

**MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF FAIRWAY, KANSAS**

The Council of the City of Fairway, Kansas, held their regular meeting at 6:30 P.M. at 5240 Belinder Road, Fairway, Kansas, on Monday, April 8, 2024.

Present: Council Members Jenna Brofsky, David Watkins, Jerry Williams; Kelly Ann Buszek, Lee Story, Dan Bailey, Joseph Levin and Tanya Keys.

Absent: None.

Presiding: Mayor Melanie Hepperly.

Staff Present: Nathan Nogelmeier, City Administrator; Richard Cook, City Attorney; J.P. Thurlo, Police Chief; Bill Stogsdill, Director of Public Works; Brice Soeken, Director of Parks and Recreation.

Visitors: Norman Kahn, 8340 Cedar Street, Prairie Village; Mary Penrose, 9117 Fontana, Prairie Village.

CALL TO ORDER AND ANNOUNCEMENTS

- A. Mayor Hepperly called the meeting to order. She stated there would be two additions to the Agenda which are a Proclamation for Earth Day and Item D under New Business related to an Intent to Proceed Letter to Johnson County for the 2025 Stormwater Projects.

PLEDGE OF ALLEGIANCE

Mayor Hepperly led the Council in the Pledge of Allegiance.

PROCLAMATION: 2024 ARBOR DAY

Mayor Hepperly read a proclamation designating April 26, 2024 as Arbor Day in the City of Fairway. She urged all citizens to celebrate Arbor Day, support efforts to protect trees, and plant trees to gladden the heart and promote the well-being of this and future generations.

PROCLAMATION: 2024 EARTH DAY

Mayor Hepperly read a proclamation designating April 22, 2024 as Earth Day in the City of Fairway. She urged all citizens to take responsibility to care for the world in which we live.

MONTHLY REPORTS OF STANDING COMMITTEES

CONSOLIDATED FIRE DISTRICT NO. 2, CHIEF CHICK

No report.

ADMINISTRATION AND FINANCE COMMITTEE, MR. NOGELMEIER

Monthly Report

City Administrator Nogelmeier stated that the Committee did not meet in March. He noted that sales tax collections were down in January but otherwise, the financials are solid. The Finance Committee will begin discussing the 2025 budget at its April meeting.

Responding to Councilwoman Brofsky's question concerning the number of greenspace exceptions granted by the Planning Commission, City Administrator Nogelmeier responded that whether or not the Planning Commission grants the exception to greenspace is dependent on each unique situation. He does not think they are rubber-stamped. Director Soeken added that staff has been looking into greenspace exceptions and he would guess that exceptions are requested eight to ten times per year and those are for both new and existing homes.

POLICE COMMITTEE, CHIEF THURLO

Monthly Report

Chief Thurlo referred the Council to the report, subject to questions. He discussed several incidents that occurred last month, including one involving a barricaded subject in Westwood. Officer Rubio responded to the incident and developed a rapport with the individual who was eventually taken into custody. Fairway officers also assisted Westwood with the investigation and traffic control following a fatality hit and run accident that occurred at the Cancer Center.

Chief Thurlo presented Certificates of Exemplary Performance to Sergeant Johnson and Officer Rubio for their work in responding to an armed disturbance in Mission where they developed a tactical plan and deescalated the situation, leading to peaceful compliance by the individual.

Mayor Hepperly congratulated Sergeant Johnson and Officer Rubio and stated that the Council and City are proud of Fairway Police Officers.

PUBLIC WORKS COMMITTEE, MR. STOGSDILL

Monthly Report

Director Stogsdill referred the Council to the report in the packet subject to questions. He discussed the status of street repairs, including the emergency repair on Roe, stating that he expects that work to be completed within four weeks.

Responding to Councilman Story's question, Director Stogsdill confirmed that volunteer clean up events are scheduled in 2024 and the first event occurred last weekend. The events are coordinated with Shawnee Indian Mission and involve cleaning up the grounds around the Mission and adjacent stream. Roeland Park and Westwood will also be having clean up events and Fairway will advertise for those events.

#### PARKS AND RECREATION COMMITTEE, MR. SOEKEN

##### Monthly Report

Director Soeken referred the Council to the report in the packet, subject to questions. He stated that the Arbor Day Celebration is scheduled for Friday, April 26, 2024 at 11:30 A.M. at Peterson Park. Second graders from Highlands Elementary will attend and Mayor Hepperly will give a speech and run several of the games. Each of the children will receive a Ponderosa Pine Tree to take home for planting.

Councilman Story congratulated Director Soeken on the sign-ups for the summer programs. He noted there are 135 kids on the wait list and he asked what was limiting the City's ability to serve those children.

Director Soeken stated that the programs have reached capacity for safety if there is lightening or severe weather. He explained that they are looking into some future plans that will hopefully address capacity issues.

Mayor Hepperly added that the Parks and Recreation Committee has been discussing master plans that should help to accommodate more attendees in the future.

#### MONTHLY REPORTS OF SPECIAL COMMITTEES

##### Tree Board

Director Stogsdill reported that the Tree Board met in March and finalized the Annual Tree Plan, which will come before the Council during New Business.

#### APPROVAL OF CONSENT AGENDA

Mayor Hepperly outlined the two items on the Consent Agenda. The Consent Agenda items include the following: (A) Minutes of Previous Regular City Council Meeting; (B) Claims and Appropriations – Ordinance #1803 – March 2024.

Mayor Hepperly asked for discussion on this item. Hearing none, she asked for public comment. Hearing none, she asked for a motion.

Councilman Watkins moved that the Council approve Consent Agenda items A and B on the Consent Agenda. Councilwoman Buszek seconded the motion and the motion carried unanimously.

NEW BUSINESS

- B. Consider Amendment to 2024 Suwanee Storm Sewer Project Design/Engineering Services Contract with TREKK Design Group, LLC to Include Construction Management Services.

Director Stogsdill explained this contract is for engineering construction services and review of submittals for the 2024 Suwanee Storm Sewer Project prior to construction.

Mayor Hepperly asked for public comment on this item. Hearing none, she asked for discussion from the Council. Hearing none, she asked for a motion.

Councilman Levin moved that the Council approve the Amendment to the 2024 Suwanee Storm Sewer Project Design/Engineering Services Contract with TREKK Design Group, LLC, to include construction management services. Councilwoman Keys seconded the motion and the motion carried unanimously.

- C. Consider Accepting Bid for 2024 Suwanee Storm Sewer Project.

Director Stogsdill explained that bids for the project were opened last Friday and the low bid was received from Golconda with a bid of \$82,746. The City's engineer has reviewed and approved the bid and staff recommends that the Council approve the bid and authorize Mayor Hepperly to sign the contract once it has been finalized.

Mayor Hepperly asked for questions from the Council.

Responding to Councilman Watkins' question, Director Stogsdill stated that the City has worked with Golconda previously as a subcontractor on another project.

Responding to Councilman Levin's question, Director Stogsdill discussed the variance in the bid from Golconda versus bids from other companies. He noted that the project is a very unique small project so it does not surprise him that there were a wide variety of bids.

Mayor Hepperly asked for further discussion from the Council. Hearing none, she asked for public comment on this item. Hearing none, she asked for a motion.

Councilman Levin moved that the Council approve the bid from Golconda for the 2024 Suwanee Storm Sewer Project and authorize Mayor Hepperly to execute the contract when it is finalized. Councilman Watkins seconded the motion and the motion carried unanimously.

D. Consider 2024 Annual Tree Plan.

Director Stogsdill stated that the 2024 Annual Tree Plan was approved by the Tree Board. The only changes relate to updates to the recommended trees suggested by the District Forester.

Responding to Councilman Story's question, Director Stogsdill discussed the status of the backlog for replacement of trees. He explained that a large portion of the backlog was taken care of in 2023, and the remainder will be taken care of in 2024 and 2025.

Responding to Councilwoman Brofsky's question, Director Stogsdill stated that the District Forester has reviewed what the City has done with tree trimming and agrees that the City should maintain its current three-year cycle. The Forester agrees that moving to a two-year cycle would not give additional return on the investment.

Councilwoman Buszek stated that at the Tree Board meeting she suggested that the City plant a tree commemorating the 75<sup>th</sup> Anniversary. The tree will be planted in the fall at a location yet to be determined.

Mayor Hepperly asked for additional discussion from the Council. Hearing none, she asked for public comment on this item. Hearing none, she asked for a motion.

Councilwoman Buszek moved that the Council approve the 2024 Annual Tree Plan. Councilwoman Brofsky seconded the motion and the motion carried unanimously.

E. Consider Authorizing the Mayor to Sign an Intent to Proceed Letter to Johnson County for the 2025 Stormwater Projects.

Director Stogsdill explained that he received an email from Johnson County today indicating that Intent to Fund letters will be sent within the next week and the County has requested that the letters be returned by May 3. The Intent to Proceed Letter would notify the County of Fairway's intent to accept funding for 2025. The funding will come from the stormwater utility fee. While the budget is not yet complete, in its five-year stormwater Capital Improvement Plan, the City planned for 35 percent funding from the County and the County will be funding closer to 50 percent.

Responding to Councilman Bailey's question, Director Stogsdill explained that of the 19 projects listed for funding, three of the projects were not funded. He stated that the County is hoping to fund those three projects either by cities not accepting their funding or with carryover from other stormwater funds.

Mayor Hepperly asked for further discussion from the Council. Hearing none, she asked for public comment on this item. Hearing none, she asked for a motion.

Councilwoman Watkins moved that the Council authorize the Mayor to sign an Intent to Proceed Letter to Johnson County for the 2025 Stormwater Projects. Councilwoman Buszek seconded the motion and the motion carried unanimously.

#### COMMENTS BY GOVERNING BODY

Mayor Hepperly asked for comments by the Governing Body.

Councilwoman Brofsky recalled at the last meeting that Commissioner Fast discussed the Recycling Right Program. She stated that if Councilmembers know people in their neighborhood who would be interested in volunteering, she thinks it would be worth considering because there is no cost to do so.

Mayor Hepperly suggested that City Administrator Nogelmeier talk with the County to get specifics on the program and then he can send a Constant Contact to residents to inform them and see if any residents are interested in volunteering.

#### PUBLIC COMMENT

Mayor Hepperly asked if there were members of the public who would like to comment.

Norman Kahn, 8340 Cedar Street, Prairie Village, stated that he represents the Kansas Silver Haired Legislators. In 1969, the United States Government authorized each state to have a silver-haired legislator, whose work it is to speak with and listen to seniors, and to outline priorities for needs of seniors. The legislators from across the State meet in Topeka for three days and come up with specific bills and recommendations to the Kansas Legislature for the legislative session. Their current priorities are expansion of Medicaid for seniors who are not yet 65 or who are disabled. They are also looking to expand the Grandparents Act to make sure that grandparents can be financially remunerated to serve as caregivers. Another priority is to eliminate the taxation on Social Security and they are also working to support the voting rights of seniors to eliminate issues with getting access to the polling places. Finally, they are working to establish an advisory board to explore the issue of medical cannabis.

Mary Penrose, 9117 Fontana, Prairie Village, stated that she is also a Kansas Silver Haired Legislator. She explained they are not allowed to lobby but are allowed to advocate for seniors and they do meet with a lot of representatives to discuss the needs of their constituents. She stated that contact information is on the flyer provided to Councilmembers and if anyone has ideas or concerns, they should reach out to them.

Mayor Hepperly asked if there was additional public comment. Hearing none, she closed public comment.

#### ADJOURNMENT

There being no further business to come before the Council, Mayor Hepperly adjourned the meeting at 7:45 P.M.

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Mayor Melanie Hepperly

Attest:

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Barb Fox, Recording Secretary