

**City of Westwood, Kansas
City Council Work Session
4700 Rainbow Boulevard
February 8, 2024 – 5:30 PM**

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

Council Absent: None

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

Call to Order

Mayor Waters called the meeting to order at 5:30 p.m. on February 8, 2024. Mayor Waters noted all members of the Governing Body were present along with Ms. Herring, Ms. Schneweis, Chief Mansell, Mr. Sullivan, and Mr. Denk. The meeting was held in a hybrid manner with attendees being able to join in person and virtually via Zoom.

Community Survey Preparation

Kate Bender, PorchLight Insights, provided an overview of services provided by PorchLight Insights. Ms. Bender then facilitated an exercise to develop content for the community survey to be conducted in 2024.

Adjournment to Regular Meeting

The Work session adjourned at 6:56 p.m. to prepare for the regular City Council meeting.

**City of Westwood, Kansas
City Council Meeting
February 8, 2024 – 7:00 p.m.**

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

Council Absent: None

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

Call to Order

Mayor Waters called the meeting to order at 7:00 p.m. on February 8, 2024. Ms. Schneweis 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 February 8, 2024 City Council meeting agenda as submitted. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

Public Comment

Stephen Platt, 4910 Glendale, Westwood Hills, expressed his disagreement with the City Council's vote to invalidate a protest petition to sell the land at 5000 Rainbow Blvd. during the January 17, 2024 Special City Council meeting.

Presentations and Proclamations

Consolidate Fire District No. 2 (CFD2)

Steve Chick, Fire Chief of CFD2, provided an overview of operations and activities and offered to answer any questions.

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 January 11, 2024, City Council Work Session & Meeting Minutes
- B. Consider January 17, 2024, Special City Council Meeting Minutes
- C. Consider Appropriations Ordinance 759

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

Mayor Waters said the 75th Anniversary of Westwood's incorporation will occur in 2024, and Councilmember Wimer is working with members of the community to plan a celebration. Additionally, resident and former Mayor Karen Johnson is working to compile a history book about Westwood.

Mayor Waters provided an update of recent events he attended as Mayor.

Mayor Waters announced the members of the Feature Park Planning Steering Committee. They are:

- Westwood City Council – Laura Steele (Committee Chair)
- Westwood City Council – Jeff Harris
- Westwood Planning Commission – Sarah Page
- Westwood Communities for All Ages Task Force – Chris Burns
- Westwood Communities for All Ages Task Force – Karen Johnson
- Westwood Communities for All Ages Task Force – Spencer Day
- Westwood Communities for All Ages Task Force – Jenn Wetzell
- Karbank – Steve Karbank, or designee
- Westwood View Elementary School (nearby neighbor) – Emma Hobick
- Shawnee Mission East High School – Chris Minto
- Westwood community at-large – Brandon Joiner
- Westwood community at-large – Greyson Rubin
- Westwood community at-large – Kris Boyle
- Mission Woods resident (nearby neighbor) – Erica Hartley
- Johnson County Development Supports – Courtney Fitzgerald

Councilmember Reports

Councilmember Steele thanked Mr. Sullivan and Public Works staff for assisting her with installing the bike maintenance station in front of the Public Works building.

Councilmember Wimer said a group of residents will be meeting on February 27th at 4:00 p.m. to begin planning the 75th Anniversary celebration and encouraged anyone interested in helping with this event to attend.

Staff Reports

Administrative Report

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

Public Works Report

Mr. Sullivan provided an overview of the January and February 2024 Public Works Report included in the agenda packet and offered to answer questions.

Public Safety Report

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

Treasurer's Report

The January 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 Ordinance 1040 approving a Franchise Agreement with Google Fiber

In 2012, Google Fiber was granted authorization by the State of Kansas to provide video service in Westwood and that same year entered into a Development Agreement with the City. In 2015, the City of Westwood entered into a Video Service Provider Agreement with Google Fiber Kansas, LLC to construct, operate, and maintain facilities within city rights-of-way, to provide video services to customers within the city, and to pay to the City a video service provider fee in the amount of 5% of gross revenues.

There is only one change to the agreement - the franchise fee percentage has decreased. The 2015 agreement gave the City a 5% franchise fee for television and cable services. Since that agreement, Google has moved out of the business of providing television and cable services, which leaves that agreement collecting very little franchise fees. The new agreement has a lower percentage – 2% – but applies to a broader range of services, including Google's broadband service. This agreement was negotiated by the City Attorney and is the same framework that Google Fiber has worked out with surrounding municipalities in Johnson County, bringing Westwood in line with other neighboring cities.

The City currently receives less than 3% of our total franchise fee revenue from Google Fiber, so the budget impact of this change is expected to be nominal if not possibly providing increased revenue by way of now assessing franchise fees on additional services provided by Google Fiber in Westwood, including broadband service.

Motion by Councilmember Hannaman to adopt Ordinance 1040 granting to Google Fiber Kansas, LLC a contract franchise to construct, operate, and maintain communications service facilities in the public right-of-way of the City of Westwood, Kansas. Second by Councilmember Harris. Ms. Schneweis conducted a roll call vote. Motion carried 5-0.

Consider Appointments to the Westwood Planning Commission

The members of the Westwood Planning Commission are appointed by the Mayor, with the consent of the Governing Body, and serve for a term of three (3) years each (16.1.4.2). Planning Commissioners whose terms are expiring effective February 29, 2024 are Kevin Breer, Mark Neibling, and M. Scott Weaver. Commissioners Breer and Neibling are both seeking renewal of their terms. Commissioner Weaver is not seeking reappointment; he has shared that he feels since he has served two terms, that another Westwood resident be given the opportunity to serve the community in this way.

Following Commissioner Weaver's notice to vacate his seat, the Mayor issued an open call for candidates. Statements of interest from two (2) residents were received. Following review of those statements of interest, Mayor Waters and Planning Commission Chair Sarah Page conferred, and the Mayor is recommending the Governing Body consent to the appointment of Emily Keyser for a three-year term.

Ms. Keyser is an 8-year resident of Westwood. She holds a degree in urban planning from the University of Missouri – Kansas City and has worked for both the City of Lee's Summit, Missouri and the Unified Government of Wyandotte County-Kansas City, Kansas.

The following candidates, who all reside in Westwood are qualified appointees and are hereby recommended by the Mayor to serve on the Westwood Planning Commission for terms or three (3) years each, starting March 1, 2024 and ending February 28, 2027:

- Kevin Breer 2916 W. 47th Ter.
- Emily Keyser 2915 W. 51st St.
- Mark Neibling 2708 W. 48th St.

Motion by Councilmember Wimer confirm the appointment of Kevin Breer, Emily Keyser, and Mark Neibling to the Westwood Planning Commission, each for a three-year term to expire February 28, 2027, and for Leslie Herring in her capacity as notary public to administer the oath of office at the next regular meeting of the Planning Commission. Second by Councilmember Steele. Motion carried by a 5-0 voice vote.

Announcements/Governing Body Comments

No announcements were made.

Executive Session

Consultation with the City Attorney on matters relating to that property located at and around 5000 Rainbow Blvd. which would be deemed privileged in the attorney client relationship under K.S.A. 75-1319(b)2

Motion by Councilmember Hannaman to recess into Executive Session for 20 minutes for consultation with the City Attorney on matters relating to real property located at and around 5000 Rainbow Blvd. which would be deemed privileged in the attorney-client relationship under K.S.A. 75-4319(b)2 present will be the members of the Governing Body, the City Administrator, and the City Attorney for, the regular meeting will resume at 8:08 p.m. Second by Councilmember Harris. Motion carried by a unanimous voice vote.

At 8:08 p.m. the Governing Body returned to the dais. Mayor Waters announced no actions were taken during Executive Session.

Adjournment

Motion by Councilmember Buckman to adjourn the meeting. Second by Councilmember Hannaman. Motion carried by a 5-0 voice vote. The meeting adjourned at 8:10 p.m.

APPROVED: _____
David E. Waters, Mayor

ATTEST: _____
Abby Schneweis, City Clerk

DRAFT