

**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, December 12, 2022.

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

Absent: None.

Presiding: Mayor Melanie Hepperly.

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

Visitors: None.

CALL TO ORDER AND ANNOUNCEMENTS

Mayor Hepperly called the meeting to order.

City Administrator Nogelmeier announced that Mike Turner, a Fairway resident, donated two pieces of artwork to the City. The pieces will be displayed at City Hall and the Police Department. He thanked Mr. Turner for the donation.

He informed that the Shawnee Indian Mission Foundation completed the annual sale of trees and greenery. Some of the live greenery has been placed on the dais. The City also purchased a box of wreaths and the Councilmembers may take one if they wished.

Finally, City Administrator Nogelmeier discussed an article that will be placed in the January Newsletter concerning the revamping of the No-Solicitor Program. Residents who wish to be on the no visit list should come to City Hall to be added. The list will be provided to solicitors when they come to City Hall to register. The City will also provide residents with a No-Soliciting sticker for their front door that includes the Fairway logo, the phone number of Police Dispatch, as well as cite the Code that relates to solicitation. The goal is that this will help residents avoid solicitors if they do not want to have them at their home.

PLEDGE OF ALLEGIANCE

Mayor Hepperly led the Council in the Pledge of Allegiance.

MONTHLY REPORTS OF STANDING COMMITTEES

CONSOLIDATED FIRE DISTRICT NO. 2, CHIEF CHICK

Mayor Hepperly explained that Chief Chick is not present at the meeting. She referred the Council to the report in the packet, subject to questions.

ADMINISTRATION AND FINANCE COMMITTEE, MR. NOGELMEIER

Monthly Report

City Administrator Nogelmeier stated that the Committee did not meet in November and held the December meeting earlier this evening. He referred to the report in the packet, subject to questions.

POLICE COMMITTEE, CHIEF THURLO

Monthly Report

Chief Thurlo referred to the report in the packet, subject to questions. He stated that the Department has been busy and the report outlines the increase in activity from last November to this November. He discussed several recent situations involving the Police Department and an article published in the Shawnee Mission Post regarding activity around the Fairway Shops. He does not think there are problems at the Fairway Shops, but the activity is emergency equipment traveling on Shawnee Mission Parkway and Belinder going to Shawnee Mission Medical Center.

Finally, Chief Thurlo discussed an incident where Fairway officers initiated a traffic stop off of Shawnee Mission Parkway and the driver had felony warrants. The officers asked the individual to step out of the car and noticed a gun in his waist band. The individual was taken into custody. He would like to recognize the officers involved at the January City Council Meeting.

Mayor Hepperly agreed and asked that Chief Thurlo invite the officers to the meeting.

Responding to Councilman Rogers question, Chief Thurlo stated that there has been a rise in fentanyl throughout the country including in Fairway. The medical team has Narcan available and is trained to use it. In addition, some officers carry Narcan with them. The Department is also working with the appropriate agencies to expand the availability of Narcan.

Responding to Councilwoman Brofsky's question, Chief Thurlo explained that the individual he discussed earlier was stopped for a traffic violation. A second violation was detected inside the car and the officers also noticed that the individual was concealing something in his waist band. At that time, the individual was instructed to exit the car.

Further responding, Chief Thurlo explained that whether or not the officer asks the individual if they are armed varies on the situation. The appropriate patrol tactic is to assume that everyone is armed.

PUBLIC WORKS COMMITTEE, MR. STOGSDILL

Monthly Report

Director Stogsdill referred to the report as submitted, subject to questions. He stated that the 2022 Capital Improvement Project has been completed, except for the push button at the crosswalk at the Fairway Creamery that has not yet been installed. The push button is scheduled to be delivered at the end of December or the first part of January and will be put in place once it is received.

He also reported that Public Works has been actively sweeping the streets.

He said that at the November meeting, the Public Works Committee reviewed the report from the Alhambra Corridor study. The report confirms that there is not a speed issue, but site lines are a concern. The Police Department will be getting those site obstructions cleared up and the situation will be monitored over the next year to see if there are other way the City can improve safety.

Finally, he noted that the reaccreditation process began today.

PARKS AND RECREATION COMMITTEE, MR. SOEKEN

Monthly Report

Director Soeken referred to the report as submitted, subject to questions. He explained that Recreation Supervisors Tillery and Jackson are finishing up decorations for Santa's Workshop and it looks wonderful.

Responding to Councilwoman Brofsky's question, Director Soeken stated that the water fountains at the Park are not operational during the winter months and there is no other option unless there is a way to prevent the pipes from freezing.

MONTHLY REPORTS OF SPECIAL COMMITTEES

Tree Board

Director Stogsdill stated that the Tree Board is scheduling a meeting that will occur during the first quarter of 2023.

APPROVAL OF CONSENT AGENDA

Mayor Hepperly outlined the five items on the Consent Agenda which include the following: (A) Minutes of Previous Regular City Council Meeting; (B) Claims and Appropriations – Ordinance #1775 – November 2022; (C) 2023 Holiday Schedule; (D) Agreement with Pitney Bowes for Postage Machine at City Hall; (E) Cereal Malt Beverage License for Hen House.

Mayor Hepperly asked for public comment on the Consent Agenda items. Hearing none, she closed public comment on this item.

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

Councilman Bailey moved that the Council approve items A through E on the Consent Agenda. Councilman Watkins seconded the motion and the motion carried unanimously.

NEW BUSINESS

A. Resolution #2022-F – A Resolution Establishing the 2023 Fee Schedule.

City Administrator Nogelmeier stated that each December the Council approves the fee schedule for the following year. Changes are highlighted in the report and include an increase in the record search per hour fee. Other increases relate to Parks and Recreation.

Director Soeken explained that the membership fees for the pool will change in 2023. All memberships will be individual and family memberships will not be offered. This is due to time spent by staff and himself trying to establish if individuals meet the criteria for family memberships. He is seeing extended families living together. He does not believe that it is his department's scope to define the family. Prairie Village went through the same situation four years ago and now only offer individual memberships. This will simplify the process and involves less staff time. Residency is the only status to verify and that is easier to prove.

He researched the average family size for both resident and non-resident members and divided the average by the current family membership fees. The new individual membership fee for residents will be \$40 and the membership fee for non-residents will be \$70.

He added that the Super Pass will continue to be offered for families and individuals. The cities involved with the Super Pass have also increased the Super Pass fee by \$10 per family and \$5 for individuals. Those fees have not been increased for several years.

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

Councilwoman Brofsky moved that the Council approve Resolution #2022-F – A Resolution establishing the 2023 Fee Schedule. Councilman Smith seconded the motion and the motion carried unanimously.

B. Increase in KC Gunitite Contract for Fairway Pool Repairs Due to Unforeseen Circumstances Related to Removal of the Pool Liner.

Director Soeken explained that staff knew this project would be like an onion, where they would peel back the layers and may find any issues. KC Gunitite examined the pool and found that the concrete underneath was not compromised and does not require replacement. Problems they did find were layers upon layers of liners installed at different times using adhesive that should not be used underwater. The result is layers of liners are cemented to the concrete. KC Gunitite has used several different machines to remove the layers of liners. All of these conditions were unknown because there was water in the pool when KC Gunitite did their initial inspection and provided an estimate. The City could not drain the pool and allow KC Gunitite to cut through the liner as it would void the warranty and at that time, the City was not 100 percent sure it wanted to go forward with the all-concrete pool.

Director Soeken also noted other work that needs to be done, including repairs to caulking joints, caulking on the pool deck, and cracks on some of the welded joints of the stainless-steel gutters.

City Administrator Nogelmeier explained that the pool was completely rebuilt in the 1980's and at that time stainless steel gutters were added. The gutters were not properly installed and they were reworked in the 1990's and were welded onsite, which is not normally done. KC Gunitite has proposed a number of repairs, most of which relate to fixing the cracked welds of the stainless-steel gutters. As discussed in the Administration/Finance Committee meeting, staff was prepared to substantially push back on KC Gunitite on some of the repairs; however, after discussing with the City's counsel who prepared the contract, staff believes that KC Gunitite's proposal is appropriate given the unknowns of the pool. Staff does not anticipate any further surprises related to pool repairs. If approved, KC Gunitite will proceed to further remove the liner and based on weather conditions, may be able to begin the caulking work. Painting will probably not be done until the spring. Timing is of the essence in order for the pool to be open by Memorial Day.

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

Councilman Watkins moved that the Council approve the increase in KC Gunitite contract for Fairway Pool repairs due to unforeseen circumstances related to removal of the pool liner. Councilman Smith 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.

Councilwoman Brofsky stated that the Council has discussed whether or not to maintain the remote option for meetings. She thinks that because of the uptick in Covid and flu, that the Council should continue to offer Zoom for its meetings.

Mayor Hepperly responded that any discussions concerning remote options would be discussed at the Committee level.

PUBLIC COMMENT

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

ADJOURNMENT

Councilman Bailey moved to adjourn. Councilwoman Buszek seconded the motion and the motion carried unanimously.

There being no further business to come before the Council, the meeting was adjourned at 7:10 P.M.

Mayor Melanie Hepperly

Attest:

Barb Fox, Recording Secretary