

**City of Westwood, Kansas
City Council Meeting
October 10, 2024 – 7:00 p.m.**

Council Present: Jeff Harris, Council President
Andrew Buckman, Councilmember
Jason Hannaman, Councilmember
Laura Steele, Councilmember
Holly Wimer, Councilmember

Council Absent: David E. Waters, Mayor

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

Call to Order

Councilmember Harris called the meeting to order at 7:00 p.m. on October 10, 2024. Ms. Schneweis called the roll. A quorum was present. Councilmember Harris presided over the evening's meeting in Mayor Waters's absence. 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 Hannaman to approve the October 10, 2024 City Council meeting agenda as submitted. Second by Councilmember Steele. Motion carried by a 5-0 voice vote.

Public Comment

No comments were made by the public.

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 September 12, 2024, City Council Meeting Minutes
- B. Consider Appropriations Ordinance 767

Motion by Councilmember Hannaman to approve the Consent Agenda as submitted. Second by Councilmember Buckman. Ms. Schneweis conducted a roll call vote. Motion carried by a 5-0 vote.

Mayor's Report

No Mayor's report was made.

Councilmember Reports

Councilmember Wimer thanked staff for their work on planning and executing Oktoberfest on October 5th.

Staff Reports

Administrative Report

Ms. Herring provided an overview of the October 2024 Administrative Report included in the agenda packet and offered to answer questions.

Public Works Report

Mr. Sullivan provided an overview of the September and October 2024 Public Works Reports included in the agenda packet and offered to answer questions.

Public Safety Report

Chief Mansell provided an overview of the September 2024 Public Safety Report included in the agenda packet and offered to answer questions.

Treasurer's Report

The September 2024 Treasurer's Report was included in the agenda packet, no questions or comments were made about the report.

City Attorney's Report

Mr. Denk did not have any items to report.

Old Business

No Old Business items were considered.

New Business

Consider Agreement with the City of Roeland Park and Fairway, Kansas for Public Improvement of Mission Road from 47th Street to 53rd Street

The Mission Road corridor is the City boundary between Westwood and Roeland Park, with Fairway bordering both cities to the south. All three cities desire to construct public improvements to Mission Road to include public sidewalks where required, curb & gutter improvements where required, a mill & overlay within the project limits, pavement marking, stormwater improvements, street lighting and other related work, including adding Complete Streets elements (painted bike lanes, new and improved pedestrian crossings, sidewalk lighting, etc.). In September 2023, Roeland Park and Westwood entered into an original Interlocal Agreement between themselves, in substantially similar form as is now being presented. The exception to that substantial similarity is the cost split now that Fairway is being included in the improvements; the cost was to be split 50/50 between the two cities and will now be split proportionally between the cities based on improvements in and to each city, respectively.

The Public Works Directors of Fairway, Roeland Park, and Westwood are currently working with the utility companies through this current design engineering phase of the project. There are still several unknowns and uncertainties that are being addressed one-by-one as utility companies cut into the ground to see what is where. This could result in necessary changes to the plan; however, all three cities are working hard to execute the plans as previously reviewed and accepted by each Governing Body. Staff recommends Council authorize the Mayor to sign the Agreement.

As of the date of this Agreement, the estimated cost of construction and engineering services for the Improvements covered by this Agreement, exclusive of the cost of right-of-way or easement acquisition is \$2,485,278. Pursuant to the CARS Agreement, the maximum amount of County CARS funding to help pay a portion of the cost of the improvements is \$1,283,000, and is currently estimated at \$1,156,339.00.

Westwood has \$571,524 budgeted in the Capital Improvement (CIP) Fund for this project between 2024 design engineering and 2025 construction. Westwood's most updated estimated portion of the project cost is \$570,129, as identified in the Agreement before the Council for consideration.

Motion by Councilmember Wimer to authorize the Mayor to execute the Agreement with the City of Roeland Park and Fairway, Kansas for Public Improvement of Mission Road from 47th Street to 53rd Street. Second by Councilmember Steele. Motion carried by a 5-0 voice vote.

Consider Contract for Code Enforcement Services with Roeland Park

As of August 29th, the City has been unexpectedly without a Building Official/Codes Administrator and the City Clerk and City Administrator have been covering the duties with outside assistance from the City of Roeland Park through an active mutual aid agreement for Building Official services. Although the City has an existing on-call professional services agreement with both GBA and IBTS to provide on-call Building Official services, the City Administrator recommends entering into a contract with the City of Roeland Park for Codes Enforcement Services on an as-needed basis (no retainer nor flat fee is being recommended at this time). This relationship is expected to continue through the end of the year and will be monitored and assessed to determine long-term feasibility of contracting for services.

Westwood currently provides Codes Enforcement services to the cities of Mission Woods and Westwood Hills, which are invoiced monthly at an hourly rate. These relationships are being reconsidered in light of the possibility that Westwood does not currently have an in-house Codes Administrator (Codes Enforcement Officer) and is exploring indefinitely contracting-out this work. Effective immediately – and for at least the remainder of 2024 – Mission Woods and Westwood Hills have been directed by the Westwood City Administrator to contract directly with Roeland Park or another service provider of their choice for these services.

The budgeted and approved seasonal/part-time position in the Administration Department is being crafted with this change in personnel in mind. It is expected this seasonal/part-time position will be developed in 2024 Q4 and posted and hired in 2025 Q1.

The budget impact of this change in staffing is currently unknown. The City Administrator intends to consider 2024 Q4 (October – December 2024) as a trial or pilot period and will assess in 2025 Q1 (January – March) the actual and forecasted budget impact of continuing with a fully-contracted Codes Enforcement Officer.

Motion by Councilmember Buckman to authorize the Mayor to enter into a Contract for Code Enforcement Services with the City of Roeland Park as approved by the City Attorney and presented in the meeting materials. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

Consider renewal of Public Safety Services Agreement with Mission Woods

Westwood provides public safety and municipal court services to the City of Mission Woods and has done so for at least the past 40 years. The current Agreement between the cities is dated September

2015. Mission Woods desires – and Westwood assents – to continuing to contract for the provision of police services to Mission Woods for a fee.

The Agreement was last renewed in September 2015 and, at that time, the fee was adjusted to a flat fee of \$125,000 per year. As there was and is no annual automatic adjustment to the fee amount, this flat fee has remained static for the past 10 years, and has not accounted for increases in the true cost to operate a police department borne by Westwood, specifically relating to increases in wages, benefits, gas, and associated other materials and labor.

It is the intention of Westwood to begin to conduct an annual review and renewal of the Agreement, with the next review planned for Spring 2025, in preparation for the 2026 fiscal year budget preparation.

The proposed change to the annual flat fee reflects a 15% increase from the current [10-year-old] rate and would increase the rate from \$125,000 to \$143,750 for fiscal year 2025. This proposed adjustment is intended to begin an annually recurring incremental step-up of the fee amount to more accurately reflect the true cost to Westwood to provide police and court services.

Motion by Councilmember Hannaman to authorize the Mayor to sign the Public Safety Services Agreement with the City of Mission Woods for the period from January 1 – December 31, 2025. Second by Councilmember Buckman. Motion carried by a 5-0 voice vote.

Consider Renewal of Public Safety Services Agreement with Westwood Hills

Westwood provides public safety and municipal court services to the City of Westwood Hills and has done so for at least the past 30 years. The current Agreement between the cities is dated November 11, 2020. Westwood Hills desires – and Westwood assents – to continuing to contract for the provision of police services to Westwood Hills for a fee.

The Agreement was last renewed in November 2020 and, at that time, the fee was adjusted to a flat fee of \$163,000 per year. As there was and is no annual automatic adjustment to the fee amount, this flat fee has remained static for the past 4 years, and has not accounted for increases in the true cost to operate a police department borne by Westwood, specifically relating to increases in wages, benefits, gas, and associated other materials and labor. It is the intention of Westwood to begin to conduct an annual review and renewal of the Agreement, with the next review planned for Spring 2025, in preparation for the 2026 fiscal year budget preparation.

The proposed change to the annual flat fee reflects a 15% increase from the current [4-year-old] rate and would increase the rate from \$163,000 to \$187,450 for fiscal year 2025. This proposed adjustment is intended to begin an annually recurring incremental step-up of the fee amount to more accurately reflect the true cost to Westwood to provide police and court services.

Motion by Councilmember Wimer to authorize the Mayor to sign the Public Safety Services Agreement with the City of Westwood Hills for the period from January 1 – December 31, 2025. Second by Councilmember Buckman. Motion carried by a 5-0 voice vote.

Consider Resolution No. 134-2024 Adopting a Master Fee Schedule

In January 2023 the City engaged in a recodification process for the City Code. As part of the recodification process, which is expected to conclude before the end of 2024, all fee amounts have been removed and language has been added to adopt such fees by Resolution.

Currently there is no comprehensive document listing various fees collected by the City. The change in the language in the City Code to adopt fees by a Resolution will allow the City to update fees on a more regular basis and keep up with the local market.

Staff have been researching fee schedules for neighboring cities to prepare the proposed fee schedule. If approved, the fee schedule would be effective starting January 1, 2025. Staff plans to review and update the fee schedule on a yearly basis during the budget adoption process.

A copy of Resolution No. 134-2024 and proposed 2025 fee schedule was included in the packet for the Governing body to review and provide comments to help finalize the fee schedule. A final version of these materials will be considered for adoption at the November City Council meeting.

Councilmember Harris asked Ms. Schneweis if there were any fees that the City was further behind on than other surrounding cities. Ms. Schneweis said community room rental fees had fallen behind, and the hourly rates for rentals are often not covering staffing for the event. Ms. Herring said the higher value building permit fees will see an increase that puts them in line with the market.

Councilmember Harris asked if there were any new fees on the fee schedule that had not been assessed in the past. Ms. Schneweis said that fingerprinting and notary services for non-Westwood residents have been added.

Ms. Herring asked the Governing Body if there was any consternation about raising pool pass fees. Councilmember Harris asked when was the last increase in pool pass fees, Ms. Schneweis said around 2014. Councilmembers Buckman, Harris and Wimer said they were not opposed to the pool pass fee increase. Councilmember Hannaman said he did not want to increase the pool pass fees, but recognized that small increases over time would be preferable than a large increase in the future to remain in line with market values.

Announcements/Governing Body Comments

Councilmember Hannaman thanked Councilmember Steele for her work on Walk and Bike to School Day on October 2nd. Councilmember Hannaman said the turnout was great and events like this help community members consider walking and biking to school more.

Executive Session

No executive session was held.

Adjournment

Motion by Councilmember Hannaman to adjourn the meeting. Second by Councilmember Steele. Motion carried by a 5-0 voice vote. The meeting was adjourned at 7:52 p.m.

APPROVED: _____
David E. Waters, Mayor

ATTEST: _____
Abby Schneweis, City Clerk

DRAFT