

**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, November 12, 2024.

Present: Council Members David Watkins, Jerry Williams, Dan Bailey and Joseph Levin.

Absent: Council Members Jenna Brofsky, Kelly Ann Buszek, Lee Story, Tanya Keys.

Presiding: Mayor Melanie Hepperly.

Staff Present: Nathan Nogelmeier, City Administrator; Anna Krstulic, City Attorney; J.P. Thurlo, Police Chief; Bill Stogsdill, Director of Public Works (via Zoom); Brice Soeken, Director of Parks and Recreation.

Visitors: Sandra Werth, 7103 Mastin; Dan O'Connell, 3806 West 57th Terrace.

CALL TO ORDER AND ANNOUNCEMENTS

Mayor Hepperly called the meeting to order. She introduced Anna Krstulic, who will be standing in for City Attorney Rich Cook at this meeting. She stated that the Council does not have a quorum present at the meeting. Councilman Story may be available to join the meeting later via Zoom. The meeting will proceed with monthly reports but any item that requires Council action will not proceed until a quorum is present.

PLEDGE OF ALLEGIANCE

Mayor Hepperly led the Council in the Pledge of Allegiance.

PROCLAMATION: NATIVE AMERICAN HERITAGE MONTH

Mayor Hepperly read a Proclamation designating November as National American Indian Heritage Month in the City of Fairway, Kansas. She introduced Sandra Werth and asked her to address the Council.

Sandra Werth stated that she represents the American Indians Committee of the National Society of Daughters of the American Revolution. The Committee focuses on promoting the knowledge of Native American culture with donations and scholarships. She thanked the volunteers and the City for all the programs and events at the Shawnee Indian Mission, stating that those events are a wonderful testament to the City's interest in preserving and promoting the history that occurred there.

Mayor Hepperly presented Sandra Werth with the Proclamation.

MONTHLY REPORTS OF STANDING COMMITTEES

CONSOLIDATED FIRE DISTRICT NO. 2, CHIEF CHICK

Mayor Hepperly referred to the report in the packet from the Consolidated Fire District No. 2.

ADMINISTRATION AND FINANCE COMMITTEE, MR. NOGELMEIER

Monthly Report

City Administrator Nogelmeier referred to the report in the packet, subject to questions. He stated that the Committee met on October 30, 2024. The Finance report shows that sales tax was strong for October and above budget. He reported that he, Mayor Hepperly and Councilman Levin met with the City's financial advisor, Dave Arteberry, and took part in a ratings call. He explained that some criteria for ratings have changed and because Fairway has a population of under 5,000, the ratings call was required. The meeting went well and he expects to hear whether the City's rating will change next week.

Mayor Hepperly added that the City was required to go through the reevaluation process because cities under 5,000 population are automatically dropped one level unless the City is fiscally very sound. City Administrator Nogelmeier did an excellent job of presenting the City's financial position and she thinks the call went well.

POLICE COMMITTEE, CHIEF THURLO

Monthly Report

Chief Thurlo referred to the Police Department report in the packet, subject to questions. He discussed several vehicle pursuits that occurred last month. He also announced that the Police Department has hired a new officer who will begin work on December 1, 2024. The new officer stated that he was excited about Fairway's culture and the way the City operates.

Responding to Councilman Williams' question, Chief Thurlo indicated that the Police Department is not yet fully staffed. He reported that another offer has been made to an officer who is currently deployed who is scheduled to be back in April. Fairway has also received several other applications and he hopes to be fully staffed within the next month.

PUBLIC WORKS COMMITTEE, MR. STOGSDILL

Monthly Report

Director Stogsdill referred to the report in the packet subject to questions. He stated that new Equipment Operator, Giovanni Rosales, has begun work and is fitting in well and is learning to run the street sweeper and other equipment. They will be making rounds throughout the City with the street sweeper for the foreseeable future.

PARKS AND RECREATION COMMITTEE, MR. SOEKEN

Monthly Report

Director Soeken referred to his report in the packet, subject to questions. He discussed the successful driveway Trick-or-Treat event and thanked staff members and police officers who helped with the event.

MONTHLY REPORTS OF SPECIAL COMMITTEES

Tree Board

Director Stogsdill stated that the Tree Board met on October 30, 2024. The new District Forester for the State of Kansas Forestry Department, Blaine Strobel, was present at the meeting. The Tree Board discussed the types of trees that will be used for this year's plantings. This year's budget will cover replacement of all the trees in the right of way that were requested by residents. He has received three or four recent additional requests from residents and those replacements will be completed in the future.

APPROVAL OF CONSENT AGENDA

Mayor Hepperly outlined the four 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 #1816 – October 2024; (C) Agreement with Water Resources Solutions for a Preliminary Project Study Regarding State Park Road Flooding in an Amount Not to Exceed \$73,000; (D) Agreement with Smith Brothers Lawn and Landscape, LLC for Installation of a New Landscape Project at Peterson Park in an Amount Not to Exceed \$120,000.

Because there is not a quorum of Councilmembers present at the meeting, no action was taken on this item.

NEW BUSINESS

- A. Consider Ordinance #1814 - 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, 51st Edition, With Certain Additions; Amending and Repealing Existing Section 10-19 of the Code of Ordinances, City of Fairway, Kansas; and Repealing Section 1 of Ordinance No. 1795.

Because there is not a quorum of Councilmembers present at the meeting, no action was taken on this item.

- B. Consider Ordinance #1815 – 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, 40th Edition, with Certain Changes; Amending and Repealing Existing Sections 8-25 and 8-26 of the Code of Ordinances, City of Fairway, Kansas; and Repealing Ordinance No. 1796

Because there is not a quorum of Councilmembers present at the meeting, no action was taken on this item.

- C. Consider Authorizing the Mayor to Execute an Agreement with Bollcom, Inc. for the Purchase and Installation of a New Phone System at City Hall and the Police Station in an Amount Not to Exceed \$30,000.

Because there is not a quorum of Councilmembers present at the meeting, no action was taken on this item.

- D. Consider Agreement with Burns & McDonnell for the Design of 2025 and 2026 CIP Projects.

Because there is not a quorum of Councilmembers present at the meeting, no action was taken on this item.

- E. Consider Agreement with Lamp Rynearson for Engineering Services Related to the Re-Design of the Fairway Pool Main Drain.

Because there is not a quorum of Councilmembers present at the meeting, no action was taken on this item.

- F. Consider Authorizing the Mayor to Execute an Agreement with TechTeam for the Purchase and Installation of a New Security Camera System at the Fairway Pool in an Amount Not to Exceed \$55,000.

Because there is not a quorum of Councilmembers present at the meeting, no action was taken on this item.

COMMENTS BY GOVERNING BODY

Mayor Hepperly asked for comments by the Governing Body.

Councilman Watkins referred to Councilman Story's comment at the October meeting concerning the dog waste stations around the City. He stated that he also appreciates the new stations and thinks they are a tremendous asset to the City.

PUBLIC COMMENT

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

Dan O’Connell, 3806 West 57th Terrace, stated that in August he proposed a change to the Noise Ordinance in the early morning hours. He knows changing the Ordinance would be a balancing act because there are other parties who may have different ideas than his. He discussed the issue with Councilman Watkins, and they came to unanimity on the concept of more peace and quiet later in the day rather than the early morning hours. His previous proposal was that the Noise Ordinance be in effect from 7:00 A.M. to 9:00 P.M. Monday through Friday and 9:00 A.M. to 9:00 P.M. on Saturday and Sunday. He outlined several references to noise in the Fairway Code and stated that Fairway has a solid history of balancing necessary noise levels with the comfort and health of its citizens.

He contacted Mission Hills, Westwood Hills and Mission Woods and found that those cities have evening hours that curtail noise earlier than Fairway. Each of those cities have a limit of 8:00 P.M. in the evening on Monday through Thursday and on Friday and Saturday, Mission Woods restricts noise at 5:00 P.M and Mission Hills and Westwood Hills restrict noise on Fridays and Saturdays at 6:00 P.M. These restrictions allow residents to enjoy their weekend evenings outside having dinner or just relaxing. In addition, Sundays in those cities have the most restrictive times with Mission Hills allowing no noise and Westwood Hills and Mission Woods restricting noise at 5:00 P.M.

Mr. O’Connell requested that the Council consider changing the Noise Ordinance evening times closer to the times of the neighboring communities, especially on Friday, Saturday and Sunday.

ADJOURNMENT

There being no further business to come before the Council, Mayor Hepperly adjourned the meeting.

The meeting adjourned at 6:53 P.M.

Mayor Melanie Hepperly

Attest:

Barb Fox, Recording Secretary