

**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, June 10, 2024.

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

Absent: Council Members Lee Story and Dan Bailey.

Presiding: Mayor Melanie Hepperly.

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

Visitors: John Federico, Stephen Duerst, Mihailo Ilich, Liz Sosa, Federico/Duerst, 900 S Kansas Ave # 300, Topeka, Kansas; Jim Shull, Marr and Company, P.C., 1401 E. 104th St #100, Kansas City, Missouri.

CALL TO ORDER AND ANNOUNCEMENTS

Mayor Hepperly called the meeting to order.

PLEDGE OF ALLEGIANCE

Mayor Hepperly led the Council in the Pledge of Allegiance.

PROCLAMATION: PRIDE MONTH

Mayor Hepperly read a Proclamation designating the month of June 2024 as Pride Month in the City of Fairway. She urged all residents to respect and honor Fairway's diverse community.

MONTHLY REPORTS OF STANDING COMMITTEES

CONSOLIDATED FIRE DISTRICT NO. 2, CHIEF CHICK

Mayor Hepperly stated that Chief Chick is not present at the meeting and that he is currently sending reports on a quarterly basis.

ADMINISTRATION AND FINANCE COMMITTEE, MR. NOGELMEIER

Monthly Report

City Administrator Nogelmeier stated that the Committee met on May 29, 2024. Discussions included the agreement with Federico/Duerst for lobbying and governmental affairs services, the 2025 budget, cash flow and sales tax.

POLICE COMMITTEE, CHIEF THURLO

Monthly Report

Chief Thurlo referred the Council to the report in the packet subject to questions. He highlighted several pursuits that occurred over the last month. The report also includes a summary of Police Week, which included an opportunity for members of the Fairway Police Department to be in Washington, D.C. to participate in a series of commemorative events dedicated to honoring the service and sacrifice of law officers who passed away in the line of duty. This year had particular significance for Fairway officers as Officer Jonah Oswald's name was officially added to the National Fallen Officer Memorial Wall. Chief Thurlo related that it was an honor to be at the event with Officer Oswald's wife. Officer Oswald was also honored at a ceremony in Topeka where his name was added to the Fallen Officer Memorial Wall at the State Capital.

PUBLIC WORKS COMMITTEE, MR. STOGSDILL

Monthly Report

Director Stogsdill referred the Council to the report in the packet subject to questions. He discussed the May storms, indicating that Public Works picked up 100 to 110 cubic yards of compressed brush, in addition to what the contractor picked up. He explained that the construction portion of the CIP project for the year is completed, and they are working on a punch list of additional issues that need completed.

PARKS AND RECREATION COMMITTEE, MR. SOEKEN

Monthly Report

Director Soeken referred the Council to the report in the packet subject to questions. He highlighted an article in Landscape Architect that featured Katherine Lyon Flora Park.

He explained that the pool has opened and they have been busy. He anticipates that they will surpass 2,000 pool memberships this year.

Responding to Councilman Levin's question, Director Soeken discussed the issue with people playing in the waterfall at Katherine Lyon Flora Park. He stated they are trying to mitigate the situation and an email will be sent to residents reminding them not to play in the waterfall.

MONTHLY REPORTS OF SPECIAL COMMITTEES

Tree Board

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 #1806 – May 2024.

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

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

NEW BUSINESS

A. Consider Agreement with Lamp Rynearson, Inc. for NPDES Compliance Services.

Director Stogsdill stated that the City entered into a similar Agreement last year for NPDES compliance services and it was very beneficial. The City received a letter several weeks ago indicating that the City was in compliance with the point system required for the year. The Agreement also involves Roeland Park and Westwood, so a multi-city discount is provided.

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

Councilman Williams moved that the Council approve the Agreement with Lamp Rynearson, Inc. for NPDES Compliance Services. Councilman Watkins seconded the motion and the motion carried unanimously.

B. Consider Agreement with Federico/Duerst for Lobbying and Governmental Affairs Services.

City Administrator Nogelmeier reported that this Agreement was discussed at length at the Administration and Finance Committee meeting. Federico/Duerst was engaged in February, and they assisted in representing Fairway's interests regarding Bills related to the Shawnee Indian Mission. He believes the City will need some ongoing support and Federico/Duerst has submitted a proposal that would cover not only the Shawnee Indian Mission issue, but also any other legislation that could impact the City. Representatives are in attendance at the meeting to answer questions from the Council.

John Federico, Stephen Duerst, Mihailo Ilich and Liz Sosa of Federico Duerst introduced themselves to the Council.

Mr. Federico stated that the team has significant experience at the State House and they represent a variety of clients with monitoring services. Those services involve monitoring of all committees, and they work as legislative counsel on how to tackle those issues.

Mr. Duerst added that they greatly appreciate Mayor Hepperly and City Administrator Nogelmeier's leadership in the time they have been engaged with the City. He feels that they are very well versed in the issues the City is involved in with the Shawnee Indian Mission.

Mayor Hepperly thanked the Federico Duerst team for their help in the situation and stated she does not think that the City could have accomplished what it did without their assistance.

Councilman Williams asked what lobbying involves and asked whether the Federico Duerst team was more proactive or reactive based on what they hear during the legislative sessions.

Mr. Federico explained that whether they are proactive or reactive depends on the issue. Their lobbying team is made up of five to seven different law and legislative clerks who help monitor the committees so they can stay ahead of the game. They also spend time getting to know the legislators because to be successful, they need to make sure they are not surprised by what is happening.

Mr. Federico stated that lobbying involves educating yourself on the issues and based on the facts, talking with people to try to appeal to them to either support a Bill or oppose a Bill.

Responding to Councilman Williams' question concerning the Council's role, Mr. Federico stated that they are not subject matter experts so they rely on staff and the Council to educate them and to also provide any feedback Councilmembers may hear from discussions with legislators.

Responding to Councilwoman Buszek's question, Mr. Federico stated that with the filings on June 3, 2024, there will be a 20 percent turnover in the legislature even before a vote is cast. They are anticipating a 30 percent turnover, which will result in them educating themselves to the new candidates. Currently they are in the process of meeting with the new candidates and are monitoring what they have campaigned on and promises they have made.

Mayor Hepperly asked if there was additional public comment. Hearing none, she asked for a motion.

Councilman Watkins moved that the Council approve the Agreement with Federico/Duerst for Lobbying and Governmental Affairs Services. Councilwoman Buszek seconded the motion and the motion carried unanimously.

C. Consider Agreement Between Johnson County and the City of Fairway for a Stormwater System Renewal Project known as Suwanee Storm Sewer Replacement 1-FA-2023-R-485.

Director Stogsdill explained that this is the standard Interlocal Agreement entered into with the County for reimbursement purposes. The Agreement is for \$84,000, of which the City is eligible for \$42,000 in reimbursement.

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

Councilman Watkins moved that the Council approve the Agreement between Johnson County and the City of Fairway for a Stormwater System Renewal Project known as Suwanee Storm Sewer Replacement 1-FA-2023-R-485. Councilwoman Buszek seconded the motion and the motion carried unanimously.

D. Presentation: 2023 Financial Audit.

Jim Shull, Marr and Company, P.C., 1401 E. 104th St #100, Kansas City, Missouri presented the 2023 Financial Audit. He provided a description of the process, indicating that it is not 100 percent verification. The report provides the auditor's unmodified opinion and the auditors have taken no exception to the City's accounting reporting. This is the highest level of assurance.

Mr. Shull discussed the Management Discussion and Analysis, which gives the overall financial information as well as comparison to the prior year. Most of the changes were favorable with increases in property taxes, sales taxes and licenses and permits. He noted that the percentage of debt at 4 ½ percent, which is as low as you will find.

He next briefly discussed other financial statements contained in the audit report.

Mr. Shull thanked the City for the opportunity to assist with the audit and stated that he appreciated staff's assistance.

Mayor Hepperly thanked Mr. Shull for his report.

Mayor Hepperly asked for comments 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 accept the Audit Report. Councilwoman Keys seconded the motion and the motion carried unanimously.

COMMENTS BY GOVERNING BODY

Mayor Hepperly asked for comments by the Governing Body.

Councilwoman Buszek thanked the Public Works Department for their work in picking up storm debris. She also thanked Director Soeken for updating the Council on how the Boy Scouts will be working on the cemetery at the Shawnee Indian Mission.

Councilman Watkins thanked Director Stogsdill for the work on 61st Terrace and for keeping tabs on the project from start to finish, especially with replacement of the sod on the island.

Councilman Williams thanked Director Soeken for the smooth opening of the pool.

PUBLIC COMMENT

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

ADJOURNMENT

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

There being no further business to come before the Council, Mayor Hepperly adjourned the meeting at 7:25 P.M.

Mayor Melanie Hepperly

Attest:

Barb Fox, Recording Secretary