

Minutes

DVD No. 153

The City Council of the City of Leawood, Kansas, met in regular session in the Council Chambers, 4800 Town Center Drive, at 7:30 P.M., on Monday, November 6, 2006. Mayor Peggy Dunn presided.

Councilmembers present: Gregory Peppes, Mike Gill, Gary Bussing, Jim Rawlings, Lou Rasmussen, James Azeltine, and Debra Filla (via telecommunications).

Councilmembers absent: Scott Gullede.

Staff present:

Scott Lambers, City Administrator
Chief Ben Florance, Fire Department
Major John Meier, Police Department
Captain Troy Rettig, Police Department
Joe Johnson, Public Works Director
Mark Klein, Senior Planner
Deb Harper, City Clerk
Scott Smith, Internet/WAN Specialist

Patty Bennett, City Attorney
Chief Sid Mitchell, Police Department
Captain Dale Finger, Police Department
Kathy Rogers, Finance Director
Chris Claxton, P&R Director
Jeff Joseph, Senior Planner
Christy Wise, Deputy City Clerk

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

Mayor Dunn stated the agenda will also include the scheduling of an Executive Session to immediately follow the meeting as Item No. 14A. She also advised the order of Item No. 5 will be adjusted dependent upon the arrival of County Commissioner Ed Peterson. A motion to approve the agenda was made by Councilmember Rawlings; seconded by Councilmember Peppes. The agenda was approved following a unanimous vote of 6-0.

3. CITIZEN COMMENTS

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. It is not appropriate to comment on pending litigation, municipal court matters or personnel issues. Comments about items that appear on the action agenda will be taken as each item is considered. CITIZENS ARE REQUESTED TO KEEP THEIR COMMENTS UNDER 5 MINUTES.

Roxanne Wu-Rebein, 3519 W. 100th Street, provided an update regarding the redevelopment of land owned by Village Presbyterian Church at 99th Street and Mission Road in Overland Park, Kansas.

She thanked the Governing Body for acknowledging how the project will directly affect Leawood residents and then distributed suggested modifications to the proposed site plan.

Nancy Abaza, 10413 Cherokee Lane, stated she is residing in Leawood as an exchange student from Jordan in order to learn about American democracy and culture as well as improve her English. She informed Mayor Dunn that she is from Amman, the capital city of Jordan, and is now attending Shawnee Mission East High School. The Governing Body welcomed and shook hands with Miss Abaza.

Don Marsolek, 6724 W. 83rd Street, stated as the International Coordinator of the Aspect Foundation, he is very happy to share this experience with Miss Abaza. Councilmember Gill asked how many students in the Kansas City area participate in the exchange program each year. Mr. Marsolek stated there are currently five students in the Shawnee Mission area who are in the Youth Exchange and Study Program [YES], which is for students from the Middle East and is administered to by the Aspect Foundation. The estimated combined total of Middle East students in the entire metropolitan area from various exchange programs is 85-90.

4. PROCLAMATIONS – None.

6. SPECIAL BUSINESS

- A. Ordinance No. 2188 authorizing the issuance and delivery of \$6,405,000 principal amount of General Obligation Refunding Bonds of the City of Leawood, Kansas for the purpose of providing funds to refund certain outstanding general obligation bonds of the City; prescribing the form and details of said bonds; making provision for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due; and making certain covenants with respect thereto [Roll Call Vote]

Finance Director Kathy Rogers reported sale of the bonds with a total savings of \$245,869.00, which is a net present value savings of \$188,000 over time. Mayor Dunn extended congratulations on the reaffirmation of the City's AA1 bond rating from Moody's.

Councilmember Bussing inquired if increasing the City's bond rating has been considered. Roger Edgar with George K. Baum & Company stated there has been discussion with Moody's regarding this issue, however no definite timeline or threshold to achieve the upgrade has been set. When compared to other bond issues sold last week, Mr. Edgar informed that Leawood sold at the same performance as two AAA rated entities.

A motion to pass the ordinance was made by Councilmember Gill; seconded by Councilmember Rawlings. The ordinance passed with the following unanimous roll call vote of 6-0: Yea: Councilmembers Rasmussen, Peppes, Azeltine, Rawlings, Bussing, and Gill. Nay: None. (Councilmembers Gullledge and Filla absent).

- B. Resolution No. 2673 prescribing the form and details of and authorizing the delivery of \$6,405,000 principal amount of General Obligation Refunding Bonds, of the City of Leawood, Kansas, authorized by Ordinance No. 2188 of the City; providing certain covenants and agreements with respect thereto; and providing for execution of certain agreements in connection therewith

A motion to approve the resolution was made by Councilmember Azeltine; seconded by Councilmember Rasmussen. The resolution was approved following a unanimous vote of 6-0.

Councilmember Filla joined the meeting via telecommunications at 7:50 P.M.

7. **CONSENT AGENDA**

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted on in a single motion. If a Councilmember requests a separate discussion on an item, it can be removed from the consent agenda for further consideration.

- A. Accept Appropriation Ordinance Nos. 1061B, 1062A, and 1062B
- B. Accept Minutes of the September 25, 2006 Governing Body meeting
- C. Accept Minutes of the October 16, 2006 Governing Body meeting
- D. Accept Minutes of the September 28, 2006 Ironhorse Golf Advisory meeting
- E. Approval of CMB liquor license renewal for Hy-Vee Store located at 12200 State Line Road
- F. Approve issuance of Temporary Alcohol Permit to sell/serve alcoholic liquor for 'A Night of Fashion,' to be held at 5000 W. 119th Street [Macy's] on November 9, 2006
- G. Approve Change Order No. 2 in the amount of \$77,946.50 to Miller Paving Company, pertaining to the 2005 Street Reconstruction Project
- H. Resolution No. 2674 calling for a public hearing on Monday December 4, 2006, regarding amendments to the 2006 Fiscal Budget for the City of Leawood, Kansas
- I. Resolution adopting a Policy prohibiting racial profiling and commitment to unbiased law enforcement
- J. Resolution No. 2675 establishing a fee, not specifically provided for in the Code of the City of Leawood, 2000, specifically for winter rates at IRONHORSE Golf Club, in accordance with the Open Records Act, K.S.A. § 45-215, et seq.
- K. Resolution No. 2677 designating holidays for the year 2007 in accordance with the personnel rules and regulations of the City of Leawood, Kansas
- L. Resolution No. 2678 approving and authorizing the Mayor to execute a Letter of Understanding between the City and Johnson County for the 2007 Utility Assistance Program for an amount not to exceed \$2,000 for the period of January 1, 2007 through December 31, 2007
- M. Resolution No. 2679 approving the 2007 Human Service Recommendation Report [United Community Services-USC] and the City of Leawood's participation for an amount not to exceed \$9,000.00

- N. Resolution No. 2680 approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$100,000 between the City and Ilan Averbuch, d/b/a Averbuch Rail Art, LLC, pertaining to the 'Ladder' art piece to be placed in Gezer Park located at 133rd and Mission Road
- O. Resolution No. 2681 approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$524,152.55 between the City and Rosehill Gardens, Inc., pertaining to the Villaggio Landscaping Project
- P. Resolution No. 2682 accepting a Temporary Construction Easement from Valerie J. Panther, Trustee of the Valerie J. Panther Revocable Living Trust, 5304 W. 148th Street; Janet Kay Gwinn, 5449 W. 152 Terrace; Marion D. & Brigitte Y. Washington, 14820 Birch; and Joseph A. Lehman, 15201 Birch, pertaining to the Nall Avenue Improvement Project between 143rd and 159th Street [CIP # 80143]
- Q. Resolution No. 2683 approving a Final Plat for Village of Camden Woods 90th Plat, located south of 143rd Street and west of Kenneth Road [*from the October 24, 2006 Planning Commission meeting*]
- R. Declaration of Surplus Property from the Public Works Department [material spreaders]

Mayor Dunn pulled Item Nos. 7B, 7M, and 7O for discussion. Councilmember Bussing requested to pull Item No. 7N. On motion of Councilmember Rasmussen, seconded by Councilmember Peppes, the remainder of the Consent Agenda was approved following a unanimous vote of 7-0.

7B. Accept Minutes of the September 25, 2006 Governing Body meeting

Mayor Dunn quoted a section from page 2 of the minutes regarding improvements to Tomahawk Creek Parkway:

“Public Works Director Joe Johnson informed the improvements will take 30-40 days to complete with the first week of October as the estimated start date. The road will remain open to thru traffic in both directions with only one lane closed at a time.”

She then requested that Mr. Johnson provide an update on the timeline of the project. Mr. Johnson stated completion is anticipated before Thanksgiving. It is possible that improvements to the southbound lanes will be performed on the weekends if dual pavers are available, which will prevent interruption of business traffic during the weekdays. Mr. Johnson stated he is confident of project completion before the arrival of winter weather.

A motion to accept the minutes of the September 25, 2006 Governing Body meeting was made by Councilmember Peppes; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 7-0.

- 7M. Resolution No. 2679 approving the 2007 Human Service Recommendation Report [United Community Services-USC] and the City of Leawood's participation for an amount not to exceed \$9,000.00

Mayor Dunn remarked on the outstanding services provided to the community by Karen Wulfkuhle, Executive Director of United Community Services, and other staff members of the organization.

A motion to approve the resolution was made by Councilmember Bussing; seconded by Councilmember Gill. The resolution was approved following a unanimous vote of 7-0.

- 7N. Resolution No. 2680 approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$100,000 between the City and Ilan Averbuch, d/b/a Averbuch Rail Art, LLC, pertaining to the 'Ladder' art piece to be placed in Gezer Park located at 133rd and Mission Road

Councilmember Bussing requested to have the description and definition of the art piece sent by the artist prominently and permanently displayed within the park development. Mr. Lambers noted the request and stated the installation of such will be funded with the overall budget of the park project.

A motion to approve Item No. 7N was made by Councilmember Bussing; seconded by Councilmember Rawlings. The motion was approved following a unanimous vote of 7-0.

- 7O. Resolution No. 2681 approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$524,150.00 between the City and Rosehill Gardens, Inc., pertaining to the Villaggio Landscaping Project

City Clerk Deb Harper reported the contract amount in the Staff Review Fact Sheet contains a mathematical error from the contractor and is listed at \$524,152.55. The correct amount is \$524,150.00.

A motion to approve the resolution was made by Councilmember Gill; seconded by Councilmember Peppes. The resolution was approved following a unanimous vote of 7-0.

8. MAYOR'S REPORT

- A. Attended the MOCSA 2006 Johnson County Fall Breakfast with several members of the Police Department and Professional Staff. Featured speaker Jeff Lanza, FBI agent and spokesman for the Kansas City Division, addressed Internet safety and how to keep children safe from Internet predators.

- B. Attended the annual Leawood Chamber of Commerce Board Retreat. Lavern Squier, President of the Lawrence, Kansas, Chamber of Commerce, served as facilitator. Prior to the retreat, a board meeting was held in which the Chamber Board of Directors passed a resolution of support for three of the initiatives on the upcoming ballot: the four-tenths of a cent (.4) sales tax increase to fund the Leawood Justice Center, the local option budget increase initiative for the Blue Valley School District, and the \$75-million soccer bond initiative. There was a press release regarding the resolution.
- C. Attended the Council of Mayors meeting in Prairie Village. The annual meeting with the Johnson and Wyandotte County legislators took place regarding the legislative agenda for the upcoming January Session. Topics of discussion included eminent domain, excise tax, Taxpayer Bill of Rights [TABOR], education, the Kansas Open Records Act [KORA], municipal court jurisdiction, right-of-way, and the fact that demand transfers are scheduled to be partially reinstated in Fiscal Year 2010. It was noted the Machinery and Equipment Property Tax issue is not expected to resurface; however, sales tax exemptions and sales tax on services are once again possible topics of discussion. STAR Bonds and the renewals of such will be under review with the belief that the terms will be reduced from 20 years to 10 years. As funding for the Comprehensive Transportation Plan will be depleted in 2009, plans for the next program will now begin.
- D. Mayor Dunn noted invitations were placed upon the dais for councilmembers and their spouses to attend the Council of Mayors Annual December Social. The event is December 12th with a new start time of 5:30 P.M. Dinner will be served at 7:00 P.M. Those planning to attend should inform City Clerk Deb Harper as RSVPs are required by November 28th.
- E. Attended a shopping preview at Crate & Barrel. Councilmembers Rawlings, Peppes, and Rasmussen also attended the event along with 1,300 individuals. A crowd of 800 was turned away from the charity event for Children's Mercy Hospitals and Clinics. Gordon Segal, CEO and founder of Crate & Barrel, was present at the fundraiser as well.
- F. Attended the Crescent Peace Society's 10th Anniversary Eid Celebration Dinner in recognition of the conclusion of the month of Ramadan. The society was started by Leawood residents Drs. Iftexhar and Shaheen Ahmed. The mission of the Crescent Peace Society is "Enhancing the understanding of Muslim cultures through educational and cultural activities involving the exchange of ideas and experiences among people of diverse cultures." Keynote speaker for the anniversary dinner was Professor Akbar Ahmed, Chair of Islamic Studies at the American University in Washington D.C. He was very inspirational in stressing the importance of dialogue, which breeds understanding and eventually friendship between Islamic and Western cultures.
- G. Congratulated Leawood Parks & Recreation Advisory Board member Mark Mergen on his election to the National Recreation & Park Association Board of Trustees for a three-year term. Mr. Mergen will be the Midwest Region citizen board representative.

- H. Reminder that tomorrow is Election Day. Mayor Dunn urged everyone to vote as it is one of our greatest American privileges. She also extended appreciation to reporters of *The Kansas City Star* and *Johnson County Sun* for their support in providing educational editorials regarding the Leawood sales tax initiative to fund the Justice Center.
- I. Announced there will be a ribbon cutting at the Plaza III restaurant tomorrow at 4:30 P.M.

**5. PRESENTATIONS/RECOGNITIONS County Commissioner Ed Peterson,
County Update**

Commissioner Peterson distributed a report from the Johnson County Appraiser's Office and charts of the Fiscal Year 2007 Budget. He reported the total budget came in at \$767-million; however, the actual expenditures and revenues balance at \$641-million. The difference is caused by the reserves being maintained at 20%. He noted a significant amount of the recorded revenue and expenditures are not generated by taxpayers but are a reflection of state, federal, and grant sources.

Commissioner Peterson reviewed the revenue sources, pointing out that the Economic Development Tax is distributed to school districts via the County and is not available for county functions. Of the total 1.1-cent generated from other combined taxes, only one-third is used for county purposes as the remainders are allocated to a variety of local governmental units.

Referring to the expenditure chart, Commissioner Peterson stated the Public Safety & Judiciary item at 21% of the budget includes \$50-million for construction of the jail expansion. When the facility is complete in either late 2007 or early 2008, approximately \$14-million per year will be required for operations. He stated the amount will double if a sheriff's request to build another phase to the jail system is pursued. The price of possibly constructing a new courthouse and parking garage has been identified as \$190-million. Additionally, juvenile facilities are in need of rehabilitation. If all of these needs are met, the Public Safety & Judiciary section of the chart will increase from 21% to 50% of the County budget within 5 years.

The Capital Improvement Plan [CIP] for 2007 includes funding for the County Assistance Road System [CARS] Program at \$15.4-million. There has been discussion regarding increasing the funding amount. Information infrastructure costs have risen, however these expenditures are necessary and will benefit the community. The mill levy will remain unchanged.

Commissioner Peterson reviewed that during the last legislative session, at the request of Governor Sebelius, the Legislature passed a repeal of the Commercial Machinery and Equipment Personal Property Tax. The slider amendment associated with the bill was developed to aid local jurisdictions with the phase-out of the tax revenue. Funding for the amendment will be presented at the next legislative session. However, the amendment calls for distribution of the funds based on mill levy rather than actual machinery and equipment in each jurisdiction.

The report from the County Appraiser's Office analyzes the impact of the slider amendment and a proposed amendment to the rule that would include a distribution formula based upon actual taxes levied by local governments. Leawood will lose revenue with either approach but will receive a significantly higher distribution with the mill levy formula; however, if the current legislation is amended, Johnson County will receive an increase of \$700,000. The Board of County Commissioners will further discuss the amendment as part of their legislative package. Feedback from other cities has revealed preference for a hybrid approach of the two allocation methods.

Commissioner Peterson informed Mayor Dunn that funding for the slider amendment was left out of the bill to await the new State Budget. At this point, a commitment for funding the device has not been received by legislators. He stated uncertainty to Mayor Dunn's question of whether the original passage of the bill included the intent to analyze the economic impact to cities on an annual basis.

Due to the repeal, Commissioner Peterson noted records have not been kept regarding new machinery and equipment, depreciation, or retirements. This fact will be problematic if the allocation formula is changed based upon the machinery and equipment of each jurisdiction.

Commissioner Peterson and Councilmember Gill discussed the need for expanding the jail system. Although the unincorporated areas under the sheriff's jurisdiction are becoming smaller, prisoners come from various sources and there has been an increase in population due to an overall rise in crime rates. The County jail actually transfers 45% of incarcerated individuals to rural jurisdictions, however an increasing number of the prisoners are high-maintenance with regard to medical, mental, and substance-abuse issues and cannot be handled at the smaller facilities.

Mayor Dunn encouraged Commissioner Peterson to continue advocating increased funding for the CARS Program. He stated he anticipates further discussion on the subject.

Councilmember Bussing requested an update on the Sunflower Ordinance Plant. Commissioner Peterson stated the Environmental Protection Agency [EPA] has given permission to begin some of the reclamation work. The County is working on a development authority to put an oversight mechanism in place. As the land is cleared, development may begin as the developer now owns the land and will continue clean-up efforts. Development will likely begin within the next 2-3 years.

Mayor Dunn stated she will contact Commissioner Peterson following discussion of the Commercial Machinery and Equipment Tax issue with the professional Staff. She thanked him for providing the update.

9. COUNCILMEMBERS' REPORT – None.

10. CITY ADMINISTRATOR'S REPORT

Discussion of Utility Boxes

City Administrator Scott Lambers reported meetings have taken place with Kansas City Power & Light [KCP&L] regarding two issues involving utility boxes. The City currently allows administrative approval of boxes that are 15 sq. ft. or less, typically used in residential areas, with a Special Use Permit [SUP] required for larger structures. Informing that a new design for the boxes has increased the dimensions to 16 sq. ft., KCP&L has requested an amendment to the Leawood Development Ordinance [LDO] to allow administrative approval for utility boxes up to this size. Mr. Lambers recommended granting the request.

A motion to direct the City Administrator to amend the Leawood Development Ordinance to allow administrative approval for utility boxes up to 16 sq.ft. was made by Councilmember Bussing; seconded by Councilmember Gill. The motion carried following a unanimous vote of 7-0.

The second issue involves utility boxes as part of commercial developments. The LDO currently requires that all utility boxes have to be sited as part of a final plan. The utility company has indicated this cannot occur upon final plan approval as the type and location of a box cannot be determined when the tenant is unknown. He recommended removing the condition to demonstrate utility box placement at the time of final plan and replace it with a requirement for the developer to submit a revised final plan upon substantial completion of the shopping center. The revised final plan will include location of the boxes and associated landscaping.

A motion to approve the City Administrator's recommendation regarding utility boxes within commercial developments was made by Councilmember Azeltine; seconded by Councilmember Rawlings.

Mr. Lambers assured Councilmember Rasmussen that Staff is sensitive to Council's wishes to minimize the visibility of the boxes and directives regarding landscaped screening.

Mayor Dunn confirmed with Mr. Lambers that the amendments will go before the Planning Commission.

The motion carried following a unanimous vote of 7-0.

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[from the October 10, 2006 Planning Commission Meeting]

- A. Resolution approving a Final Site Plan and Final Plat for Mission Corner, located on the southeast corner of 135th Street and Mission Road – ***CONTINUED TO THE DECEMBER 18, 2006 GOVERNING BODY MEETING***

Councilmember Azeltine asked why the item was continued. Mr. Lambers stated the application was originally submitted in order to obtain approval of easements and right-of-ways. Details of the final plan including the balance of the project are now complete. Both applications will be presented to the Council in the future following the Planning Commission process.

- B. Ordinance No. 2189 approving a Preliminary Site Plan and Preliminary Plat for Madden McFarland Interiors, located on the southwest corner of 135th Street and State Line Road [Roll Call Vote]

Applicant Ron Stallbaumer with Wendlandt & Stallbaumer Architects, 7924 Floyd, Overland Park, Kansas, pointed out revisions to the project including the reintroduction of the east portico, the inclusion of brick veneer around the entire building, and a synthetic slate roofing material. A landscape easement has also been provided to allow space for a gateway feature to the City. Additionally, three parking spaces along the west side have been added.

Mr. Stallbaumer noted that Staff has had concerns with the deviations, lot area, and integration of the building with other developments along the corridor. He relayed the deviations are related to existing conditions. Regarding lot area, the project contains 51% of open space with an LDO requirement of 30%. The maximum floor area ratio [FAR] restriction of 0.25 has also been met at 0.22. The building covers only 8% of the lot while 25% lot coverage is allowed. The building height and parking ratio requirements are also in compliance. The project received no opposition at the Interact meeting or public hearing.

Mr. Stallbaumer displayed a material board and distributed color renderings of the building.

Mr. Lambers informed Councilmember Peppes that only the easement for the corner feature will be presented with the final plan. The feature is independent of the development and will be included as part of the City's budget. The design process is currently underway with coordination to the northern property and median. The easement has been obtained from the property owner.

Mr. Lambers stated his recommendation of denial remains unchanged from the initial application. He stated Mr. McFadden should be allowed to stay on the site, as is, for as long as he desires; however, the expansion request is totally inconsistent with the 135th Street Corridor Guidelines and should not be approved.

Councilmember Rawlings confirmed with the applicant that the current structure is roughly 50 years old. The life expectancy of the building with the expansion is another 50 years.

Councilmember Gill commented the revised plan is a substantial upgrade from the initial presentation and noted approval would aesthetically improve an important long-time valued Leawood business. He asked if there were any other alternatives. Mr. Lambers stated redevelopment of the entire site either independently or in conjunction with the property to the west is an option. The tract of land is 1.139 acres. From an expense standpoint, approval of the proposed project would preclude the western development from acquiring and integrating the property.

A motion to pass the ordinance was made by Councilmember Gill; seconded by Councilmember Azeltine.

Councilmember Bussing agreed the revised plan is much improved, yet he cannot support the motion as the project does not fit the intent of the 135th Street Corridor Guidelines. He also expressed concern with the number of deviation requests.

Councilmember Azeltine acknowledged the cooperative efforts put forth by the applicant. He stated Madden McFarland Interiors is a landmark business in Leawood and it would be a shame if the current building were allowed to atrophy.

The ordinance passed with the following roll call vote of 4-3: Yea: Councilmembers Peppes, Azeltine, Gill, and Filla. Nay: Councilmembers Rawlings, Rasmussen, and Bussing. (Councilmember Gullledge absent).

It was noted that only a simple-majority vote is required as the item is being presented following a remand to the Planning Commission.

12. OLD BUSINESS – None.

13. NEW BUSINESS

- A. Ordinance No. 2190 appropriating the amounts set up in each fund in the budget for fiscal year 2007, providing for the payment of all claims and charges against the accounts provided for therein; and approving and ratifying the payment of all claims against the accounts [Roll Call Vote]

A motion to pass the ordinance was made by Councilmember Bussing; seconded by Councilmember Gill.

Councilmember Gill suggested a friendly amendment to the motion of requiring review and approval of the procedure by an outside auditor. Councilmember Bussing agreed with the amendment.

The ordinance passed with the following unanimous roll call vote of 7-0: Councilmembers Bussing, Rasmussen, Azeltine, Filla, Peppes, Gill, and Rawlings. (Councilmember Gullledge absent).

- B. Schedule Governing Body Work Session at 6:00 P.M. on Monday, November 20, 2006 to discuss Leawood Development Ordinance [LDO] building height requirements

A motion to approve the scheduling of the Work Session was made by Councilmember Gill; seconded by Councilmember Rawlings.

Mr. Lambers reviewed the intent of the Work Session will be to discuss the appropriate method of taking building height measurements as well as maximum height allowed in order to provide clarity within the LDO.

The motion was approved following a unanimous vote of 7-0.

14. OTHER BUSINESS

- A. Schedule a Governing Body Executive Session immediately following the Governing Body meeting to discuss matters related to the attorney-client privilege

A motion to approve the scheduling of a Governing Body Executive Session immediately following the Governing Body for a period not to exceed 20 minutes was made by Councilmember Rawlings; seconded by Councilmember Peppes. The motion carried following a unanimous vote of 7-0.

The Governing Body recessed into Executive Session at 9:00 P.M.

A motion to extend the Executive Session for a period of 15 minutes was made by Councilmember Bussing; seconded by Councilmember Rawlings.

The Governing Body reconvened into regular session at 9:35 P.M.

A motion to adjourn the regular meeting was made by Councilmember Bussing; seconded by Councilmember Gill.

ADJOURN

The Governing Body meeting adjourned 9:35 P.M.

Debra Harper, CMC, City Clerk

Christy Wise
Recording Deputy City Clerk