

**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 Tuesday, December 9, 2024.

Present: Council Members Jenna Brofsky, David Watkins, Kelly Ann Buszek, Lee Story, Dan Bailey, Joseph Levin (via Zoom) and Tanya Keys.

Absent: Council Member Jerry Williams.

Presiding: Mayor Melanie Hepperly.

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

Visitors: Planning Commission Chair, Wendy Bailey; Eugene Young, City Historian; Jim Poplinger, 5300 Aberdeen.

CALL TO ORDER AND ANNOUNCEMENTS

- A. Mayor Hepperly called the meeting to order. She stated that New Business Item A (Agreement Regarding the Shawnee Indian Mission) is still in the review process and will be continued for consideration at the January 13, 2025, City Council meeting.

PLEDGE OF ALLEGIANCE

Mayor Hepperly led the Council in the Pledge of Allegiance.

10-YEAR RECOGNITION

Mayor Hepperly recognized Councilmembers Dan Bailey, Tanya Keys and David Watkins; Planning Commission Chair, Wendy Bailey; City Historian, Eugene Young; and Right of Way Specialist, Rick Allen, for their 10 years of service to the City.

HOLIDAY RECEPTION

Mayor Hepperly announced that the Council would go into recess until 7:00 P.M. for the Holiday Reception.

The Council recessed at 6:40 P.M.

The Council reconvened at 7:00 P.M.

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 November because of the Thanksgiving holiday. The Committee did meet on December 4, 2024, and that report will be presented at the January meeting.

City Administrator Nogelmeier stated that sales tax receipts for November were a little lower than last year, but still above what was budgeted for 2024. The end of year transfers will be approximately \$1.5 million from the General Fund to the Capital Improvement Fund. The budgeted transfer was \$1.1 million but additional sales tax revenue receipts increased the amount available for transfer.

Mayor Hepperly introduced Todd LaSala, from Stinson LLP, who will be Acting City Attorney this evening. Mr. LaSala stated that due to a transition in the Public Finance Division at Stinson, he will be taking over the City Attorney duties for Fairway for the next few months.

Mr. LaSala also introduced Jim Mosimann, who is a member of the Public Finance Division at Stinson LLP. Mr. Mosimann discussed his background and stated that he is happy to be assisting the City.

POLICE COMMITTEE, CHIEF THURLO

Monthly Report

Chief Thurlo referred to the Police Department report in the packet, subject to questions. He stated that they have handled several vehicle pursuits that are unfortunately becoming more common.

Chief Thurlo reported that Michael Bliss began work on December 1, 2024, and is currently going through the Field Training Officer program. They are currently interviewing four additional candidates to fill the City's last vacancy, which is the new position for the new active adult community.

Responding to Councilwoman Brofsky's question, Chief Thurlo explained that although there were no car burglaries reported in this month's report, car burglaries are still occurring. He stated that while Fairway has not seen a lot of car burglaries recently, a neighboring city has experienced a large number of them over the last few days. He added that the bad guys don't really understand jurisdictional lines, so it is still important for residents to lock their doors.

Chief Thurlo also confirmed that the Police Department provides a service to check residents homes when they are on out of town.

PUBLIC WORKS COMMITTEE, MR. STOGSDILL

Monthly Report

Director Stogsdill referred to the report in the packet subject to questions. He discussed the response to the recent snow event and stated that the street sweeper has been actively sweeping if the temps are above freezing.

Responding to Councilman Story's question concerning the Norwood project, Director Stogsdill outlined how the project will move forward and the anticipated road closures.

PARKS AND RECREATION COMMITTEE, MR. SOEKEN

Monthly Report

Director Soeken referred to his report in the packet, subject to questions. He stated that the greenery that is on the dais was obtained from the Shawnee Indian Mission Foundation tree sale. He also stated that Paul and Susie Lyon donated funds to install garland and lights at Kathy's Park and it looks really nice.

Director Soeken reported that the pool drain project has hit a snag because the contractor the City was planning to use, Lamp Rynearson, has closed its aquatics department. The City is now moving forward with another company, and they hope to have the work completed by year end.

Finally, Director Soeken discussed the success of Fairway's social media page. He thanked Recreation Supervisors Renee Reis and Jackson Dwyer who came up with the idea and for all the departments who have contributed to the page.

MONTHLY REPORTS OF SPECIAL COMMITTEES

Tree Board

No Report.

APPROVAL OF CONSENT AGENDA

Mayor Hepperly outlined the nine items on the Consent Agenda. The Consent Agenda items include the following: (A) Minutes of Previous Regular City Council Meeting; (B) Minutes of November 13, 2024 Special City Council Meeting; (C) Claims and Appropriations – Ordinance #1817 – November 2024; (D) 2025 Holiday Schedule; (E) Cereal Malt Beverage License for Hen House; (F) Letter of Understanding with Johnson County Aging and Human Services for the 2025 Johnson County Utility Assistance Program; (G) 2025 Agreement for

Information Technology Services with Johnson County Board of County Commissioners; (H) Amendment to the Fairway City Employee Manual; (I) 2025 CARS Interlocal Agreement with the cities of Roeland Park, Kansas and Westwood, Kansas.

Mayor Hepperly asked for discussion. Hearing none, she asked for public comment on the Consent Agenda.

Jim Poplinger, 5300 Aberdeen, discussed language in the Employee Manual that he thinks is unnecessarily restrictive and redundant with the use of the term “unlawful”. He also discussed additional sections of the Manual that use the term “unlawful”.

Councilwoman Brofsky stated that as an employment lawyer who writes employee policies regularly, it is fine to remove the language that Mr. Poplinger is concerned about. She does not think that the City will lose any protections by removing that term.

Councilman Watkins thanked Mr. Poplinger for his comments. He believes the intent of the amendment to the Employee Manual was to make it consistent with the City’s Non-Discrimination Resolution and Ordinance. He would agree that the term “unlawful” can be removed because the City is not going to hire based on discriminatory practices.

Councilman Watkins asked if the Council would need to remove Item H from the Consent Agenda for amendment and a separate motion.

City Administrator Nogelmeier stated that if there is a consensus of the Council that the deletion of the term “unlawful” from the Amendment to Employee Manual (Item H) is a non-substantive deletion, then Item H does not need to be removed from the Consent Agenda.

Acting City Attorney LaSala agreed.

Mayor Hepperly asked if there were other comments from the public related to the Consent Agenda. Hearing none, she asked for a motion.

Councilman Bailey moved that the Council approve Consent Agenda Items A through I on the Consent Agenda, including the modifications to Item H as discussed. Councilwoman Buszek seconded the motion, and the motion carried unanimously.

NEW BUSINESS

B. Consider Authorizing the Mayor to Execute an Agreement Regarding the Shawnee Indian Mission

This item was continued to the January 13, 2025, City Council meeting.

C. Consider Resolution 2024-E – A Resolution of the Governing Body of the City of Fairway, Kansas Updating the Master Fee Schedule for the City

City Administrator Nogelmeier explained that every December the City updates the Master Fee Schedule. City Clerk Aldridge has updated the Fee Schedule.

Mayor Hepperly asked for discussion on this item.

Responding to Councilman Story's question, City Administrator Nogelmeier stated that discussions are ongoing related to the addition of a greenspace impact fee and if the City decides to move forward with the impact fee in 2025, the Fee Schedule can be amended.

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

Councilman Watkins moved that the Council approve Resolution 2024-E – A Resolution of the Governing Body of the City of Fairway, Kansas updating the Master Fee Schedule for the City. Councilwoman Brofsky seconded the motion, and the motion carried unanimously.

D. Consider Ordinance #1818 – An Ordinance Amending the Parking Restrictions in the Local Traffic Regulations of the Fairway City Code; Amending and Repealing Existing Section 10-60 of the Fairway City Code

Director Stogsdill explained that the parking signs along 62nd Street near Highlands Elementary School were replaced and they wanted to make sure that the information on the signs was consistent with the Code. There are exceptions on the current signage for holidays and weekends, and those exceptions are not in the Code. The proposed Ordinance will amend the Code to coincide with the signage that has been there for years.

Mayor Hepperly asked for discussion.

Councilman Bailey stated that Mission Road between Shawnee Mission Parkway and the Shawnee Indian Mission is getting substantially more congested with parking, and he would like to have a discussion about that in the future.

Director Stogsdill explained that the parking signage along Mission Road has been changed to no parking from 7:00 A.M. to 7:00 P.M. Thus, it is now consistent with what is on 62nd Street and is in compliance with the Code.

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

Councilman Story moved that the Council approve Ordinance #1818 – An Ordinance Amending the Parking Restrictions in the Local Traffic Regulations of

the Fairway City Code; Amending and Repealing Existing Section 10-60 of the Fairway City Code. Councilwoman Brofsky seconded the motion, and the motion carried unanimously.

E. Consider Ordinance #1819 – An Ordinance Granting Sprint Communications Company L.P. a Contract Franchise to Construct, Operate and Maintain a Telecommunications System in the City of Fairway, Kansas.

City Administrator Nogelmeier explained that the existing franchise has expired, and this Ordinance is for a new franchise agreement. This new franchise is very similar to the agreement that has expired.

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

Councilman Watkins moved that the Council approve Ordinance #1819 – An Ordinance Granting Sprint Communications Company L.P. a Contract Franchise to Construct, Operate and Maintain a Telecommunications System in the City of Fairway, Kansas. Councilwoman Keys seconded the motion, and the motion carried unanimously.

COMMENTS BY GOVERNING BODY

Mayor Hepperly asked for comments by the Governing Body.

Councilman Watkins stated that the greenery at Kathy's Park looks really nice. He did come across Paul Lyons the other morning when he was walking, and Mr. Lyons is also pleased with the decorations at Kathy's Park.

Councilman Bailey also thanked the students who attended tonight's meeting.

PUBLIC COMMENT

Mayor Hepperly asked if there were members of the public who would like to comment. Hearing none, she closed this public comment portion of the meeting.

ADJOURNMENT

There being no further business to come before the Council, Mayor Hepperly asked for a motion to adjourn.

Councilman Watkins moved that the Council adjourn. Councilwoman Brofsky seconded the motion, and the motion carried unanimously.

The meeting adjourned at 7:31 P.M.

Mayor Melanie Hepperly

Attest:

Barb Fox, Recording Secretary