

City of Westwood, Kansas
City Council Work Session
4700 Rainbow Boulevard
September 8, 2022 – 6:00 PM

Council Present: David E. Waters, Mayor
Jeff Harris, Council President
Andrew Buckman, Councilmember
Jason Hannaman, Councilmember
Laura Steele, Councilmember – via Zoom
Holly Wimer, Councilmember

Council Absent: None

Staff Present: Leslie Herring, CAO/City Clerk
Curt Mansell, Chief of Police
John Sullivan, Director of Public Works
Ryan Denk, City Attorney

Call to Order

Mayor David E. Waters called the work session to order at 6:00 p.m. on September 8, 2022. The meeting was held in a hybrid manner with attendees being able to join in person and virtually via Zoom.

Municipal Facilities Assessment and Feasibility Analysis Presentation

In September 2021, the Governing Body held a work session to discuss a plan of action for determining the future of public lands in Westwood. As a result of that work session the following plan achieved consensus from the Governing Body and provided direction to staff to execute:

1. Engage the Urban Land Institute to conduct a follow-up [to the 2015] Technical Assistance Panel (TAP) to: (a) evaluate highest and best use for the corners of 47th & Rainbow and 50th & Rainbow Blvd. to maximize long-term economic and social impact for the community, (b) recommend the best location of municipal facilities, and (c) recommend ways in which Westwood could further the objectives of providing quality accessible and affordable housing. This was conducted and concluded in Fall 2021.
2. Conduct a City facilities analysis of existing buildings, including an assessment and cost estimate of deferred maintenance and optimal site selection, if different from the current location of City facilities. This analysis commenced in June 2022 following consultant selection during the Spring of 2022. The final consultant presentation of findings is on tonight's work session calendar.
3. Reconvene at the conclusion of the City facilities analysis in the Fall of 2022 to determine strategic direction for the southwest corner of 50th & Rainbow and the southwest corner of 47th & Rainbow. Formal plans have not yet been made for when and how this will be conducted by the Governing Body.
4. Execute the plan of action, possibly including issuing RFP's for private development opportunities.

In executing this plan of action, the Mayor convened a steering committee of eight (8) individuals to:

- a. Review and approve a study scope and Request for Qualifications (RFQ) for consultant teams, as prepared by City staff;

- b. Serve on the professional services firm interview and selection committee; and
- c. Guide the work of the retained professional services firm and provide input on their questions throughout the study period.

This steering committee is comprised of:

- Westwood Mayor – David Waters
- Westwood City Council – Holly Wimer
- Westwood Planning Commission – David Kelman
- Westwood Foundation – Sean O’Brien
- Westwood community at-large – Lisa Fielden
- Westwood City Administration – Leslie Herring
- Westwood Police – Chief Curt Mansell
- Westwood Public Works – Director John Sullivan

A timeline of the steering committee’s work to-date is as follows:

- February 4 – Convene to review draft RFQ and to provide direction to staff
- February 8 – Publish RFQ and invite respondents
- February 22 – Hold RFQ pre-proposal meeting to respond to questions from potential respondents
- March 2 – Host pre-proposal facilities tour for benefit of potential respondents
- March 11 – RFQ response period closes
- March 14 – Convene steering committee to review responses and to determine who to invite for interviews
- March 31 and April 4 – Hold firm interviews
- April 4 – Steering committee determines which firm to recommend to the City Council for consideration April 14 – Consideration of entering into an agreement for services with the consultant team recommended by steering committee
- May 11 – Execute professional services agreement following attorney review
- May 26 – Study process kick-off meeting with steering committee
- June 3 – 8 – Site evaluations and staff and steering committee interviews
- June 23 – Steering committee status meeting with consultant team
- July 13 – Community conversation and public information session to receive direction, questions, and concerns from the general public
- August 25 – Steering committee status meeting with consultant team
- September 8 – Public presentation of study findings

In total, eight (8) responses to the RFQ were received and four (4) teams were interviewed. The entire process was conducted in a manner that encouraged competitive bidding, certainty and transparency, and structured analysis of each team’s qualifications, experience, and approach to the objectives of the project. Ultimately, the steering committee recommended Multistudio (fka Gould Evans) to the City Council for consideration of an agreement to perform the work to achieve the Governing Body’s stated objective in the adopted plan of action and to build upon the work of the 2015 ULI TAP, the 2017 Master Plan, and the 2021 ULI TAP.

Multistudio firm representatives Nick Christopher, Sam Loring and Dennis Strait presented at the Governing Body work session their findings to the City Council, City staff, and members of the public. The full presentation was included in the evening’s agenda packet.

Mayor Waters noted at the end of the presentation that any comments by members of the public will be heard during the Public Comment Section of the regular City Council meeting.

Adjournment to Regular Meeting

Motion by Councilmember Hannaman to adjourn the meeting. Second by Councilmember Wimer.

Motion carried by a 5-0 voice vote. The work session adjourned at 6:59 p.m. to prepare for the regular City Council meeting.

APPROVED: 
David E. Waters, Mayor

ATTEST: 
Leslie Herring, City Clerk

**City of Westwood, Kansas
City Council Meeting
September 8, 2022 – 7:00 p.m.**

Council Present: David E. Waters, Mayor
Andrew Buckman, Councilmember
Jeff Harris, Council President
Jason Hannaman, Councilmember
Laura Steele, Councilmember – via Zoom
Holly Wimer, Councilmember

Council Absent: None

Staff Present: Leslie Herring, CAO/City Clerk
Curtis Mansell, Police Chief
John Sullivan, Public Works Director
Ryan Denk, City Attorney

Call to Order

Mayor David E. Waters called the meeting to order at 7:00 p.m. on September 8, 2022. The City Clerk called the roll. A quorum was present. The evening's meeting was held in a hybrid manner, with attendees joining both in person and via Zoom.

Approval of Agenda

Motion by Councilmember Harris to approve the September 8, 2022 City Council meeting agenda as submitted. Second by Councilmember Buckman. Motion carried by a 5-0 voice vote.

Public Comment

Clancy Merrill, 4930 Belinder Ave., asked the Governing Body to consider the size of the City Hall that was proposed during the facilities study presentation. Mr. Merrill said the Governing Body could also consider collocating Public Works facilities with neighboring municipalities' public works departments like Fairway, Roeland Park or Prairie Village. Mr. Merrill asked that the Governing Body provide an explanation of the decision-making process when considering the facilities assessment scenarios.

Ken Low, 2700 W. 50th Ter., thanked the Governing Body for the facilities assessment presentation. Mr. Low said the Governing Body should consider the revenues from Woodside Village when considering the redevelopment of the land that City Hall is currently located on.

Jim Orr, 4907 Belinder Avenue, said he was startled by the numbers he heard during the facilities assessment presentation. Mr. Orr said the Governing Body should spend any extra funds the City may have on City staff salaries instead of updating its facilities. Mr. Orr said he thought that City Hall seemed third rate and shabby over the last few years and encouraged the Governing Body to repair City facilities only on an emergency basis.

Jennifer Merrill, 4930 Belinder Ave., asked the Governing Body if there was consideration given to purchasing the old Westwood View building and retrofitting it to serve as a municipal building. Mayor Waters said the idea was considered during the facilities assessment among many other alternatives.

Jan Kyle, 4946 Belinder Ave., said she agreed with the sentiments Mr. Orr presented during his public comment.

Jayme Tebow, 4952 Norwood St., said she agreed with other residents that have made public comments that evening. She said she would like to see City Hall remain where it is currently located. Mrs. Tebow said the community should be totally informed about this process.

Public Hearings

Consider Resolution No. 109-2022 approving a tax rate in excess of the Revenue Neutral Rate for the 2023 budget year

Over the last several months the Council and staff have worked to develop the 2023 budget. The Governing Body reviewed the recommended budget on July 14th and approved the notice to exceed the Revenue Neutral Rate on that same date.

The Revenue Neutral Rate is the tax rate in mills that will generate the same property tax in dollars as the previous tax year using the current tax year's total assessed valuation. In Westwood, the Revenue Neutral Rate would be 19.402 mills. The 2023 recommended budget requires a total mill rate of 21.197, flat with the 2022 rate.

Per Senate Bill 13, the recommended budget requires a Revenue Neutral Rate hearing to exceed the revenue neutral rate provided by the County Clerk. Notice of intent to exceed the Revenue Neutral Rate was provided to the County Clerk before July 20th and the notice of public hearing was published on August 30, 2022. The public hearing will occur at the beginning of the September 8, 2022 meeting. The adoption of the 2023 budget will occur following the adoption of the Revenue Neutral Rate resolution. Staff recommends the City Council approve a resolution adopting a tax rate in excess of the Revenue Neutral Rate for the 2023 budget year.

The budget maintains the same level of services as the 2022 budget. Funding the budget with existing services does not require an increase to the mill levy rate, however it does exceed the Revenue Neutral Rate due to revenue that will be received from increased property valuations. The 2023 recommended budget has a total mill rate of 21.197, flat with the 2022 rate.

Mayor Waters opened the public hearing to exceed the Revenue Neutral rate for the 2023 budget year. No comments were made. Mayor Waters closed the public hearing.

Motion by Councilmember Hannaman to approve Resolution No. 109-2022 approving a tax rate or mill levy rate in excess of the Revenue Neutral Rate for the 2023 budget year. Second by Councilmember Wimer. Mrs. Herring performed a roll call vote. Motion carried with a 5-0 vote.

Consider Resolution No. 110-2022 adopting the fiscal year 2023 annual budget

The City will hold the required Revenue Neutral Rate and 2023 budget hearing on September 8th, prior to adopting a Resolution to Exceed the Revenue Neutral Rate. Both steps must occur prior to budget adoption. Once submitted to the County Clerk, the budget sets the budget authority for each fund. The City is authorized by K.S.A. 79-2929a to amend the budget before December 31st to spend money not in the original budget. The additional expenditures have to be made from existing revenue and cannot require additional tax levies.

Additional budget information can be found on the City's website or in the 2023 Budget Book included in the evening's agenda packet.

Mayor Waters opened the 2023 fiscal year budget hearing. No Comments were made. Mayor Waters closed the hearing.

Motion by Councilmember Harris to approve Resolution No. 110-2022 adopting the 2023 budget as certified in the amount of \$5,349,860 with ad valorem tax in the amount of \$798,279. Second by Councilmember Buckman. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Presentations and Proclamations

No presentations or proclamations were made.

Consent Agenda

All items listed below are considered to be routine by the Governing Body and will be enacted in one motion. There will be no separate discussion of these items unless a member of the Governing Body so requests, in which event the item will be removed from the consent agenda and considered separately following approval of the consent agenda.

- A. Consider August 11, 2022, City Council Meeting Minutes
- B. Consider August 17, 2022 City Council & Planning Commission Joint Work Session Minutes
- C. Consider Appropriations Ordinance 742

Motion by Councilmember Hannaman to approve the Consent Agenda as submitted. Second by Councilmember Harris. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Mayor's Report

Mayor Waters provided an overview of events he attended and planned to attend as Mayor in the recent and upcoming weeks.

City Councilmember Reports

- Councilmember Hannaman had nothing to report.
- Councilmember Buckman noted the Go Green Environmental Fair will be held on Saturday, September 17th at the Sylvester Powell Community Center in Mission.
- Councilmember Wimer noted Oktoberfest is October 1st in Joe D. Dennis Park. Councilmember Wimer noted that Westwood Women's Club will resume regular meet
- Councilmember Harris noted that there will be a Community Meeting for the Communities for All Ages will be held on Saturday, October 8th at City Hall.

Councilmember Harris noted that the Mid America Regional Council will sunset their involvement with the Communities for All Ages program in 2024. Councilmember Harris said he did not anticipate any interruption with the City's current timeline for the certification goal.

- Councilmember Steele had nothing to report.

Staff Reports

Administrative Report

Mrs. Herring provided an overview of the September 2022 Administrative Report included in the agenda packet and offered to answer questions.

Public Works Report

Mr. Sullivan provided an overview of the August 2022 Public Works Report included in the agenda packet and offered to answer any questions.

Public Safety Report

Chief Mansell provided an overview of the August 2022 Public Safety Report included in the agenda packet and offered to answer questions.

Treasurer's Report

The August 2022 Treasurer's Report was included in the agenda packet for review. No questions or comments were made about the report.

City Attorney's Report

Mr. Denk had nothing to report.

Old Business

No old business matters were considered.

New Business**Consider Employment Agreement with Leslie Herring for the Position of City Administrator and Administer Oath of Office**

Following its October 2021 professionally-facilitated retreat, the Governing Body discussed at a series of open work sessions and meetings the City's form of government and the appointment of a City Administrator. In May 2022, the City Council adopted Charter Ordinance No. 19 providing for the appointment of a professional City Administrator to take policy direction from the Governing Body and oversee the day-to-day operations, service delivery, and staff of the City government. Such Charter Ordinance became effective July 22, 2022.

Leslie Herring has served the City of Westwood as Chief Administrative Officer/City Clerk since May 2020. The proposed employment agreement has been negotiated with Ms. Herring and is subject to approval by the City Council. The agreement was discussed in executive session of the Governing Body at its August 11, 2022 meeting. Appointment of Ms. Herring as City Administrator will occur by the issuance of the Oath of Office by Mayor Waters following approval of the employment agreement by the City Council.

Motion by Councilmember Harris to ratify the Mayor's appointment of Leslie Herring as City Administrator for the City of Westwood and approval of the employment agreement with Leslie Herring for the position of City Administrator. Second by Councilmember Hannaman. Motion carried by a 5-0 vote.

Mayor Waters administered the Oath of Office for Mrs. Herring.

Consider allowing the consumption of alcoholic beverages in the City park during the Oktoberfest event, to be held on Saturday, October 1, 2022

Oktoberfest is scheduled to be held on Saturday, October 1, 2022 from 4:00 to 8:00 PM. at Joe D. Dennis Park, 50th and Rainbow Blvd. The event will be moved to the following Saturday, October 8th, in the event of inclement weather.

City staff has been directed to prepare and bring forward an action for Council consideration to allow alcoholic beverages to be provided and consumed during this event.

Article 12-206(3) of the Westwood Municipal Code allows for alcoholic beverages inside the park with the approval of the Governing Body. Staff recommends that the City Council grant a special exception to allow the provision and consumption of alcoholic beverages on City grounds on Saturday, October 1, 2022, from 4 – 8 PM, with a rain date of October 8, 2022.

Motion by Councilmember Wimer to approve the provision and consumption of alcoholic beverages on City-owned property at 5000 and 5050 Rainbow Blvd. during the City's annual Oktoberfest event on Saturday, October 1, 2022, from 4 – 8 PM, with a rain date of October 8, 2022. Second by Councilmember Buckman. Motion carried with a 5-0 voice vote.

Announcements/Governing Body Comments

Councilmember Steele congratulated Mrs. Herring on the approval of her employment agreement and said the City is fortunate to have her on staff.

Executive Session

No matters required an Executive Session during this meeting.

Adjournment

Motion by Councilmember Hannaman to adjourn the meeting. Second by Councilmember Harris. Motion carried by a 5-0 voice vote. The meeting adjourned at 8:18 p.m.

APPROVED: 
David E. Waters, Mayor

ATTEST: 
Leslie Herring, City Clerk