of Public Hearing on the Intent to Exceed Revenue Neutral Rate, on the Adoption of the 2024 Budget and to Amend 2023 Budget (5 min)**
Item Type: Other

Recommendation:

To consent to publish notice of public hearings on the Intent to Exceed Revenue Neutral Rate, Adoption of the 2024 Budget, and Amendment of the 2023 Budget.

Details:

State law requires that municipalities hold public hearings before adopting an annual budget, amending a current budget and exceeding the Revenue Neutral Rate. Notices must be published at least ten days prior to the hearing. The City's proposed hearing date is August 21st, 2023.

Attached are the required public hearing notice forms. The state allows for a combined notice for the hearings to adopt the 2024 budget and exceed the Revenue Neutral Rate, so only two forms are attached.

Note that none of the amounts are final and are subject to Governing Body approval at the August 21st meeting.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

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Financial Impact

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Moody, Keith	Approved	7/5/2023 - 6:27 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Notice of Public Hearing for 2024 Budget and Intent to Exceed the Revenue Neutral Rate	Exhibit
▣ Notice of Public Hearing to Amend the 2023 Budget	Cover Memo

NOTICE OF HEARING TO EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING

2024

The governing body of

Roeland Park

will meet on August 21, 2023 at 6:00 p.m. at City Hall, Zoom for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax. Detailed budget information is available at City Hall, www.roelandpark.org and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2024 Expenditures and Amount of 2023 Ad Valorem Tax establish the maximum limits of the 2024 budget.

Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2022		Current Year Estimate for 2023		Proposed Budget Year for 2024		
	Expenditures	Actual Tax Rate *	Expenditures	Actual Tax Rate *	Budget Authority for Expenditures	Amount of 2023 Ad Valorem Tax	Proposed Estimated Tax Rate *
General	6,846,296	26.920	6,692,950	25.987	10,031,014	3,157,339	25.120
Debt Service	581,869	1.627	584,083	1.676	465,803	110,653	0.880
Library							
Special Highway and Street	2,269,009		2,165,970		3,208,492		
Aquatics Center	388,220		375,450		490,783		
Community Center	1,149,139		211,629		559,234		
Special Infrastructure	1,160,194		2,347,640		1,855,977		
Building and Equipment Res	1,195,471		4,917,825		708,393		
TIF 1: Wal-Mart/Bella Roe	644,237		953,180		1,052,748		
TDD 1: Price Chopper	17,227		15,000		904,835		
TDD 2: Lowe's	10,097		9,000		478,544		
CID 1			45,000		3,064,244		
TIF 2D: City Hall/QT	24,044						
Stormwater					185,000		
TIF 2C: Mission Bank							
TIF 3: The Rocks	18,358		100,000		1,810,120		
Property Owner's Associatio	31,960		33,847		55,009		
Non-Budgeted Funds-A	401,468						
Totals	14,737,589	28.547	18,451,574	27.663	24,870,196	3,267,992	26.000
Revenue Neutral Rate**							25.809
Less: Transfers	0		0		0		
Net Expenditure	14,737,589		18,451,574		24,870,196		
Total Tax Levied	2,933,532		3,243,989		XXXXXXXXXXXXXXXXXX		
Assessed							
Valuation	102,732,261		117,264,883		125,691,995		
Outstanding Indebtedness,							
January 1,	2021		2022		2023		
G.O. Bonds	3,059,204		2,493,754		2,000,219		
Revenue Bonds	0		0		1,663,301		
Other	0		0		0		
Lease Purchase Principal	0		0		0		
Total	3,059,204		2,493,754		3,663,520		

*Tax rates are expressed in mills

**Revenue Neutral Rate as defined by KSA 79-2988

Keith Moody

City Official Title: City Administrator

2023

**Notice of Budget Hearing for Amending the
2023 Budget**

The governing body of

Roeland Park

will meet on the day of 8/21/23 at 6:00 p.m. at City Hall, 4600 W. 51st Street for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at City Hall, www.roelandpark.org
and will be available at this hearing.

Summary of Amendments

Fund	2023 Adopted Budget			2023 Proposed Amended Expenditures
	Actual Mill Rate	Amount of Tax Levied	Expenditures	
Building & Equipment Reserve			3,865,597	5,076,883
Special Street & Hwy			2,535,163	2,865,970
Special Infrastructure			2,433,354	2,847,640
			0	0
			0	0
			0	0

Keith Moody
Official Title: City Administrator

Page No.

Item Number: New Business- VIII.-B.
Committee 7/10/2023
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 5/11/2023
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Approve Work Directives (Change Order) for Community Center - (10 min)**
Item Type: Other

Recommendation:

Staff recommends approval of the attached Work Directives (change orders) with Aquila for the Community Center Phase 1 Renovation Project.

*****Change order will be uploaded when available*****

Details:

Council has previously approved Change Order 1 to add the Women's Locker Room Renovation to the Community Center Contract. A Change Order 2 was approved that actually reduced the project cost (- \$22,030). Change Order 3 (\$3,993) and 4 (\$4,464) were approved for additional ceiling demo which had a value within the City Administrators Authority (\$15,000).

Subsequent to theses previously approved change orders Aquila and the City have agreed to complete additional work under Work Directives which function similar to change orders, paid on a time and material basis and require the contractor to provide detailed support of the time and material costs incurred.

Work Directive ? is for structural modifications related to the folding partition wall (\$?).

Work Directive ? is for electrical panel replacement and grounding (\$?).

These work directives and the previously approved change orders take the total increase to the contract above the City Administrator's approval authority. With these Work Directives and previously approved change orders the total contract price will be \$?. There is a total of \$1,780,000 allocated in 2023 for construction and professional services. Professional services are estimated to total \$80k in 2023 leaving \$1.7M available for construction.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

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- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

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

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	7/6/2023 - 5:06 PM

Goals/Objectives & Terms

Item Number: New Business- VIII.-C.
Committee 7/10/2023
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 7/3/2023
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Approve Engineering Task Order for Nall from 51st to 58th Street Improvement (5 min)**
Item Type: Discussion

Recommendation:

Approve task order for Nall Ave Project from 51st St to 58th St with Lamp Ryneerson for design, bidding, and construction phase service at a cost not to exceed \$99,400

Details:

Attached is a task order for design, bidding, and construction phase services for the Nall Ave STP project. Staff applied for federal funding through MARC in 2022 that allows applicants to receive funding up to 80% of the construction cost for the project and the city being responsible for 20%. The application submitted reflected the city asking for 80% or \$734K of the project cost. The MARC committee reviewed many funding applications and Roeland Park was successfully awarded 90% of the 80% funding request equating to \$660K.

Nall Ave is classified a major collector street. The project will include sidewalk maintenance and ADA enhancements, curb maintenance, base repairs, mill & overlay, pavement markings as well as signage for Share the Road. The bicycle infrastructure strategy plan currently shows this corridor to have dedicated bike lanes, however there is not enough street width to add dedicated bike lanes. Other factors include limited ROW on the north end of the project and most of the homes are close to the street and would cause extensive reconstruction to driveways adding significant increases to project costs.

This project would typically be managed by KDOT since federal funding is involved, however the city has met the compliance requirements by the Buruea of Local Projects to administer the project locally with oversight from KDOT.. The total cost for the project is \$1,04mm for design and construction with the city receiving \$660K of federal funding toward construction. The city's portion of construction is \$257K

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

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Financial Impact

Amount of Request: \$99,400	
Budgeted Item?	Budgeted Amount: \$100,000
Line Item Code/Description: 5465.270 - Combined Special Steets & Highway Fund	

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Moody, Keith	Approved	7/6/2023 - 12:06 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▢ Nall Ave Task Order	Cover Memo

City of Roeland Park – Nall Ave STP Project

Contract: Nall Ave STP Project (51st Street to 58th Street)

Ordinance or Resolution:

Task Agreement No: 23-03

Funding Amount: \$99,400.00

Purchase Order No:

Project Title: Nall Ave STP Project (51st Street to 58th Street)

Contractor/Consultant:
Lamp Rynearson
9001 State Line Road, Suite 200
Kansas City, MO 64114

Division Manager:
Civil Design Group
Daniel G. Miller, P.E. – Civil Design Group Leader

Project Management Manual reviewed:

Attachments (Gantt Chart, etc.): Fee estimate

PROJECT Scope:

1. **Design:** Perform field investigation for base repairs, curb and sidewalk repairs and review storm video to determine scope for CIPP or point repairs. Provide topographic survey at sidewalk ramps. Survey storm and provide plan and profiles if replacing. Provide easement descriptions for up to 20 properties. Provide plans with Cover sheet, general notes, general layout, project plan sheets, traffic control, erosion control, pavement marking, sidewalk ramp details and standard details. Address City comments for final design. Provide utility coordination. Prepare engineer's estimate of probable cost and update throughout design. Provide project manual with technical specifications. Send submittals to environmental agencies and KDOT 1304, 1306, 1307 and PS&E forms.

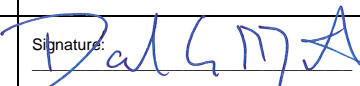
Not included: Street profiles, cross sections, stormwater pollution prevention plan (SWPPP) and right of way acquisition services.

Schedule: With notice to proceed can complete and be ready for bidding within 4 months.

2. **Bidding:** Conduct a pre-bid meeting, answer questions during bidding, provide addendum if warranted, attend bid opening, tabulate and review bid proposals and qualifications, and provide a bid recommendation to City.
3. **Construction Phase Services:** Conduct a pre-construction meeting, review shop drawings, attend construction progress meetings (Estimated 2), review pay requests (estimated 2), answer questions during construction, perform final walkthrough and prepare punch list, submit monthly KDOT reimbursement requests, KDOT closeout documents and prepare record drawings.

The attached services will be provided for an hourly rate. Total not to exceed project fee is \$99,400.00, including direct expenses.

Staff Signatures

Mayor:	City Administrator:	Division Manager:	Company Principal (if different):
Mike Kelly	Keith Moody	Daniel G. Miller, P.E.	Tony O'Malley, P.E.
Signature: _____	Signature: _____	Signature: 	Signature: _____
Date: _____	Date: _____	Date: 6/14/2023	Date: _____

Project Type: Design ☒ Construction ☒ Property Acquisition _____ Conceptual/Problem Solving _____ Surveying _____

Project Discipline(s): Transportation ☒ Planning _____ Water _____ Wastewater _____ Stormwater ☒

Report(s) Received:

Work on File:

This Task Agreement is subject to all the provisions included in the On-Call Professional Services Agreement, Public Works Department, Engineering Division by and between the City and Lamp Rynearson (Professional), dated **11/2/2020**.

Attach scope of work, budget, and other supporting material



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

CIVIL DESIGN GROUP FEE ESTIMATE

PROJECT TITLE Nall Ave STP Project
LOCATION Nall Ave (51st Street to 58th Street), Roeland Park, Kansas
DATE 3/28/223

PROJECT # 24-PW-010
BY Greg Van Patten

Classification:									
	Civil Design Group Leader	Project Manager	Project Engineer	Project Designer IV	Construction Observer	Admin. Assit. Sr.	Hourly NTE Survey Fee	Subtotal of Hrs per Item	Subtotal of Fee per Item
Associate:	Miller	Van Patten	Montague	Archer	Bruemmer	Nichols			
Hourly Rate:	\$252.00	\$141.00	\$108.00	\$131.00	\$108.00	\$104.00			
Survey									
Topographic and Boundary Survey							\$ 18,626.00		\$18,626.00
Easement Descriptions and Exhibits (assumed 20)							\$ 4,612.00		\$4,612.00
Subtotal of Hours per Associate							\$ 23,238.00		
Subtotal of Fee per Associate									
							Labor Fee		\$23,238.00
							Reimbursables 5%		\$1,161.90
							Contingency 5%		\$1,161.90
Subtotal of Surveying Services									\$25,561.80
Field Check									
Field Investigation for Repairs			12		12			24	\$2,592.00
Storm Investigation and PNP (CIPP/Point Repair or R&R)	1	4	8	16				29	\$3,776.00
Cover Sheet, General Layout, Standard Details		2	6	6				14	\$1,716.00
Plan Sheets - Repairs	1	4	8	16				29	\$3,776.00
Field Check Review, Prep, Minutes	4	8	8					20	\$3,000.00
Project Management	2	12						14	\$2,196.00
Utility Coordination, Meeting, Updates (1304)		8	16					24	\$2,856.00
Submittals to Environmental Agencies	1	6	8			8		23	\$2,794.00
Engineer's Estimate of Probable Construction Costs	1	2	4	4				11	\$1,490.00
Subtotal of Hours per Associate	10	46	70	42	12	8		188	
Subtotal of Fee per Associate	\$2,520.00	\$6,486.00	\$7,560.00	\$5,502.00	\$1,296.00	\$832.00			
							Labor Fee		\$24,196.00
							Reimbursables 2%		\$483.92
							Contingency 5%		\$1,209.80
							2024 Rate Adjustment 6%		\$1,451.76
Subtotal of Design									\$27,341.48
Final Design									
Project Management	2	8						10	\$1,632.00
Storm Design (CIPP or Plan and Profiles)	1	4	8	8				21	\$2,728.00
Cover Sheet, General Layout, Standard Details		1	2	2				5	\$619.00
Plan Sheets - Repairs		2	8	8				18	\$2,194.00
3 Phase Erosion Control Plan and Details		2	4	8				14	\$1,762.00
Traffic Control Plan	1	4	8	8				21	\$2,728.00
Pavement Marking Plan		3	4	8				15	\$1,903.00
Office Check Submittal	1	6	6					13	\$1,746.00
Special Provisions in Project Manual	2	4				4		10	\$1,484.00
Project Manual and Technical Specifications	2	4	8			12		26	\$3,180.00
Engineer's Estimate of Probable Construction Cost	1	4	4					9	\$1,248.00
Submit Forms 1304, 1306 and 1307	1	6						7	\$1,098.00
PS&E Submittal	1	8	8					17	\$2,244.00
Subtotal of Hours per Associate	12	56	60	42		16		186	
Subtotal of Fee per Associate	\$3,024.00	\$7,896.00	\$6,480.00	\$5,502.00		\$1,664.00			
							Labor Fee		\$24,566.00
							Reimbursables 2%		\$491.32
							Contingency 5%		\$1,228.30
							2024 Rate Adjustment 6%		\$1,473.96
Subtotal of Bidding									\$27,759.58



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

CIVIL DESIGN GROUP FEE ESTIMATE

PROJECT TITLE Nall Ave STP Project
LOCATION Nall Ave (51st Street to 58th Street), Roeland Park, Kansas
DATE 3/28/223

PROJECT # 24-PW-010
BY Greg Van Patten

Classification:		Civil Design	Project	Project	Project	Construction	Admin. Assit.	Hourly NTE	Subtotal of	Subtotal of Fee
		Group Leader	Manager	Engineer	Designer IV	Observer	Sr.	Survey Fee		
Associate:	Hourly Rate:	Miller	Van Patten	Montague	Archer	Bruemmer	Nichols			
		\$252.00	\$141.00	\$108.00	\$131.00	\$108.00	\$104.00		Hrs per Item	per Item
Bidding										
Obligation Authority		1	2				1		4	\$638.00
Attend Pre-Bid Meeting & Prep			3	3					6	\$747.00
Answer Questions During Bidding			4	2					6	\$780.00
Issue Addendum (if warranted)			4	4	3		4		15	\$1,805.00
Attend Bid Opening			2	2					4	\$498.00
Tabulate and Review Bids, Provide Recommendation		1	2	2			2		7	\$958.00
Submit Contracts, Letting Summary and Paid Item List		1	4						5	\$816.00
Subtotal of Hours per Associate		3	21	13	3		7		47	
Subtotal of Fee per Associate		\$756.00	\$2,961.00	\$1,404.00	\$393.00		\$728.00			
								Labor Fee		\$6,242.00
								Reimbursables	2%	\$124.84
								Contingency	5%	\$312.10
								2025 Rate Adjustment	9%	\$561.78
Subtotal of Bidding										\$7,240.72
Designer Services During Construction										
Pre-Construction Meeting, Prep, Minutes		2	2	5		2			11	\$1,542.00
Shop Drawing Review/ Submittals			2	4					6	\$714.00
Construction Issues and Question Resolution		1	4	4					9	\$1,248.00
Progress Meetings, Agenda and Minutes			4	4		4			12	\$1,428.00
Review Pay Requests			2	4		4			10	\$1,146.00
Perform Final Walkthrough, Punch List, Follow-up			4	4		4			12	\$1,428.00
KDOT Closeout Documents		1	4						5	\$816.00
Submit KDOT Monthly Reimbursement Requests			4						4	\$564.00
As-Constructed Record Drawings			1	1	4	2			8	\$989.00
Subtotal of Hours per Associate		4	27	26	4	16			77	
Subtotal of Fee per Associate		\$1,008.00	\$3,807.00	\$2,808.00	\$524.00	\$1,728.00				
								Labor Fee		\$9,875.00
								Reimbursables	2%	\$197.50
								Contingency	5%	\$493.75
								2025 Rate Adjustment	9%	\$888.75
Subtotal of Construction Services										\$11,455.00
Project Fee Summary										
Survey, Design, Bidding, Construction Services Fee										\$99,358.58
PROJECT TOTAL										\$99,358.58

Item Number: New Business- VIII.-D.
Committee 7/10/2023
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 7/6/2023
Submitted By: Donnie Scharff
Committee/Department: Public Works
Title: **Approve Interlocal Agreement with Westwood for Mission Road Project (5 min)**
Item Type: Agreement

Recommendation:

Staff recommends approval of the attached interlocal agreement with Westwood for the joint 2025 CARS Mission Rd (from 47th to 53rd) project.

Details:

Attached is the standard interlocal agreement form used on joint street projects. The next item on the agenda is the approval of a task order for survey and preliminary design for the project. That work will provide information needed to refine design details that will establish a final cost per city but at this point we are assuming costs will be shared equally between the two cities. If actual costs within each city differ significantly, we will likely amend the agreement to reflect a change in the percentage of cost per city.

This is a 2025 construction project. Design is getting started early in order to determine what easements may be needed for street lighting design upgrades. Currently street lighting is mounted on existing wooden electric transmission line poles along the east side (Westwood) of Mission. Westwood is interested in adding dedicated street light poles similar to the poles they added on residential streets recently. This may result in the need to add street light poles on the west side of the street in order to illuminate the entire roadway as those poles are not as tall as the current streetlights. The preliminary design will consider different lighting options.

A task order for final design, bidding services and construction inspection services will follow in 2024 after direction has been established from the preliminary design developed.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request: N/A	
Budgeted Item?	Budgeted Amount: \$1.86 million total for project
Line Item Code/Description: 5464-270 2025 CARS- Mission Rd. 47th-53rd	

Additional Information**REVIEWERS:**

Department	Reviewer	Action	Date
Administration	Moody, Keith	Approved	7/6/2023 - 12:03 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Interlocal Agreement for 2025 Mission Rd Joint Project	Cover Memo

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF ROELAND PARK
KANSAS, AND THE CITY OF WESTWOOD, KANSAS, FOR THE PUBLIC
IMPROVEMENT OF MISSION ROAD FROM 47TH STREET TO 53RD STREET**

THIS AGREEMENT is made and entered into this ____ day of _____, 2023, by and between the **City of Roeland Park, Kansas** (hereinafter "Roeland Park"), and the **City of Westwood, Kansas** (hereinafter "Westwood"), each party having been organized and now existing under the laws of the State of Kansas (hereinafter Roeland Park and Westwood may be referred to singularly as the "Party" and collectively as the "Parties").

WITNESSETH:

WHEREAS, the Parties hereto have determined it is in their best interest to make certain public improvements to **Mission Road**, as such improvements are hereinafter described and defined as the Improvements;

WHEREAS, the Parties are also jointly applying to the Board of County Commissioners of Johnson County, Kansas (the "County") for funding through a CARS Agreement pursuant to which the Improvements constitute an eligible project under the County Assistance Road System Program ("CARS");

WHEREAS, the governing bodies of each of the Parties hereto have determined to enter into this Agreement for the aforesaid public improvement, as authorized and provided by K.S.A. 12-2908 which authorizes any municipality to contract with any other municipality to perform any government service, activity or undertaking that each contracting municipality is authorized by law to perform;

WHEREAS, the Governing Body of Roeland Park did approve and authorize its mayor to execute this Agreement by official vote of the Governing Body on the ____ day of _____, 20____; and

WHEREAS, the Governing Body of Westwood did approve and authorize its mayor to execute this Agreement by official vote of the Governing Body on the ____ day of _____, 20____.

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

1. PURPOSE OF AGREEMENT. The Parties hereto enter into this Agreement for the purpose of constructing those public improvements to **Mission Road**, including public sidewalk, a mill and overlay within the project limits, pavement marking, concrete repairs, stormwater improvements, street lighting and other related work (collectively, the "Improvements").
2. ESTIMATED PROJECT COST.
 - A. As of the date of this Agreement, the estimated cost of construction and engineering services for the Improvements covered by this Agreement, exclusive of the cost of right-of-way or easement acquisition, is One Million Five Hundred Forty-Four Thousand Nine Hundred Fifty Dollars (\$1,544,950.00).
 - B. The cost of making the Improvements shall include:
 - (1) Labor and material used in making the Improvements; and
 - (2) Such other expenses which are necessary in making the Improvements, exclusive

of the cost of acquiring real property and any improvement thereon for the location of the Improvement. These expenses include engineering survey, design, bidding, construction services, and material testing.

- C. Pursuant to the CARS Agreement, the Parties anticipate receipt of County CARS funding in the amount of Eight Hundred Forty-Two Thousand Dollars (\$842,000.00) to help pay a portion of the cost of the Improvements. Notwithstanding anything in this Agreement to the contrary, in the event such funding is not made available for the Improvements, then either Roeland Park or Westwood may terminate this Agreement upon written notice to the other of them.
- D. The remaining cost of making the said Improvements shall be distributed between the Parties as follows:
 - (1) Roeland Park shall pay fifty (50%) (the "Roeland Park Percentage Share") of the local share balance of said Improvements (estimated as of the date of this Agreement to be **\$351,475.00** after application of County CARS funds).
 - (2) Westwood shall pay Fifty percent (50%) (the "Westwood Percentage Share") of the local share balance (after application of County CARS funds) of said Improvements (estimated as of the date of this Agreement to be **\$351,475.00** after application of County CARS funds).
 - (3) Each Party shall pay the cost of financing and/or bonding its share of the project cost.
- 3. FINANCING. Roeland Park and Westwood shall each pay its portion of the cost with monies budgeted and appropriated funds.
- 4. ROELAND PARK ADMINISTRATION OF PROJECT. It is acknowledged and understood between the Parties that since there are two separate municipalities included within the proposed Improvements, it would be beneficial for one of the municipalities to have primary responsibility for the project to provide for the orderly design and construction of the Improvements. However, both municipalities shall have the right of review and comment on project decisions at any time throughout duration of this Agreement, and any subsequent agreements hereto. The Improvements shall be constructed, and the work administered by Roeland Park acting by and through the Roeland Park Director of Public Works (hereinafter the "PW Director"), who shall be the principal public official designated to administer the Improvements. The PW Director shall, among his or her several duties and responsibilities, assume and perform the following:
 - A. Make all contracts for the Improvements, including soliciting bids by publication in the official newspaper of Roeland Park. In the solicitation of bids, the most favorable bid shall be determined by Roeland Park administering the project and the Governing Body of Roeland Park approving the lowest responsible bidder for the project, except that the Governing Body of Westwood reserves the right to reject the successful bidder in the event that the bid price exceeds the engineer's estimate. If all bids exceed the estimated cost of the Improvements, then either Roeland Park or Westwood shall have the right to reject the bid. In such case, the project shall be rebid at a later date.
 - C. Upon completion of the Improvements the PW Director shall submit to Westwood a final accounting of all costs incurred in making the Improvements for the purpose of

apportioning the same among the Parties as provided herein.

- D. Roeland Park shall require performance and completion bonds for the Improvements from all contractors performing work on this Improvements (the "Contractors") and require that all Contractors discharge and satisfy any mechanics or materialman's liens that may be filed.
 - F. Roeland Park shall require that any Contractor provide a two-year performance and maintenance bond for the Improvements. As "Project Administrator," Roeland Park will, upon request of Westwood, make any claim upon the maintenance bond or performance bond and require that the Contractor fully perform all obligations under the performance and maintenance bonds, and this obligation shall survive the termination of this Agreement and shall be in force and effect for the full term of the performance and maintenance bond.
 - G. Roeland Park shall cause to be inserted in all contracts for construction a requirement that the Contractor defend, indemnify and save Westwood and Roeland Park harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit or action for injuries or damages sustained to persons or property by reason of the acts or omissions of the Contractor and the performance of its contract.
 - H. Roeland Park shall cause to be inserted into all contracts for construction a requirement that the Contractor observe the provisions of the Kansas Act Against Discrimination (K.S.A. 44-1001 et seq.).
 - I. To the fullest extent permitted by law, including but not limited to K.S.A. 16-121, as amended from time to time, Roeland Park will cause any Contractor to name Westwood as an additional insured on all insurance policies issued for the Improvements; provided that, such policies shall not provide insurance for Westwood's negligence or intentional acts or omissions.
5. REIMBURSEMENT OF COSTS. Roeland Park will pay all project costs owed to any Contractor, as those costs become due. Roeland Park shall submit to Westwood on or before the 10th day of each month, or as received, estimates of accrued costs of constructing the Improvements for the month immediately preceding the month the statement of costs is received along with any supporting documentation that substantiates such costs; provided that Westwood shall within thirty (30) days after receipt of a statement of costs as aforesaid, remit the Westwood Percentage Share of the accrued costs to Roeland Park. Any costs accrued by Roeland Park in 2023 will be invoiced to Westwood in January 2024 with the above remittance terms.
6. CONSTRUCTION OBSERVATION. Roeland Park shall provide construction observation and administration services for the Improvements. Roeland Park shall be responsible for ensuring compliance with contract specifications under any contract for construction of the Improvements. The Westwood Public Works Director or such director's designee shall promptly report any deviation from any contract specifications or any inappropriate construction practices relating to work within its municipal boundaries to the Roeland Park Public Works Director. Roeland Park will take all reasonable actions to inform the Westwood Public Works Director of project status and any deviation from any contract specifications or inappropriate construction practices relating to work within the Westwood municipal boundaries.
7. DURATION AND TERMINATION OF AGREEMENT. The Parties hereto agree that except for the obligations of Roeland Park which may arise after completion of the Improvements as set forth

in Section 4, Paragraph F, above, this Agreement shall exist until the completion of the Improvements. Upon completion of the Project, Roeland Park shall notify Westwood of the completion in writing. Westwood, as soon thereafter as reasonably possible, shall inspect the work, and if it determines it is satisfactory, shall so notify Roeland Park in writing; upon such notification, Westwood shall have no further obligation under this Agreement and this Agreement shall be deemed terminated. In the event Westwood fails to so notify Roeland Park within thirty (30) after completion of its acceptance or rejection of the work, the work shall be deemed accepted.

8. PLACING AGREEMENT IN FORCE. The administering body described in Section 4 hereof shall cause this Agreement to be executed in triplicate. Each Party hereto shall receive a duly executed copy of this Agreement for its official records.
7. AMENDMENTS. This Agreement cannot be modified or changed by any verbal statement, promise or agreement, and no modification, change nor amendment shall be binding on the Parties unless it shall have been agreed to in writing and signed by both Parties.
8. JURISDICTION; NATURE OF THE AGREEMENT. This Agreement shall be construed according to the laws of the State of Kansas and may be enforced in any court of competent jurisdiction. The Parties understand this contract is a contract between municipalities authorized pursuant to K.S.A. 12-2908 and is therefore not an interlocal cooperation agreement under the provisions of K.S.A. 12-2901 et seq..
9. CASH BASIS AND BUDGET LAWS. The right of the Parties to enter into this Agreement is subject to the provisions of the Cash Basis Law (K.S.A. 10-1100 et seq.), the Budget Law (K.S.A. 79-2935 et seq.), and other laws of the State of Kansas. This Agreement shall be construed and interpreted in such a manner as to ensure the Parties shall at all times remain in conformity with such laws.
10. AMENDMENT TO CARRY OUT INTENT. If any provision, covenant, agreement or portion of this Agreement, or its application to any person, entity or property, is held invalid, the Parties shall take such reasonable measures including but not limited to reasonable amendment of this Agreement, to cure such invalidity where the invalidity contradicts the clear intent of the parties in entering into this Agreement; provided, however, nothing herein is intended to bind a future governing body of the Parties in a manner prohibited by the laws of the State of Kansas.

[Remainder of Page Intentionally Left Blank – Signature Pages Follow]

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

CITY OF ROELAND PARK, KANSAS

By: _____
Michael Poppa, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steve Mauer, City Attorney

CITY OF WESTWOOD, KANSAS

By: _____
David Waters, Mayor

ATTEST:

Abby Schneweis, City Clerk

APPROVED AS TO FORM:

City Attorney

Item Number: New Business- VIII.-E.
Committee 7/10/2023
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 6/30/2023
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Approve Survey and Preliminary Design Task Order for 2025 CARS Mission Road Project (5 Mins)**
Item Type: Discussion

Recommendation:

Approve task order for preliminary design and survey services with Lamp Rynearson for the 2025 Mission Rd CARS Project, 47th St to 53rd St at a cost not to exceed \$93,300.

Details:

Attached is the task order for the 2025 Mission Road project from 47th St to 53rd St. Lamp Rynearson will provide the preliminary design plans and complete the topographical survey. This is a joint project with Westwood.

The project will include spot sidewalk & curb replacement, mill & overlay of the street, and new pavement markings, minor storm sewer work, enhanced streetlighting, and proposed bike lanes & signage

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount: \$93.300
Line Item Code/Description: 270-Combined Special Street & Highway	

Additional Information

REVIEWERS:

Department	Reviewer	Action	Date
Public Works	Moody, Keith	Approved	7/6/2023 - 12:02 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description		Type
▣	2025 CARS Mission Rd Task Order	Cover Memo

City of Roeland Park – 2025 CARS – Mission Road

Contract: 2025 CARS – Mission Road (53rd Street to 47th Street)

Ordinance or Resolution:

Task Agreement No: 23-04

Funding Amount: \$93,300.00

Purchase Order No:

Project Title: 2025 CARS – Mission Road

Contractor/Consultant:
Lamp Rynearson
9001 State Line Road, Suite 200
Kansas City, MO 64114

Division Manager:
Civil Design Group
Daniel G. Miller, P.E. – Civil Design Group Leader

Project Management Manual reviewed:

Attachments (Gantt Chart, etc.): Fee estimate

PROJECT Scope:

Project Limits: Mission Road from W 53rd Street to 47th Street

1. Survey: Topographic survey and boundary on all driveways along the west side of Mission Road, all ADA sidewalk ramps, the intersection at 53rd Street and Mission Road and the storm system at the intersection of 51st Street and Mission Road.

Not included: Easement exhibits and descriptions to construct the driveway aprons that are out of compliance.
2. Preliminary Design: Perform a field investigation for the necessary base asphalt repairs, curb, sidewalk, and driveway upon repairs. Provide plans with Cover sheet, general notes, general layout, project plan sheets, intersection plan, storm plan and profiles at 51st Street, hydraulic and hydrologic calculations, lighting design, sidewalk ramp details and standard details. Address City comments for final design. Provide utility coordination. Prepare engineer's estimate of probable cost.

Not included: Street profiles, cross sections, stormwater pollution prevention plan (SWPPP), right of way acquisition services and final design services such as: plan revisions, traffic control plan, pavement marking plan, erosion control plan and project manual and specifications.

Schedule: With notice to proceed can complete preliminary design for the CARS request within 4 months.

The attached services will be provided for an hourly rate. Total not to exceed project fee is \$93,300.00, including direct expenses.

Staff Signatures

Partner Signatures

Mayor:

City Administrator:

Division Manager:

Company Principal (if different):

Mike Kelly

Keith Moody

Daniel G. Miller, P.E.

Tony O'Malley, P.E.

Signature:

Signature:

Signature:

Signature:

Date:

Date:

Date:

Date:

Project Type: Design ☒ Construction ☐ Property Acquisition ☐ Conceptual/Problem Solving ☐ Surveying ☒

Project Discipline(s): Transportation ☒ Planning ☐ Water ☐ Wastewater ☐ Stormwater ☒

Report(s) Received:

Work on File:

This Task Agreement is subject to all the provisions included in the On-Call Professional Services Agreement, Public Works Department, Engineering Division by and between the City and Lamp Rynearson (Professional), **dated 11/2/2020.**

Attach scope of work, budget, and other supporting material



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

CIVIL DESIGN GROUP FEE ESTIMATE

PROJECT TITLE 2025 CARS - Mission Road
LOCATION Mission Road (53rd Street to 47th Street), Roeland Park and Westwood, KS
DATE 6/29/2023

PROJECT #
BY Greg Van Patten

Classification:		Civil Design	Project	Project	Project	Construction	Admin. Assit.	Hourly NTE		
		Group Leader	Manager	Engineer	Designer IV	Observer	Sr.	Survey Fee	Subtotal of	Subtotal of Fee
Associate:		Miller	Van Patten	Montague	McMurry	Bruemmer	Nichols		Hrs per Item	per Item
Hourly Rate:		\$252.00	\$141.00	\$108.00	\$131.00	\$108.00	\$104.00			
Survey										
Topographic and Boundary Survey								\$ 25,653.00		\$25,653.00
Subtotal of Hours per Associate								\$ 25,653.00		
Subtotal of Fee per Associate										
								Labor Fee		\$25,653.00
								Reimbursables	5%	\$1,282.65
								Contingency	5%	\$1,282.65
								Subtotal of Surveying Services		\$28,218.30
Subconsultant (Merge Midwest)										
Intersection Analysis (W 53rd St and Mission Rd)								\$ 5,100.00		\$5,100.00
Lighting Design (53rd Street to 47th Street)								\$ 20,500.00		\$20,500.00
Subtotal of Hours per Associate								\$ 25,600.00		
Subtotal of Fee per Associate										
								Labor Fee		\$25,600.00
								Reimbursables		
								Subconsultant Coordination	10%	\$2,560.00
								Subtotal of Merge Midwest Services		\$28,160.00
Field Check										
Field Investigation for Repairs				8		24			32	\$3,456.00
Cover Sheet and General Notes			1	2	4				7	\$881.00
Plan Sheets			2	8	16				26	\$3,242.00
Driveway Apron Design (ADA)			2	24	8				34	\$3,922.00
ADA Sidewalk Ramp Design (estimated 26 ramps)			16	52					68	\$7,872.00
Intersection Layout Sheet		1	4	8	4				17	\$2,204.00
Storm Plan and Profiles (51st Street)			2	8	4				14	\$1,670.00
Hydraulic and Hydrologic Calculations			2	8					10	\$1,146.00
Detail Sheets			2	8	8				18	\$2,194.00
Field Check Review, Prep, Minutes		1	4	4					9	\$1,248.00
Project Management		4	8						12	\$2,136.00
Utility Coordination, Meeting, Updates			4	8					12	\$1,428.00
Engineer's Estimate of Probable Construction Costs			2	4	4				10	\$1,238.00
Subtotal of Hours per Associate		6	49	142	48	24			269	
Subtotal of Fee per Associate		\$1,512.00	\$6,909.00	\$15,336.00	\$6,288.00	\$2,592.00				
								Labor Fee		\$32,637.00
								Reimbursables	2%	\$652.74
								Contingency	5%	\$1,631.85
								2023 Rate Adjustment	6%	\$1,958.22
								Subtotal of Design		\$36,879.81
Project Fee Summary										
								Survey and Preliminary Design		\$93,258.11
								PROJECT TOTAL		\$93,258.11

Item Number: **Ordinances and Resolutions:- IX.-**
 A.
Committee **7/10/2023**
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 6/15/2023
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Ordinance 1046 - Adopting Current LKM Code of Procedures (5 min)**
Item Type: Ordinance

Recommendation:

To approve Ordinance 1046 adopting League of Kansas Municipality code of procedures.

Consider adopting the most recent version of the Leagues' Code of Procedures.

Details:

The City adopted the League's 2006 version (attached) of their Code of Procedures in 2012. A redline showing the edits Roeland Park incorporated into the adopted procedure is attached. Also attached is the most recent 2017 code of procedures published by the League.

The ordinance attached has been prepared by the City Attorney which would adopt the 2017 code of procedures while keeping in place the amendments adopted by the Council in 2012.

Please use the link below to take you to the section of the City code containing the amendments to the 2012 Code of Procedures:

https://library.municode.com/ks/roeland_park/codes/code_of_ordinances?nodeId=CHIAD_ART2GOBO_S1-211INCOPRKACI

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?
- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

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

Additional Information**REVIEWERS:**

Department	Reviewer	Action	Date
Administration	Nielsen, Kelley	Approved	7/3/2023 - 2:11 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Ordinance 1046 - Adopting Fourth Edition of Code of Procedure for Kansas Cities 6-15-23	Cover Memo
▣ 2006 2nd Edition- Leagues Code of Procedures	Cover Memo
▣ Code of Procedures Adopted by Roeland Park Reflecting Amendments	Cover Memo
▣ 2017 Version of League's Code of Procedures	Cover Memo
▣ Draft Ordinance Adopting 2017 Version of League's Code of Procedures	Cover Memo

**CITY OF ROELAND PARK, KANSAS
ORDINANCE NO. 1046**

AN ORDINANCE REVISING SECTION 1-211 OF “ARTICLE 2. GOVERNING BODY” OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS WHILE RETAINING ALL OTHER SECTIONS CURRENTLY IN ARTICLE 2.

WHEREAS, the City of Roeland Park, Kansas desires to amend Section 1-211 of “Article 2. Governing Body” to conform with the Code of Procedure for Kansas Cities, Fourth Edition.

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

SECTION 1-211. Section 1-211 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

1-211. Incorporating Code of Procedure for Kansas Cities.

“There is hereby incorporated by reference for the purpose of regulating Governing Body procedures, that certain standard code known as the "Code of Procedure for Kansas Cities, Fourth Edition," prepared and published in pamphlet form by the League of Kansas Municipalities, Topeka, Kansas, save and except such sections as are hereafter modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, and K.S.A. 12-3301 and 12-3302, as amended. At least one copy of said Code of Procedure for Kansas Cities shall be marked or stamped "Official Copy as Adopted by Ordinance No. _____," with all sections or portions thereof intended to be changed clearly marked to show any such change, and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The City Attorney, Police Department, Municipal Judge and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Code of Procedure for Kansas Cities similarly marked, as may be deemed expedient. This Ordinance shall take effect upon its publication, or the publication of a summary thereof, in the official City’s designated newspaper.”

PASSED by the City Council the 10th day of July, 2023. **APPROVED** by the Mayor.

Michael Poppa, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney

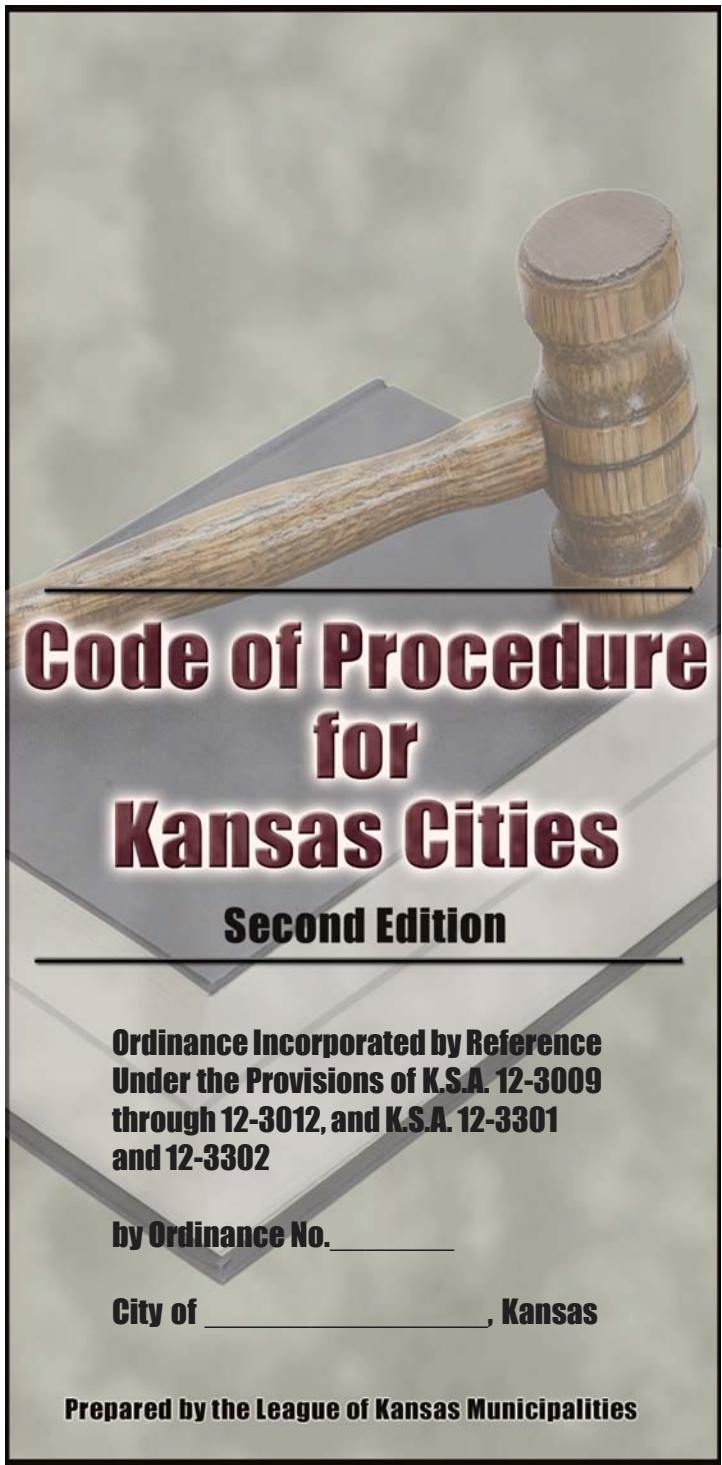


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CODE OF PROCEDURE

FOR KANSAS CITIES

Edition of 2006

Definitions

Section 1. Governing Body. The term governing body shall include the mayor and council, mayor and commissioners, and board of commissioners.

Section 2. Quorum. A quorum shall consist of a majority of the members-elect of the city council or city commission. In a council city, the quorum shall not include the mayor.

Meetings

Section 3. Regular Meetings. Regular meetings of the city will be held at a time, place, and date certain as set by the city by ordinance and in accordance with applicable state law.

Section 4. Special Meetings. Special meetings will be held only for a special purpose and will be called in accordance with applicable state law.

Section 5. Work Sessions. No agenda is required for a work session and no binding action may be taken during the work session.

Section 6. Quorum. A quorum is required at all meetings during which binding action will be taken by the city.

Section 7. Public Comment. If public comment is allowed during the meeting, the citizen desiring to comment on matters of a general nature, not specific to an agenda item, shall sign up in advance of the meeting and shall provide his or her name and address for the purpose of putting both in the minutes of the meeting. Any public comment taken on specific agenda items shall require the citizen to state his or her name and address for the minutes. The mayor may limit the time of each citizen based upon the number of people wishing to speak and the amount of time available for the public comment portion of the meeting.

Agenda

Section 8. Agenda. Prior to each regular and special meeting, the city will distribute an agenda to each governing body member and it will be made available to the public at that time.

Section 9. Setting Agenda. The governing body of the city shall designate an individual to be in charge of setting the agenda.

Section 10. Agenda Items. Any governing body member or staff member of the city may request to have an item placed on the agenda. Members of the public may not place an item on the agenda, but may have a governing body member sponsor such an item.

Section 11. Additions to Agenda. Items may be added to or removed from the agenda at a regular meeting by motion approved by a majority of those governing body members present and voting. No items may be added to the agenda of a special meeting.

Section 12. Order of Business. At the hour appointed for the meeting, the mayor shall call the meeting to order. In council cities, the president of the council shall chair the meeting in the absence of the mayor. Upon having a quorum present, the governing body shall proceed to business, which shall be conducted in the order set by the governing body.

Section 13. Consent Agenda. By majority vote of the governing body, any item may be removed from the consent agenda and considered separately.

Section 14. Order of Business, Suspended or Amended. By a majority vote of the governing body, the order of business may be amended to add or delete sections as appropriate, or may be suspended in its entirety to consider other matters. Executive sessions may be held at any time in the order of business.

Motions

Section 15. Motions; Second. All motions require a second before such motion may be considered.

Section 16. Debate. All motions are debatable unless otherwise noted in the section governing that motion.

Section 17. Substantive Motion. Only one main substantive motion may be pending on the floor at any one time. It must be withdrawn or advanced to a vote before another substantive motion is introduced.

Section 18. Substitute Motion. Substitute motions are prohibited. Substantive motions must be withdrawn or advanced before another substantive motion is introduced.

Section 19. Motion to Amend. A motion to amend is in order when the proposal is to change, add, or delete words from the main substantive motion. If the motion is to amend a document before voting on its adoption, it is advisable to reduce the change to writing, but it is not required if all members of the governing body understand the amendment. A vote on an amendment is not a final vote on the underlying substantive motion. To pass the underlying substantive motion requires a vote.

Section 20. Motion to Pass an Ordinance. All ordinances of the city shall be considered at a public meeting of the governing body. After consideration and amendment (if any) of the ordinance, the question shall be: "Shall the ordinance pass?" No ordinance shall contain more than one subject, which shall be clearly expressed in its title, and no section or sections of an ordinance shall be amended unless the amending ordinance contains the entire section or sections as amended and the section or sections amended shall be repealed.
[See Sections 33-38 for ordinance voting requirements.]

Section 21. Motion to Refer. If the governing body deems it appropriate, it may refer an ordinance, resolution, contract, or other matter back to staff, committee, board, or other appropriate location for further review and consideration. Such motion may or may not contain a time certain for the item to be returned to the governing body.

Section 22. Motion to Reconsider; Prohibited. Motions to reconsider are prohibited. Any governing body member may make a new substantive motion on a matter previously considered by the city.

Section 23. Motion to Call the Previous Question. This motion is not debatable and, if passed by a majority of the governing body, calls for an immediate vote on the substantive motion. This motion requires a vote.

Section 24. Motion to go into Executive Session. The motion to go into executive session shall be made as follows: "I move that the governing body recess into executive session pursuant to the _____ exception in order to discuss _____ (general description), the open meeting to resume in the city council (commission) chamber at _____ (time)." The motion may also state who is to be present in the executive session, although this is not required. This motion must be made, seconded, and carried. Such motion shall be recorded in the minutes of the meeting. The meeting may not reconvene until the time stated in the motion.

Section 25. Motion to Adjourn to a Later Date and Time. If the governing body is unable to complete its agenda during the time allotted for the meeting, the meeting may be adjourned to a time and date certain to continue the regular or special meeting. The motion shall state the time, place, and date for the meeting to reconvene. If the motion is adopted, the meeting is adjourned to the specified time, place, and date.

Section 26. Motion to Adjourn. At the conclusion of the agenda, a motion to adjourn is in order and requires a majority vote.

Voting

Section 27. Form of Vote. All votes shall be by voice vote or, in the alternative, the mayor may request that a vote be by "show of hands." No vote shall be by secret ballot.

Section 28. Division. The mayor or any member may request a formal division of vote. At the discretion of the mayor, division may be by either a poll of each member or a show of hands.

Section 29. Duty to Vote. Members of the governing body have a duty to vote unless such member choosing to abstain has a conflict of interest or other conflict that appears to make voting on an issue improper. Any member who abstains must state, for the purpose of its inclusion in the minutes, the reason for the abstention.

Section 30. Recording. Upon final passage of a matter, the vote shall be recorded in the minutes.

Section 31. Votes; Non-Ordinance Matters. Unless otherwise specifically required by law, the adoption or rejection of resolutions and other motions shall be by a majority of those present. An abstention shall be counted with the prevailing side.

Section 32. Votes; Mayor in Council City; Non-Ordinance Matters. The mayor may cast a tie breaking vote when the council is equally divided on a vote in a non-ordinance matter.

Section 33. Same; Ordinary Ordinance; Council City. The adoption of an ordinary ordinance requires ____ affirmative votes of the council.
[e.g., This is a majority vote of the members-elect of the council, which is three votes on a five member council with a mayor.]

Section 34. Same; Ordinary Ordinance; Council City; Mayor's Vote. The mayor may cast the deciding vote in favor of an ordinance at any time that the number of favorable votes is one less than required.

Section 35. Same; Ordinary Ordinance; Council City; Mayor's Veto. The mayor in council cities may veto any ordinance passed by the council on or before the next regularly scheduled meeting with the exception of ordinances on which the mayor casts the deciding vote and appropriation ordinances. Ordinances not signed or vetoed by the mayor take effect without the mayor's signature. Any ordinance vetoed by the mayor may be passed over the veto by a vote of ____ councilmembers. The president of the council, acting in the absence of the mayor, shall have no power to sign or veto ordinances.
[e.g., This is a three-fourths vote of the number of councilmembers elect, which is four votes on a five member council with a mayor.]

Section 36. Same; Ordinary Ordinance; Commission City. The adoption of an ordinary ordinance requires ____ affirmative votes of the commission.
[e.g., This is a majority vote of the members-elect of the commission.]

Section 37. Same; Charter Ordinance; Council City. The adoption of a charter ordinance requires ____ affirmative votes of the governing body. The mayor is considered a member of the governing body.
[e.g., This is a two-thirds vote of the members-elect of the governing body, which is four votes on a five member council with a mayor.]

Section 38. Same; Charter Ordinance; Commission City. The adoption of a charter ordinance requires ____ affirmative votes of the commission. The mayor is considered a member of the governing body.
[e.g., This is a two-thirds vote of the members-elect of the governing body.]

Section 39. Same; Council City; Confirmation of Mayoral Appointment to Non-Elected Position. The mayor may cast the deciding vote when the council is equally divided on a vote for the mayoral appointment to a non-elected position.

Section 40. Same; Council Cities; Confirmation of Mayoral Appointment to Elected Position. The mayor may cast the deciding vote when the council is equally divided on a vote to confirm a mayoral appointment to an elected position. In a city of the second class, the mayor participates and votes with the council in such appointment.

Section 41. Same; Commission City. The mayor has a vote on all matters. The mayor does not have a "second vote" to break a tie. Appointments in commission cities are by motion, second, and a vote.

Application & Amendment

Section 42. Rules. For those matters not covered by these rules, the procedure shall be as decided by a majority vote of the governing body. These rules may be amended after adoption by a subsequent ordinance amending specific rules as identified in the ordinance. Such ordinance amends the adopting ordinance. The rules may not be suspended by the governing body during any meeting.

ARTICLE 2. GOVERNING BODY

Sec. 1-201. Governing Body.

The Governing Body shall consist of a Mayor and eight Councilmembers, all of whom shall be elected in the manner provided by Charter Ordinance No. 5, as set out in Chapter 6 and Appendix A of this Code.

(Code 1986)

Sec. 1-202. Mayor; Powers and Duties.

The Mayor shall:

- (a) Preside at all meetings of the Governing Body, except as set forth in subsection 1-203(b)(2);
- (b) Have the tie-breaking vote on all questions when the members present are equally divided, except as set forth in subsection 1-203(a);
- (c) Promote good conduct and cause to be remedied any neglect, carelessness, or other violation of duty of all elected officers;
- (d) Sign the commissions and appointments of all officers elected or appointed;
- (e) Endorse the approval of the Governing Body on all official bonds;
- (f) From time to time communicate to the City Council such information and recommend such measures as he or she may deem advisable;
- (g) Have the power to approve or veto any ordinance as the laws of the state shall prescribe; and
- (h) Sign all orders and drafts drawn upon the City Treasurer for money.

(Code 1977, § 1-102; Code 1986; Chart. Ord. No. 34, § 1, 9-19-2016)

Note(s)—For authority to remove any appointed officer see Sections 1-302—1-306.

Sec. 1-203. President of the Council.

- (a) There shall be a President of the Council who shall serve a one-year term and who shall be selected in accordance with the following procedure. At the first Council meeting in January of each year or the Council meeting following the resignation of the acting Council President, nominations shall be made and an election shall be held. Once the nominations are made, a brief five-minute speech will be allowed from each candidate. Upon election by a majority of the Councilmembers present, the President of the Council shall be elected for the next term. The Mayor does not have a tie-breaking vote in the selection of the President of the Council. If a majority vote of Councilmembers present cannot be met, the following procedure shall be followed. If there are more than two nominations, the number of nominations shall be narrowed down to two and the process repeated. The top two vote getters shall move on. If there is a tie between the second or more vote getters, a coin flip shall decide who is in the top two. If there is a tie in the vote of the final two, a coin shall be flipped to determine the President of the Council. This process will be repeated annually each January.

(b) The President of the Council shall have the following duties:

- (1) Preside at meetings of the City Council in the absence of the Mayor while retaining all the privileges of a Councilmember;
- (2) Preside at all Governing Body Workshops, given that Co-Chairs may present items specific to their assigned service area (i.e. Administration, Public Works, Public Safety or Finance);
- (3) Participate in meetings or events on behalf of the Mayor when the Mayor cannot attend due to a schedule conflict; and
- (4) Advise and consult with City staff when an urgent issue arises and the Mayor cannot be reached in a reasonable period of time after attempts to reach the Mayor have been made.

(Chart. Ord. No. 26, §§ 2, 3, 5, 1-21-2014; Chart. Ord. No. 33, § 1, 9-19-2016; Ord. No. 989, § 1, 1-6-2020)

Note(s)—At the discretion of the editor, the provisions of Chart. Ord. No. 26 §§ 2 and 3, pertaining to the President of the Council have been codified as § 1-203, above. Provisions of § 4 pertaining to the Acting President of the Council have been codified as § 1-203.1, below.

Sec. 1-203.1 Acting President of the Council.

In the absence of both the Mayor and the President of the Council at a meeting of the Governing Body, the Council shall elect one of its members to serve as Acting President of the Council who shall preside at the meeting. While presiding at a meeting of the Governing Body, the Acting President of the Council shall retain all the privileges of a Councilmember. If the election for the Acting President of the Council results in a tie, a coin shall be flipped.

(Chart. Ord. No. 26, § 4, 1-21-2014; Chart. Ord. No. 33, § 2, 9-19-2016)

Sec. 1-204. Administrative Powers.

The Governing Body may designate whether the administration of a policy or the carrying out of any order shall be performed by a committee, an appointive officer, or the Mayor. If no administrative authority is designated it shall be vested in the City Administrator or his/her designee.

(Code 1986; Ord. No. 931, § 1, 9-19-2016)

Sec. 1-204.1. Council Purpose, Powers and Duties.

- (a) *Purpose.* Public officials are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and to carry out impartially the laws of the City and thus to foster respect for all government. They are bound to observe in their official acts the highest standards of ethics and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the long-term public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach. The Council is responsible for setting policy and community direction.
- (b) *Powers and Duties.* The Council has the duty to meet and consider policy and community direction issues and the authority to adopt said policy. All powers exercised by cities of the second class or which shall hereafter be conferred upon them shall be exercised by the Governing Body, subject to such limitations as prescribed by law. All legislative authority granted or limited by law shall be vested in the Mayor and City Council as the

Governing Body to the City. No member of the Council shall directly interfere with the conduct of any department, except at the express direction of the Council.

(Ord. No. 931, § 7, 9-19-2016)

Sec. 1-205. Meetings.

The regular meetings of the Governing Body shall be held on the first and third Monday of each month at 6:00 p.m. in the Council Chambers of the Roeland Park City Hall, 4600 West 51st Street, Roeland Park, Kansas, or at such other location as may be designated in a notice of meeting. In case the first or third Monday of any month falls on a holiday, the regular meeting shall be held on the next secular day thereafter that is not a legal holiday. In the event of an emergency which jeopardizes the safety of meeting participants or the general public, and/or ability to conduct the meetings as previously set forth, alternative arrangements may be made. To do so, the Mayor, Council President, and City Administrator must all agree as to a date, time and procedure to conduct the meeting. In that event, the limitations of Section 1-1604 shall not apply.

(Ord. 771, § 1; Code 2007; Ord. No. 900, § 1, 11-17-2014; Ord. No. 982, § 1, 7-22-2019; Ord. No. 992, § 1, 3-16-2020)

Sec. 1-206. Special Meetings.

Special meetings of the Governing Body shall be called by the Mayor at any time upon written request of not fewer than three members of the City Council.

(Ord. 786, § 1; Code 2007)

State law reference(s)—K.S.A. 14-111.

Sec. 1-207. Workshops.

The regular meetings of the Governing Body Workshop shall be held on the first and third Mondays of each month immediately following the regular meeting of the Governing Body in or adjacent to the Council Chambers of the Roeland Park City Hall, 4600 West 51st Street, Roeland Park, Kansas, or at such other location as may be designated in a notice of meeting. In case the first or third Monday of any month falls on a holiday, the regular meeting may be held on the next secular day thereafter that is not a legal holiday or the fourth Monday of the same month. The procedure for a Councilmember to add a topic as an agenda item for a Workshop meeting shall be as follows:

- (1) A Councilmember generates an idea for an agenda topic;
- (2) The Councilmember gains the support of two (2) other Councilmembers;
- (3) The Councilmember submits a completed Action Form to the City Administrator;
- (4) The City Administrator takes the completed Action Form to the agenda-setting meeting with the Mayor and Council President;
- (5) Space is identified for discussion of the topic on an upcoming Workshop agenda (not necessarily the next Workshop meeting); and
- (6) The topic is placed on an upcoming agenda and workshopped.

(Ord. No. 931, § 2, 9-19-2016; Ord. No. 982, § 2, 7-22-2019)

Editor's note(s)—Ord. No. 931, § 2, adopted Sept. 19, 2016, repealed the former § 1-207, and enacted a new § 1-207 as set out herein. The former § 1-207 pertained to adjourned meetings and derived from Code 1986.

Sec. 1-208. Quorum.

At all meetings of the Governing Body, a majority of the Councilmembers elect shall constitute a quorum to do business, but a minority may adjourn from day to day and may compel the attendance of absentees by a fine not exceeding \$10.00 for each offense unless a reasonable excuse be offered.

(Code 1977, § 1-103; Ord. No. 931, § 3, 9-19-2016)

State law reference(s)—K.S.A. 14-111.

Sec. 1-209. Compensation.

- (a) The Mayor shall receive a salary of \$510.00 per month for his or her services. Each Councilmember shall receive a salary of \$425.00 per month for his or her services.
- (b) The Mayor or any Councilmember may elect to receive monthly compensation in amounts less than the amounts set forth in this section. Such election may be made by the Mayor or any Councilmember irrespective of any election made by any other member of the Governing Body.
- (c) Any election made pursuant to subsection (b) shall be effective beginning the pay period following the submission of a written request therefore, and shall remain in effect for a period of one year or the end of that Governing Body member's term of office, whichever occurs first. If, at the expiration of any such period, the Governing Body member does not renew such election in writing, the Governing Body member shall automatically be compensated in the monthly amount specified in this section.

(Ord. No. 852, §§ 1—4)

Sec. 1-210. Expenses.

Members of the Governing Body shall be reimbursed for all expenses incurred in the performance of their official duties. However, no expense shall be reimbursed until an itemized accounting shall have been presented and approved by the Governing Body in a regular meeting of the Council.

(Code 1986)

Sec. 1-211. Incorporating Code of Procedure for Kansas Cities.

There is hereby incorporated by reference for the purpose of regulating Governing Body procedures, that certain standard code known as the "Code of Procedure for Kansas Cities, Second Edition," prepared and published in pamphlet form by the League of Kansas Municipalities, Topeka, Kansas, save and except such sections as are hereafter modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, and K.S.A. 12-3301 and 12-3302, as amended. At least one copy of said Code of Procedure for Kansas Cities shall be marked or stamped "Official Copy as Adopted by Ordinance No. 899," with all sections or portions thereof intended to be changed clearly marked to show any such change, and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The City Attorney, Police Department, Municipal Judge and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Code of Procedure for Kansas Cities similarly marked, as may be deemed expedient.

(Ord. No. 899, § 1, 9-22-2014)

Editor's note(s)—Ord. No. 899, § 1, adopted September 22, 2014, repealed the former § 1-211, and enacted a new § 1-211 as set out herein. The former § 1-211 pertained to rules and order of business and derived from Ord. No. 872, § 1.

Sec. 1-212. Same; Amendment to Section 7.

Section 7 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Public Comment. The Governing Body may by resolution adopt guidelines for the consideration of public comment at meetings of the Governing Body.

(Ord. No. 899, § 2, 9-22-2014; Ord. No. 931, § 4, 9-19-2016)

Sec. 1-213. Same; Amendment to Section 21.

Section 21 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Motion to Refer; **Motion to Table; Motion to Take From Table.** If the Governing Body deems it appropriate, it may refer an ordinance, resolution, contract, or any other matter back to staff, committee, board, or other appropriate location for further review and consideration. A Motion to Refer may or may not contain a time certain for the item to be returned to the Governing Body. **A pending question may also be tabled. A Motion to Table is non-debatable. A Motion to Table may or may not contain a time certain for the item to be returned to the Governing Body; however, once tabled, the question shall not be discussed until a Motion to Take From Table is passed. A Motion to Take From Table is non-debatable.**

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(Ord. No. 899, § 3, 9-22-2014)

Sec. 1-214. Same; Amendment to Section 33.

Section 33 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Same; Ordinary Ordinance. The adoption of an ordinary ordinance requires **five (5)** affirmative votes of the Council.

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(Ord. No. 899, § 4, 9-22-2014)

Sec. 1-215. Same; Amendment to Section 35.

Section 35 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Same; Ordinary Ordinance; Mayor's Veto. The Mayor may veto any ordinance passed by the Council on or before the next regularly scheduled meeting with the exception of ordinances on which the Mayor casts the deciding vote and appropriation ordinances. Ordinances not signed or vetoed by the Mayor take effect without the Mayor's signature. Any ordinance vetoed by the Mayor may be passed over the veto by a vote of **six (6)** councilmembers. The President of the Council, acting in the absence of the Mayor, shall have no power to sign or veto ordinances.

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(Ord. No. 899, § 5, 9-22-2014)

Sec. 1-216. Same; Amendment to Section 37.

Section 37 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Same; Charter Ordinance. The adoption of a charter ordinance requires six (6) affirmative votes of the Governing Body. The Mayor is a member of the Governing Body and shall vote on a charter ordinance, **but has no power to veto a charter ordinance.**

(Ord. No. 899, § 6, 9-22-2014)

Sec. 1-217. Same; Addition to Code of Procedure for Kansas Cities (Chairs and Co-Chairs of Service Areas).

The following shall be an addition to the Code of Procedure for Kansas Cities:

Chairs and Co-Chairs of Service Areas. All members of the City Council shall serve as Service Area representatives. Two members shall be appointed annually to serve one-year terms as Co-Chairs of each standing Service Area for the following year. Beginning on January 1, 2017, service area membership shall rotate annually each March in accordance with the schedule set forth below. The following shall be the standing Service Areas:

- Administrative (1)
- Finance (2)
- Safety (3)
- Public Works (4)

Each Council position has been assigned a position number for purposes of Service Area assignments:

Ward	Term Expiring	Position
1	2020 (2024)	1
1	2018 (2022)	2
2	2018 (2022)	3
2	2020 (2024)	4
3	2018 (2022)	5
3	2020 (2024)	6
4	2018 (2022)	7
4	2020 (2024)	8

Appointments will change on an eight-year rotation schedule according to the following schedule:

Service Area	2016	2017	2018	2019	2020	2021	2022	2023
(1)	8-1	1-7	7-2	2-6	6-3	3-5	5-4	4-8
(2)	7-4	4-6	6-1	1-5	5-2	2-8	8-3	3-7
(3)	6-3	3-5	5-4	4-8	8-1	1-7	7-2	2-6
(4)	5-2	2-8	8-3	3-7	7-4	4-6	6-1	1-5

Whoever is elected to fill that member's seat will take the position that the outgoing member had in the rotation. At the end of the rotation after year 8, the rotation schedule will start over (with the assignments being the same as for year 1).

(Ord. No. 899, § 7, 9-22-2014; Ord. No. 931, § 5, 9-19-2016)

Editor's note(s)—Ord. No. 931, § 5, adopted Sept. 19, 2016, changed the title of § 1-217 from "Same; Addition to Code Procedure for Kansas Cities (Standing Committees of the City Council)" to "Same; Addition to Code of Procedure for Kansas Cities (Chairs and Co-Chairs of Service Areas)."

Sec. 1-218. Same; Deletions from Code of Procedure for Kansas Cities.

Sections 36, 38 and 41 of the Code of Procedure for Kansas Cities are hereby deleted in their entirety.

(Ord. No. 899, § 8, 9-22-2014)

~~Section 36. Same; Ordinary Ordinance; Commission City.~~

~~Section 38. Same; Charter Ordinance; Commission City.~~

~~Section 41. Same; Commission City.~~

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Sec. 1-219. Same; Amendment to Section 23.

Section 23 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Motion to Call the Previous Question. A Motion to Call the Previous Question. This motion is not debatable and, if passed by a majority of the City Council present and voting at a meeting, calls for an immediate vote on the substantive motion. This motion requires a vote.

(Ord. No. 900, § 2, 11-17-2014)

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Sec. 1-220. Same; Amendment to Section 27.

Section 27 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Form of Vote. All votes shall be by voice vote, a "show of hands," or a roll call vote. ~~All votes shall be by voice vote or, in the alternative, the mayor may request that a vote be by "show of hands."~~ No vote shall be by secret ballot.

(Ord. No. 900, § 3, 11-17-2014)

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Sec. 1-221. Same; Amendment to Section 42.

Section 42 of the Code of Procedure for Kansas Cities is hereby amended to read as follows:

Rules. For those matters not covered by these rules, the procedure shall be as decided by a majority vote of the City Council governing body. These rules may be amended after their adoption by a subsequent ordinance amending the specific rules as identified in the amending ordinance. Such ordinance amends the adopting ordinance. ~~The rules may not be suspended by the governing body during any meeting.~~

(Ord. No. 900, § 4, 11-17-2014)

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Sec. 1-222. Same; Addition to Code of Procedure for Kansas Cities (Point of Order; Appeal).

The following shall be an addition to the Code of Procedure for Kansas Cities:

Point of Order; Appeal. When a member of the Governing Body believes that any person is violating one of these rules of procedure or any procedural guidelines adopted pursuant to section 7 of these rules of procedure, or any amendments thereto, he or she may raise a Point of Order, thereby calling upon the Chair of the meeting for a ruling and an enforcement of the rules. Any two members of the Governing Body may appeal from the decision of the Chair on a Point of Order. By one member taking the appeal and the second member seconding it, the question is taken from the Chair and vested in the Governing Body for final decision. The question on an Appeal is whether the ruling of the Chair shall be upheld. The Chair does not vote on an Appeal. An Appeal is not debatable, and a majority or tie vote sustains the ruling of the Chair.

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(Ord. No. 900, § 5, 11-17-2014)



Code of Procedure for Kansas Cities

Fourth Edition

A Publication Of The League of Kansas Municipalities
Revised July, 2017



Code of Procedure for Kansas Cities

Fourth Edition

Ordinance Incorporated by Reference Under the
Provisions of K.S.A. 12-3009 through 12-3012, and
K.S.A. 12-3301 and 12-3302

by Ordinance No. _____

City of _____, Kansas

CODE OF PROCEDURE FOR KANSAS CITIES

**Revised July 2017*

Definitions

Section 1. Governing Body. The term governing body shall include the mayor and council, mayor and commissioners, and board of commissioners.

Section 2. Quorum. A quorum shall consist of a majority of the members-elect of the city council or city commission unless otherwise provided by local charter ordinance. In a council city, the quorum shall not include the mayor.

Meetings

Section 3. Regular Meetings. Regular meetings of the city will be held at a time, place, and date certain as set by ordinance and in accordance with applicable state law.

Section 4. Special Meetings. Special meetings will be held only for a special purpose and will be called in accordance with city ordinance or applicable state law.

Section 5. Work Sessions. No agenda is required for a work session and no binding action may be taken during the work session.

Section 6. Quorum Required. A quorum is required at all meetings during which binding action will be taken by the city.

Section 7. Public Comment. If public comment is allowed during the meeting, the citizen desiring to comment on matters of a general nature, not specific to an agenda item, shall sign up in advance of the meeting and shall provide his or her name and address for the purpose of putting both in the minutes of the meeting. Any public comment taken on specific agenda items shall require the citizen to state his or her name and address for the minutes. The mayor or meeting chair may limit the time of each citizen based upon the number of people wishing to speak and the amount of time available for the public comment portion of the meeting.

Agenda

Section 8. Agenda. Prior to each regular and special meeting, the city will distribute an agenda to each governing body member and it will be made available to the public at that time.

Section 9. Setting Agenda. The governing body of the city shall designate an individual to be in charge of setting the agenda.

Section 10. Agenda Items. Any governing body member or staff member of the city may request to have an item placed on the agenda. Members of the public may not place an item on the agenda, but may have a governing body member sponsor such an item.

Section 11. Additions to Agenda. Items may be added to or removed from the agenda at a regular meeting by motion approved by a majority of those governing body members present and voting. No items may be added to the agenda of a special meeting.

Section 12. Order of Business. At the hour appointed for the meeting, the mayor shall call the meeting to order. In council cities, the president of the council shall chair the meeting in the absence of the mayor. Upon having a quorum present, the governing body shall proceed to business, which shall be conducted in the order set by the governing body.

Section 13. Consent Agenda. By majority vote of the governing body, any item may be removed from the consent agenda and considered separately.

Section 14. Order of Business, Suspended or Amended. By a majority vote of the governing body, the order of business may be amended to add or delete sections as appropriate, or may be suspended in its entirety to consider other matters. Executive sessions may be held at any time in the order of business.

Motions

Section 15. Motions; Second. All motions require a second before such motion may be considered.

Section 16. Debate. All motions are debatable unless otherwise noted in the section governing that motion.

Section 17. Substantive Motion. Only one main substantive motion may be pending on the floor at any one time. It must be withdrawn or advanced to a vote before another substantive motion is introduced.

Section 18. Substitute Motion. Substitute motions are prohibited. Substantive motions must be withdrawn or advanced before another substantive motion is introduced.

Section 19. Motion to Amend. A motion to amend is in order when the proposal is to change, add, or delete words from the main substantive motion. If the motion is to

amend a document before voting on its adoption, it is advisable to reduce the change to writing, but it is not required if all members of the governing body understand the amendment. A vote on an amendment is not a final vote on the underlying substantive motion. To pass the underlying substantive motion requires a vote.

Section 20. Motion to Pass an Ordinance. All ordinances of the city shall be considered at a public meeting of the governing body. After consideration and amendment (if any) of the ordinance, the question shall be: "Shall the ordinance pass?" No ordinance shall contain more than one subject, which shall be clearly expressed in its title, and no section or sections of an ordinance shall be amended unless the amending ordinance contains the entire section or sections as amended and the section or sections amended shall be repealed. [See Sections 33-38 for ordinance voting requirements.]

Section 21. Motion to Refer. If the governing body deems it appropriate, it may refer an ordinance, resolution, contract, or other matter back to staff, committee, board, or other appropriate location for further review and consideration. Such motion may or may not contain a time certain for the item to be returned to the governing body.

Section 22. Motion to Reconsider; Prohibited. Motions to reconsider are prohibited. Any governing body member may make a new substantive motion on a matter previously considered by the city.

Section 23. Motion to Call the Previous Question. This motion is not debatable and, if passed by a majority of the governing body, calls for an immediate vote on the substantive motion. This motion requires a vote.

Section 24. Motion to go into Executive Session. The motion to go into executive session shall be made as follows: "I move that the governing body recess into executive session to discuss _____ (general description of the subjects to be discussed) pursuant to the _____ (statutory justification listed in K.S.A. 75-4319(b)). The open meeting will resume in _____ (location of the meeting) at _____ (time)." While not required, the motion may also state who is to be present in the executive session. This motion must be made, seconded, and carried. The complete motion must be recorded in the minutes of the meeting. The meeting may not reconvene until the time stated in the motion.

Section 25. Motion to Adjourn to a Later Date and Time. If the governing body is unable to complete its agenda during the time allotted for the meeting, the meeting may be adjourned to a time and date certain to continue the regular or special meeting. The motion shall state the time, place, and date for the meeting to reconvene. If the motion is adopted, the meeting is adjourned to the specified time, place, and date.

Section 26. Motion to Adjourn. At the conclusion of the agenda, a motion to adjourn is in order and requires a majority vote.

Voting

Section 27. Form of Vote. All votes shall be by voice vote or, in the alternative; the mayor may request that a vote be by "show of hands." No vote shall be by secret ballot.

Section 28. Division. The mayor or any member may request a formal division of vote. At the discretion of the mayor, division may be by either a poll of each member or a show of hands.

Section 29. Duty to Vote. Members of the governing body have a duty to vote unless such member choosing to abstain has a conflict of interest or other conflict that appears to make voting on an issue improper. Any member who abstains must state, for the purpose of its inclusion in the minutes, the reason for the abstention.

Section 30. Recording. Upon final passage of a matter, the vote shall be recorded in the minutes.

Section 31. Votes; Non-Ordinance Matters. Unless otherwise specifically required by law, the adoption or rejection of resolutions and other motions shall be by a majority of those present. An abstention shall be counted with the prevailing side.

Section 32. Votes; Mayor in Council City; Non-Ordinance Matters. The mayor may cast a tie breaking vote when the council is equally divided on a vote in a non-ordinance matter.

Section 33. Same; Ordinary Ordinance; Council City. The adoption of an ordinary ordinance requires ____ affirmative votes of the council. [This is a majority vote of the members-elect of the council, which is three votes on a five member council with a mayor.]

Section 34. Same; Ordinary Ordinance; Council City; Mayor's Vote. The mayor may cast the deciding vote in favor of an ordinance at any time that the number of favorable votes is one less than required.

Section 35. Same; Ordinary Ordinance; Council City; Mayor's Veto. The mayor in council cities may veto any ordinance passed by the council on or before the next regularly scheduled meeting with the exception of ordinances on which the mayor casts the deciding vote or appropriation ordinances. Ordinances not signed or vetoed by the mayor take effect without the mayor's signature. Any ordinance vetoed by the mayor may be passed over the veto by a vote of ____ councilmembers. The president of the council, acting in the absence of the mayor, shall have no power to sign or veto ordinances. [This is a three-fourths vote of the number of councilmembers elect, which is four votes on a five member council with a mayor.]

Section 36. Same; Ordinary Ordinance; Commission City. The adoption of an ordinary ordinance requires ____ affirmative votes of the commission. [This is a majority vote of the members-elect of the commission.]

Section 37. Same; Charter Ordinance; Council City. The adoption of a charter ordinance requires ____ affirmative votes of the governing body. The mayor is considered a member of the governing body. [This is a two-thirds vote of the members-elect of the governing body, which is four votes on a five member council with a mayor.]

Section 38. Same; Charter Ordinance; Commission City. The adoption of a charter ordinance requires ____ affirmative votes of the commission. The mayor is considered a member of the governing body. [This is a two-thirds vote of the members-elect of the governing body.]

Section 39. Same; Council City; Confirmation of Mayoral Appointment to Non-Elected Position. The mayor may cast the deciding vote when the council is equally divided on a vote for the mayoral appointment to a non-elected position.

Section 40. Same; Council Cities; Confirmation of Mayoral Appointment to Elected Position. The mayor may cast the deciding vote when the council is equally divided on a vote to confirm a mayoral appointment to an elected position. In a city of the second class, the mayor participates and votes with the council in such appointment.

Section 41. Same; Commission City. The mayor has a vote on all matters. The mayor does not have a "second vote" to break a tie. Appointments in commission cities are by motion, second, and a vote.

Application & Amendment

Section 42. Rules. For those matters not covered by these rules, the procedure shall be as decided by a majority vote of the governing body. These rules may be amended after adoption by a subsequent ordinance amending specific rules as identified in the ordinance. Such ordinance amends the adopting ordinance. The rules may not be suspended by the governing body during any meeting.



THE
LEAGUE
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CITY OF ROELAND PARK, KANSAS
ORDINANCE NO. ____

AN ORDINANCE REVISING SECTION 1-211 OF “ARTICLE 2. GOVERNING BODY” OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS WHILE RETAINING ALL OTHER SECTIONS CURRENTLY IN ARTICLE 2.

WHEREAS, the City of Roeland Park, Kansas desires to amend Section 1-211 of “Article 2. Governing Body” to conform with the Code of Procedure for Kansas Cities, Fourth Edition.

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

SECTION 1-211. Section 1-211 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

1-211. Incorporating Code of Procedure for Kansas Cities.

“There is hereby incorporated by reference for the purpose of regulating Governing Body procedures, that certain standard code known as the "Code of Procedure for Kansas Cities, Fourth Edition," prepared and published in pamphlet form by the League of Kansas Municipalities, Topeka, Kansas, save and except such sections as are hereafter modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, and K.S.A. 12-3301 and 12-3302, as amended. At least one copy of said Code of Procedure for Kansas Cities shall be marked or stamped "Official Copy as Adopted by Ordinance No. ____," with all sections or portions thereof intended to be changed clearly marked to show any such change, and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The City Attorney, Police Department, Municipal Judge and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Code of Procedure for Kansas Cities similarly marked, as may be deemed expedient. This Ordinance shall take effect upon its publication, or the publication of a summary thereof, in the official City’s designated newspaper.”

PASSED by the City Council the 20th day of June, 2023. **APPROVED** by the Mayor.

Michael Poppa, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney

Item Number: **Ordinances and Resolutions:- IX.-**
 B.
Committee **7/10/2023**
Meeting Date:



City of Roeland Park

Action Item Summary

Date: **7/7/2023**
Submitted By: **Keith Moody**
Committee/Department: **Admin.**
Title: **Resolution 704 Approving Grading Bond from EPC for the**
 Rocks Site (5 min)
Item Type: **Resolution**

Recommendation:

Staff and the City Attorney support approval of EPC to complete grading at the Rocks site prior to closing so long as a reclamation bond equal to the cost of the grading work being completed (\$250,000).

Details:

EPC has excess (10,000 CY) suitable fill material at the site they are working on in Fairway. They are at a point on that site where they need to begin hauling off that excess material. Their development plan for the rocks requires fill material to be brought onto that site (28,000 CY in total). EPC is not yet ready to close on the purchase of the Rocks site (deadline is 8/31/23). They would like to haul the excess fill material from the Fairway site to the Rocks site and place it in the area that will require fill (see green highlighted area of attached map). This results in saved costs for both projects (assume \$25/CY). The fill will be placed such that it does not impact Public Works operations. They will be required to secure a grading permit and post a Reclamation Bond. The reclamation bond is an assurance policy that would cover the cost of removing the fill in the event that EPC does not close on the purchase of the site.

This request was presented to the City on 7/6; we are currently working on the bond and approval document, those will be added once received.

Community Impact: Utilizing a lens of intersectionality, illustrate how this item would promote the city's commitment to equity, including improving social determinates of health:

What are the implications to intersectionality?

- Does this item benefit all racial groups?

- Does this item benefit Community for All Ages?
- Does this item exclude or disproportionately impact any social identities? If yes, what populations and why?
- What (if any) social determinants of health are impacted by this item?
- What (if any) are the unintended economic and environmental impacts of this item?
- How has the impacted community been involved?
- How will the program be communicated to all stakeholders?

Financial Impact

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

Additional Information

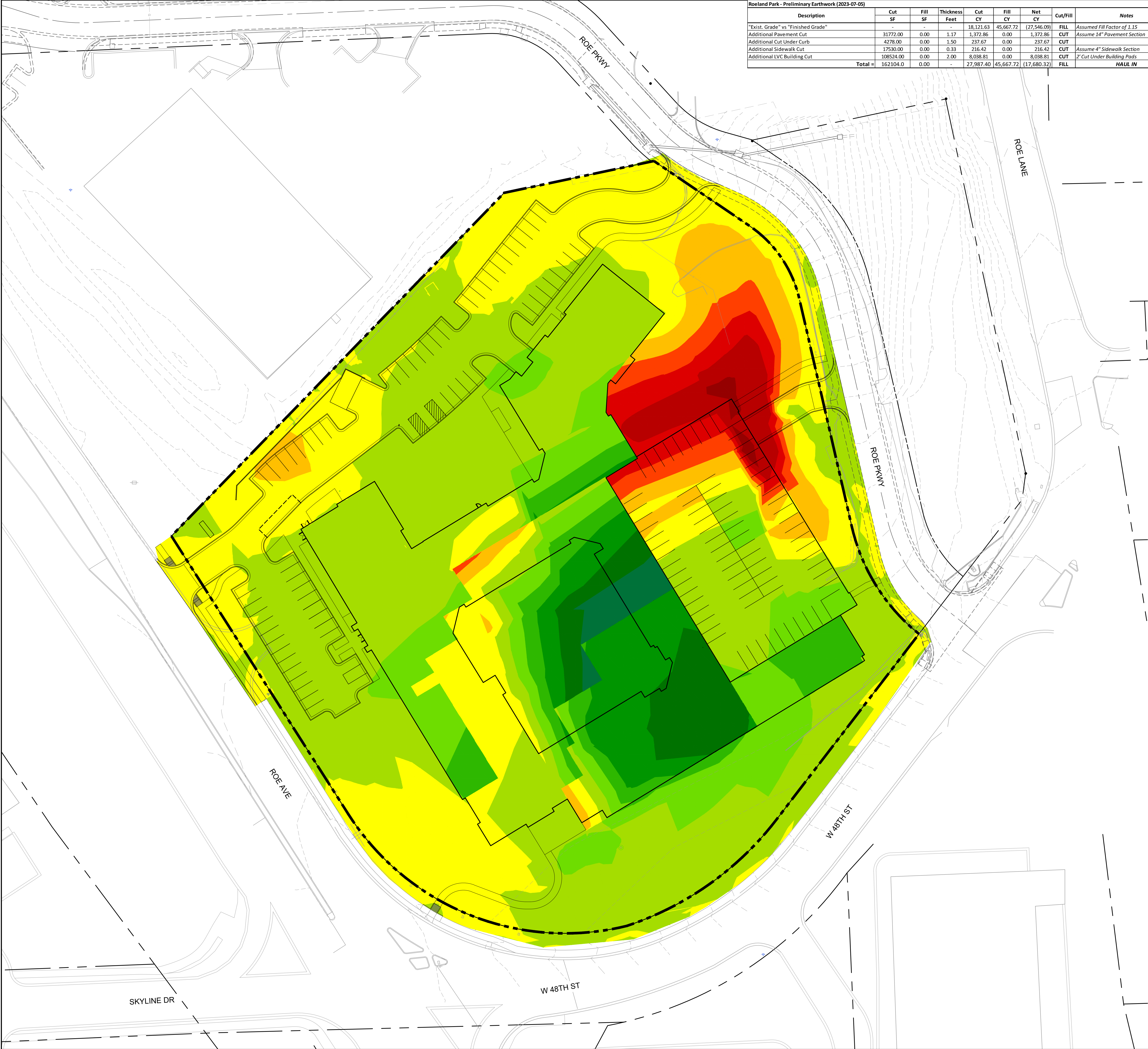
REVIEWERS:

Department	Reviewer	Action	Date
Administration	Moody, Keith	Approved	7/7/2023 - 2:22 PM

Goals/Objectives & Terms

ATTACHMENTS:

Description	Type
▣ Resolution 704 Approving Grading Bond from EPC for the Rocks Site	Cover Memo
▣ EPC Fill and Cut Plan Sheet	Cover Memo



Roeland Park - Preliminary Earthwork (2023-07-05)									
Description	Cut SF	Fill SF	Thickness Feet	Cut CY	Fill CY	Net CY	Cut/Fill	Notes	
"Exist. Grade" vs "Finished Grade"	-	-	-	18,121.63	45,667.72	(27,546.09)	FILL	Assumed Fill Factor of 1.15	
Additional Pavement Cut	31772.00	0.00	1.17	1,372.86	0.00	1,372.86	CUT	Assume 14" Pavement Section	
Additional Cut Under Curb	4278.00	0.00	1.50	237.67	0.00	237.67	CUT		
Additional Sidewalk Cut	17530.00	0.00	0.33	216.42	0.00	216.42	CUT	Assume 4" Sidewalk Section	
Additional LVC Building Cut	108524.00	0.00	2.00	8,038.81	0.00	8,038.81	CUT	2' Cut Under Building Pods	
Total =	162104.0	0.00	-	27,987.40	45,667.72	(17,680.32)	FILL	HAUL IN	

Elevations Table				
Number	Minimum Elevation	Maximum Elevation	Area	Color
1	-29.05	-25.00	688.04	
2	-25.00	-20.00	5467.72	
3	-20.00	-15.00	5546.66	
4	-15.00	-10.00	5528.99	
5	-10.00	-5.00	13483.99	
6	-5.00	0.00	70194.47	
7	0.00	5.00	110075.85	
8	5.00	10.00	25808.93	
9	10.00	15.00	10771.01	
10	15.00	20.00	12213.56	
11	20.00	25.00	8570.04	
12	25.00	29.06	2664.02	

LEVEL 8 - 1007.00
LEVEL 7 - 996.00
LEVEL 6 - 985.00
LEVEL 5 - 974.00
LEVEL 4 - 963.00 (COMMERCIAL ENTRANCE)
LEVEL 3 - 952.00 (SW ENTRY PLAZA)
LEVEL 2 - 941.00
LEVEL 1 - 930.00

