

**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, October 10, 2022.

Present: Council Members Jenna Brofsky, David Watkins, Jonalan Smith, Kelly-Ann Buszek, Jason Rogers, Joe Levin and Tanya Keys.

Absent: Council Member Dan Bailey.

Presiding: Mayor Melanie Hepperly.

Staff Present: Nathan Nogelmeier, City Administrator; Richard Cook, City Attorney; J.P. Thurlo, Police Chief.

Visitors: CFD #2 Chief Steve Chick.

CALL TO ORDER AND ANNOUNCEMENTS

Mayor Hepperly called the meeting to order.

City Administrator Nogelmeier stated that when the Council goes into Executive Session at the end of the meeting, he does not anticipate there will be any additional action by the Council so the YouTube transmission of the meeting will end at the start of the Executive Session.

PLEDGE OF ALLEGIANCE

Mayor Hepperly led the Council in the Pledge of Allegiance.

PROCLAMATION – INDIGENOUS PEOPLES DAY

Mayor Hepperly read a Proclamation designating October 10, 2022 as Indigenous Peoples Day in the City of Fairway, Kansas. She urged all citizens to reflect upon the culturally diverse struggles of Indigenous people on this land.

MONTHLY REPORTS OF STANDING COMMITTEES

CONSOLIDATED FIRE DISTRICT NO. 2, CHIEF CHICK

Chief Chick referred the Council to the report in the packet, subject to questions. He reported that last month the Fire District received approval of its budget from the County Commission and is moving forward with the initiatives in the 2023 budget. The Fire District is also going through a new strategic planning phase and will revisit its mission, vision and values. They will also be reaching out to residents within the District for resident involvement.

Councilmembers Smith, Rogers and Watkins thanked Chief Chick for the Fire Department's attendance at the recent block parties for the different Wards, as the children really enjoy having the Fire Department there.

Chief Chick stated that the Fire Department is happy to attend the block parties.

ADMINISTRATION AND FINANCE COMMITTEE, MR. NOGELMEIER

Monthly Report

City Administrator Nogelmeier referred the Council to the report in the packet, subject to questions. He explained that the sales tax distribution was received on September 30, 2022 and was the second highest amount ever received at around \$280,000.

POLICE COMMITTEE, CHIEF THURLO

Monthly Report

Chief Thurlo referred to the report in the packet, subject to questions.

PUBLIC WORKS COMMITTEE, MR. STOGSDILL

Monthly Report

Mayor Hepperly referred to the report as submitted, subject to questions.

PARKS AND RECREATION COMMITTEE, MR. SOEKEN

Monthly Report

Mayor Hepperly referred to the report as submitted, subject to questions. She stated that the report is very detailed and she congratulated Director Soeken and his staff for an outstanding season.

MONTHLY REPORTS OF SPECIAL COMMITTEES

Tree Board

City Administrator Nogelmeier reported that the Tree Board met but there is no report.

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 #1770 – September 2022.

Mayor Hepperly asked for public comment. Hearing none, she closed public comment on this item.

Mayor Hepperly asked for discussion from the Council. Hearing none, she asked for a motion.

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

NEW BUSINESS

- A. Ordinance #1771 – an Ordinance Relating to the Regulation of Traffic Within the Corporate Limits of the City of Fairway, Kansas, Incorporating by Reference the Standard Traffic Ordinance for Kansas Cities, 49th Edition, with Certain Additions; Amending or Readopting and Repealing Existing Sections 10-19 through 10-22, Inclusive, and Sections 10-48 Through 10-66, Inclusive, of the Code of Ordinances, City of Fairway, Kansas; and Repealing Ordinance No. 1751.

Mayor Hepperly asked Chief Thurlo if he had additional comments on this item. Chief Thurlo stated that he had no comments.

City Administrator Nogelmeier explained that this Ordinance is passed annually and reflects minor changes that come from the State. If there were major changes, the Council would be discussing those changes.

Mayor Hepperly asked for public comment. Hearing none, she closed public comment on this item.

Mayor Hepperly asked for discussion from the Council. Hearing none, she asked for a motion.

Councilman Watkins moved that the Council approve Ordinance #1771. Councilwoman Keys seconded the motion and the motion carried unanimously.

- B. Ordinance #1772 – an Ordinance Relating to the Regulation of Public Offenses Within the Corporate Limits of the City of Fairway, Kansas; Incorporating by Reference the Uniform Public Offense Code for Kansas Cities; 38th Edition, with Certain Changes; Amending and Repealing Existing Sections 8-25, 8-26, 8-27, 8-29, 8-30 and Sections 8-49 through 8-55, Inclusive, of the Code of Ordinances, City of Fairway, Kansas; and Repealing Ordinance No. 1752.

Mayor Hepperly asked Chief Thurlo if he had additional comments on this item. Chief Thurlo stated that he had no comments.

Mayor Hepperly explained that as with Item A above, this Ordinance incorporates changes from the State into the Fairway Ordinances.

Mayor Hepperly asked for public comment. Hearing none, she closed public comment on this item.

Mayor Hepperly asked for discussion from the Council. Hearing none, she asked for a motion.

Councilwoman Brofsky moved that the Council approve Ordinance #1772. Councilman Rogers seconded the motion and the motion carried unanimously.

C. Ordinance #1773 – an Ordinance Relating to the Fairway Development Ordinances Pertaining to Building Permit Application Within the Corporate Limits of the City of Fairway, Kansas; Amending and Repealing Existing Sections 15-852.

City Administrator Nogelmeier explained that this Ordinance is precipitated by the redevelopment project at 4210/4220 Shawnee Mission Parkway. That project is expected to take between 20 to 24 months, and the Code only allows for six month permits for this type of project. The Ordinance will revise the Code to allow for longer permit times for commercial projects. The Community Development Director will be able to extend the permit for a full year, resulting in a full two years for the project to be completed. There were also some other revisions made to clear up language in the Code.

Mayor Hepperly asked for questions. Hearing none, she asked for public comment on this item. Hearing none, she closed public comment on this item and requested a motion.

Councilman Watkins moved that the Council approve Ordinance #1773. Councilwoman Rogers seconded the motion and the motion carried unanimously.

COMMENTS BY GOVERNING BODY

Mayor Hepperly asked if there were comments from the Council on any item.

Councilman Watkins explained that based on the Reinhardt Estates Annual Fall Festival, he can see that at least one portion of Fairway is getting considerably younger. He noted that Kathy Lyons Flora Park was packed with children at the Festival and he thinks this is a great sign for the City.

Mayor Hepperly agreed and thanked Councilman Watkins for his comment.

PUBLIC COMMENT

Mayor Hepperly asked for public comment not listed on the agenda. Hearing none, she closed public comment.

EXECUTIVE SESSION – ATTORNEY CLIENT PRIVILEGE

Councilman Levin moved that the Council recess into Executive Session to obtain legal advice related to the Shawnee Indian Mission, pursuant to the Attorney/Client Consultation Exception, K.S.A. 75-4319(b)2. The Executive Session will include Attorney Rich Cook, City Administrator Nogelmeier and Councilmembers. The open meeting will resume in Council Chambers at 7:30 P.M. Councilman Watkins seconded the motion and the motion carried unanimously.

The Council recessed into Executive Session at 6:45 P.M.

The Council reconvened at 7:30 P.M

ADJOURNMENT

There being no further business to come before the Council, Mayor Hepperly adjourned the meeting at 7:31 P.M.

Mayor Melanie Hepperly

Attest:

Barb Fox, Recording Secretary