

**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 14, 2024.

Present: Council Members Jenna Brofsky, David Watkins (by phone), Jerry Williams; Kelly Ann Buszek, Lee Story, Dan Bailey, Joseph Levin and Tanya Keys.

Absent: None.

Presiding: Mayor Melanie Hepperly.

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

Visitors: Officer Gary Schemper, Fairway Police Department.

CALL TO ORDER AND ANNOUNCEMENTS

Mayor Hepperly called the meeting to order. She announced that Councilman Watkins would be participating in the meeting by phone. She also stated that Items C and D under New Business are being removed from the Agenda and will be considered at the November City Council Meeting.

PLEDGE OF ALLEGIANCE

Mayor Hepperly led the Council in the Pledge of Allegiance.

PROCLAMATIONS: INDIGENOUS PEOPLES DAY and NATIONAL FIRST RESPONDERS' DAY

Mayor Hepperly read a Proclamation designating Monday, October 14, 2024 as Indigenous Peoples Day in the City of Fairway. She urged citizens to reflect upon the culturally diverse struggles of Indigenous people on this land.

Mayor Hepperly next read a Proclamation designating October 28, 2024 as National First Responders' Day in the City of Fairway. She urged all citizens to join with representatives of the American Public Works Association and government agencies in activities, events and ceremonies, paying tribute to public works first responders alongside law enforcement, firefighters, paramedics, emergency medical technicians, 911 operators, and other emergency personnel to recognize the substantial contributions they make to protecting our national health and safety and advancing the quality of life for all.

MONTHLY REPORTS OF STANDING COMMITTEES

CONSOLIDATED FIRE DISTRICT NO. 2, CHIEF CHICK

Mayor Hepperly explained that the Consolidated Fire District No. 2 reports are provided on a quarterly basis and tonight there will be no report.

ADMINISTRATION AND FINANCE COMMITTEE, MR. NOGELMEIER

Monthly Report

City Administrator Nogelmeier referred to the report in the packet, subject to questions. He discussed two contracts he signed this month relating to physical capacity testing for new employees and bond compliance services with Gilmore and Bell. He reported that because the November meeting falls on Veterans' Day, which is a Federal holiday, the meeting will be held on Tuesday, November 12, 2024 at 6:30 P.M.

Responding to Councilwoman Brofsky's question, City Administrator Nogelmeier stated that the City would add a link to Fairway's website for the County's instructions to individuals concerning restrictive declarations.

Councilman Williams thanked City Administrator Nogelmeier for his research and follow up related to the restrictive declarations issue.

Moving on to the Finance report, City Administrator Nogelmeier stated that sales tax came in at about \$230,000, which is well over budget. City finances are in a stronger position than they were at this time last year. While sales tax collections are down about 4 percent from last year, any adjustments in terms of budgeting moving forward will be manageable. He expects discussions concerning projections of end of year transfers at the October Committee meeting.

POLICE COMMITTEE, CHIEF THURLO

Monthly Report

Chief Thurlo introduced Officer Gary Schemper and his family who were present at the meeting. He discussed Officer Schemper's background, stating that he began his career in 2007 in Hawaii and then moved to other agencies, including the cities of Roeland Park and Shawnee, where he received the Lifesaving Award. He came to Fairway where he has met and exceeded Department standards, received the Exemplary Service Award, and is a firearms instructor. Officer Schemper's work ethic and attention to detail are phenomenal.

Chief Thurlo announced Officer Schemper's promotion to Sergeant and his wife placed the pin on his uniform.

Mayor Hepperly stated that she is very proud of the work of the Police Department and she congratulated Officer Schemper on his promotion.

Chief Thurlo referred to the Police Department report in the packet, subject to question. He reported that they have dealt with a number of stolen autos over the last month. They have also recovered some stolen autos, and one stolen auto was used in numerous crimes throughout the metro. The Department continues to see violent crime throughout the metropolitan area and Fairway's officers are being vigilant in responding to those situations.

PUBLIC WORKS COMMITTEE, MR. STOGSDILL

Monthly Report

Director Stogsdill referred to the report in the packet subject to questions. He discussed the retirement of Equipment Operator John Murphy in September and also reported that a new employee, Jovany Rosales, has been hired and began work on September 30, 2024.

Responding to Councilwoman Brofsky's question, Director Stogsdill discussed the progress of the CARS project underway on Roe which they expect to be completed next week.

PARKS AND RECREATION COMMITTEE, MR. SOEKEN

Monthly Report

Director Soeken referred to his report in the packet, subject to questions. He discussed the Fall Festival at the Shawnee Indian Mission. In addition, the 75th Anniversary events wrapped up last weekend and Director Soeken thanked his staff for their wonderful work in setting up and carrying out those events.

Director Soeken also discussed the Fairway Pool Report that is included in the packet. The report paints a good picture of what is happening at the Pool. It shows that they reached a 70 percent cost recovery rate this year, which is the highest it has been since he has been with the City.

Finally, Director Soeken explained that they are getting bids for the landscaping project at Peterson Park and the Fairway Pool and hopefully the work will begin before the end of the year.

Mayor Hepperly thanked Director Soeken for his work in reaching the 70 percent cost recovery rate at the Pool. While City Administrator Nogelmeier started Fairway on that runway when he was Director of Parks and Recreation, Director Soeken has taken it to another level.

Several Councilmembers also thanked Director Soeken for the very informative Pool Report. There is a discussion requesting that the Pool Report be posted online.

Responding to Councilman Story's question concerning the number of declining swimmers on the swim team, Director Soeken stated that is trending metro wide, especially for recreational teams. More competitive leagues are not experiencing the same declines.

Further responding, Director Soeken discussed the graph showing attendance at the Pool over the last several years. He stated that he is comfortable with the attendance this year. He did note that the Kid's Camp is one area that needs work because it is so popular; however, they are looking at adding more room, which should help the situation.

Responding to Councilwoman Brofsky's question, Director Stogsdill explained that the sign up for the driveway Trick-or-Treat event ended today. He noted that 150 people are registered, which is about 80 homes in Fairway.

MONTHLY REPORTS OF SPECIAL COMMITTEES

Tree Board

Director Stogsdill stated that the Tree Board is scheduled to meet on October 30, 2024 at 12:00 P.M. at City Hall.

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 #1813 – September 2024.

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

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

NEW BUSINESS

A. Consider Planning Commission Recommendation Regarding a Sign Deviation at 4210 Shawnee Mission Parkway.

City Administrator Nogelmeier reported that the owners of the piece of property at 4210 Shawnee Mission Parkway that was not included in the development are planning to sell the property. That piece of property is close to two-thirds of an acre and could be used for retail or commercial development. Because of all the construction activity, the owners have requested a sign that exceeds the size permitted under the Code. The Planning Commission has recommended approval of the sign deviation.

Responding to Councilman Levin's question, City Administrator Nogelmeier explained that the property is currently being used for staging of the construction project and is not part of the detention pond and the sign will be placed on the lot itself.

Responding to Councilwoman Brofsky's question, City Attorney Cook confirmed that because the property was included in the TIF, the building requirements with respect to sustainability would also apply to whoever purchases the property.

Responding to Councilman Bailey's question, City Administrator Nogelmeier would not expect the owners to request additional deviations on this lot. The Planning Commission's recommendation provides for a one-year limit on the permit and if an extension is needed, the property owner will need to come back to the Planning Commission and City Council for approval.

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

Councilman Levin moved to approve the Planning Commission's recommendation regarding a sign deviation at 4210 Shawnee Mission Parkway. Councilman Keys seconded the motion and the motion carried unanimously.

B. Consider ILA for 2025 Mission Road CARS Project.

Director Stogsdill reported that this Agreement is a standard cooperative agreement between the cities of Fairway, Roeland Park and Westwood for design of a \$2M project. Roeland Park is leading the project and Fairway has about one tenth of one percent of the project. The cost for Fairway is \$25,000, which will be paid once the design is complete. A second interlocal agreement will be considered next year with the County once County funding comes through.

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

Councilman Story moved to approve the ILA for 2025 Mission Road CARS Project. Councilman Buszek seconded the motion and the motion carried unanimously.

C. 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.

This item was continued to the November 12, 2024 City Council Meeting.

- D. 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.

This item was continued to the November 12, 2024 City Council Meeting.

COMMENTS BY GOVERNING BODY

Mayor Hepperly asked for comments by the Governing Body.

Councilman Story congratulated everyone on the successful Shawnee Mission Indian Festival and the Night at the Mission events. If residents haven't been to the Night at the Mission event, he encouraged everyone to attend to learn about the history of the building and the Indian Tribes involved. He also thinks it is a nice way to show the partnership between the City and the other entities involved in the Shawnee Indian Mission.

Councilman Story stated that he has received a lot of positive feedback from residents and he thanked the City for the installing the dog waste stations.

Councilwoman Buszek thanked everyone who attended the Ward 1 meeting last month and also thanked City Administrator Nogelmeier and Director Soeken for allowing the meeting to be held at City Hall.

Councilman Williams stated that he attended the Ward 1 meeting and he thinks he will plan to follow the lead with a Ward 2 meeting.

PUBLIC COMMENT

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

ADJOURNMENT

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

Councilwoman Brofsky moved to adjourn. Councilman Williams seconded the motion and the motion carried unanimously.

The meeting adjourned at 7:07 P.M.

Mayor Melanie Hepperly

Attest:

Barb Fox, Recording Secretary