

Regular Meeting

THE LEAWOOD CITY COUNCIL

April 15, 2013

Minutes

DVD No. 301

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, April 15, 2013. Mayor Peggy Dunn presided.

Councilmembers present: Jim Rawlings, Julie Cain, Gary Bussing, Debra Filla, James Azeltine, Lou Rasmussen, Carrie Rezac and Andrew Osman

Councilmembers absent: None

Staff present: Scott Lambers, City Administrator
Chief John Meier, Police Dept.
Chief Dave Williams, Fire Dept.
Patty Bennett, City Attorney
Lovina Freeman, HR Director
Richard Coleman, Comm. Dev. Director

Chris Claxton, P&R Director
Dawn Long, Finance Director
Jack Reece, Info Systems Specialist
David Ley, City Engineer
Mark Klein, Planning Official
Pam Gregory, Assistant City Clerk

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

A motion to approve the amended agenda was made by Councilmember Filla; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 8-0.

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.

4. PROCLAMATIONS

Crime Victims' Week, April 21-27, 2013

Mayor Dunn proclaimed the week of April 21-27, 2013, as Crime Victims' Week in the City of Leawood and urged citizens to respect and enforce victims' rights and address their needs during National Crime Victims' Rights Week and throughout the year; and express our appreciation for those victims and crime survivors who have turned personal tragedy into a motivating force to improve our response to victims of crime and build a more just community.

**National Volunteer Week, April 21-27,
2013**

Mayor Dunn read the proclamation into the record and proclaimed the week of April 21-27, 2013, as National Volunteer Week urging fellow citizens to volunteer in their respective communities. She extended her appreciation to the over 300 volunteers that serve the City of Leawood.

Earth Day, April 22, 2013

Mayor Dunn proclaimed April 22, 2013, as Earth Day in the City of Leawood and encouraged its residents, businesses and institutions to support green economy initiatives and encourage others to undertake similar actions.

Councilmember Debra Filla, Chairman of the Sustainability Advisory Board, stated on Saturday, April 27th from 8:00 A.M. to 2:00 P.M., there will be a recycling extravaganza, located at Black and Veatch.

5. PRESENTATIONS/RECOGNITIONS - None

6. SPECIAL BUSINESS

****A. Public Hearing Regarding The Community Improvement District [CID] Application For Camelot Court Shopping Center, Located At 119th And Roe Avenue, Leawood, Kansas – CONTINUED TO MAY 6, 2013**

B. Resolution No. 4011 approving and authorizing the Mayor to execute a Corporation Warranty Deed and other related closing documents pertaining to the sale of real property located on 114th Street, west of Tomahawk Creek Parkway

A motion to approve the resolution was made by Councilmember Filla; seconded by Councilmember Osman. The motion carried following a unanimous vote of 8-0.

C. Resolution No. 4012 approving the assignment of rights and delegation of duties pertaining to the Real Estate Contract between the City of Leawood and Block Development Company from Block Development Company to Chymiak Pinnacle V, LLC and Pinnacle V Associates, LLC

A motion to approve the resolution was made by Councilmember Rawlings; seconded by Councilmember Rezac. The motion carried following a unanimous vote of 8-0.

****D. Resolution No. 4010 calling for a public hearing to be held on Monday, May 6, 2013, regarding the Community Improvement District [CID] application for Camelot Court Shopping Center, located at 119th and Roe Avenue, Leawood, Kansas**

A motion to approve the resolution was made by Councilmember Azeltine; seconded by Councilmember Rawlings. The motion carried following a unanimous vote of 8-0.

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. 2013-11, 2013-12, and 2013-13
- B. Accept minutes of the April 1, 2013 Governing Body meeting
- C. Accept minutes of the April 1, 2013 Governing Body Work Session
- D. Accept minutes of the February 19, 2013 Arts Council meeting
- E. Accept minutes of the January 31, 2013 Leawood Foundation meeting
- F. Accept minutes of the November 13, 2012 Historic Commission meeting
- G. Accept minutes of the March 12, 2013 Historic Commission meeting
- H. Accept minutes of the March 12, 2013 Parks and Recreation Advisory Board meeting
- I. Accept minutes of the October 31, 2012 Stormwater Management Committee meeting
- J. Mayoral Appointment for Governing Body Presiding Officers from May 2013 through April 2014
- K. Approve issuance of Temporary Alcohol Permit to conduct The Taste of Leawood Fundraising Event on Saturday, June 15, 2013, in accordance with Code § 3-216
- L. Approve Change Order No. 7 in the amount \$40,675.00, to Titan Built Construction, pertaining to the Leawood Justice Center Project to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76008]
- M. **Resolution No. 4013** approving and authorizing the Mayor to execute an Independent Contractor Agreement for the purchase, delivery, and installation in the amount of \$60,945.28 between the City and Xybix Systems for Justice Center Dispatch Center workstation furniture pertaining to the Leawood Justice Center Construction Project to be located at 117th & Tomahawk Creek Parkway [Project # 76008]
- N. **Resolution No. 4014** approving and authorizing the Mayor to execute an Inter-local Agreement and Letter of Understanding by and among the City of Leawood and cities of Fairway, Merriam, Mission, Prairie Village, Roeland Park, and the Johnson County Parks and Recreation District, pertaining to the SuperPass Program at the Leawood Aquatic Center, located at 10601 Lee Boulevard
- O. **Resolution No. 4015** approving and authorizing participation in the County Assistance Road System [CARS] proposed for 2014-2018 five-year program
- P. **Resolution No. 4016** accepting a Permanent Storm Sewer Easement from Grantor, Roger M. Fallek, for property located at 10409 Sagamore Road, Lots 999 & 999A, pertaining to the SMAC; Indian Creek; SMAC Project JB-04-008; Lee Boulevard to State Line and 103 to I-435
- Q. **Resolution No. 4017** accepting a Permanent Storm Sewer Easement from Grantors, William D. Smith and Jacqueline R. Smith, for property located at 10425 Sagamore Road, Lot 1364, pertaining to the SMAC; Indian Creek; SMAC Project JB-04-008; Lee Boulevard to State Line and 103 to I-435

- R. **Resolution No. 4018** accepting a Permanent Storm Sewer Easement from Grantors, Richard L. Boren and Denise W. Boren, for property located at 10429 Sagamore Road, Lot 1363, pertaining to the SMAC; Indian Creek; SMAC Project JB-04-008; Lee Boulevard to State Line and 103 to I-435
- S. **Resolution No. 4019** accepting a Permanent Storm Sewer Easement from Grantors, Alan R. Petersen and Marcia K. Petersen, for property located at 10421Sagamore Road, Lots 1001 and 1001A, pertaining to the SMAC; Indian Creek; SMAC Project JB-04-008; Lee Boulevard to State Line and 103 to I-435
- T. Fire Department Monthly Report
- U. Police Department Monthly Report
- V. Municipal Court Monthly Report

A motion to approve the Consent Agenda was made by Councilmember Rawlings; seconded by Councilmember Filla. The motion carried following a unanimous vote of 8-0.

8. MAYOR'S REPORT

- A. On behalf of the City of Leawood, Mayor Dunn extended condolences to all of the victims and their families of the tragedy that occurred this afternoon at the Boston Marathon.
- B. Attended the Johnson & Wyandotte Counties Council of Mayors' meeting hosted by Merriam Mayor Ken Sissom. Discussion included fiber optic connectivity with panel members Rachel Hack with Google Fiber, Chris Carroll with AT&T, Ann Teagan with Time Warner, among others. A changing of the guards was held after the recent elections. Gardner Mayor Dave Drovetta passed his gavel as Chairman of the Council of Mayors' to Edwardsville Mayor John McTaggart as the new Chairman. Kansas City Kansas Mayor Joe Reardon passed his Vice Chairman seat to Mission Hills Mayor Rick Boeshaar. They will be in place through September, 2014.
- C. Mayor Dunn joined Police Chief John Meier at Church of the Nativity's D.A.R.E. [Drug Awareness Resistance Education] Graduation, hosted by Officer Mark Chudick. The special guest speaker was former Chief's Quarterback and Leawood resident Trent Green.
- D. Attended a Leawood Chamber of Commerce ribbon cutting ceremony for Signature Funerals, celebrating their 2nd Anniversary. Their unique funeral concept is owned by Leawood resident Cathy Boomer and is located at 80th and State Line Road in Kansas City, Missouri.
- E. On behalf of the City of Leawood, Mayor Dunn extended condolences to the family of Donald Pipes who passed away on April 12, 2013. He was appointed the first City Manager of Overland Park, Kansas, retiring in 1999 after serving 33 years with the City. He took great pride in their growth. As described by a former Mayor, "Mr. Pipes always acted behind the scenes to ensure things were well run and he built Overland Park and their community into the second largest City in Kansas." As our neighboring City, we all benefit from their progress and success. Mayor Dunn recognized him for being a mentor to Leawood's own City Administrator Scott Lambers.

- F. Commerce Bank has generously donated a \$1,500 sponsorship check to Leawood's Parks and Recreation Department again this year.
- G. The Parks and Recreation Department will be planting a special tree in City Park on Friday, April 26th. This will be the first event to recognize the 40th Anniversary of the Parks and Recreation Department.
- H. "Barks in the Park" will be held on Saturday, April 27th from 1:00 – 5:00 P.M. in Ironwoods Park. The Parks and Recreation Department will be partnering with them for a Dog Parade and Costume Contest as one of their 40th Anniversary events.
- I. The Kansas City Business Journal ranked the top area public golf courses by slope rating of back tee rating Ironhorse Golf Course 3rd out of the 25 golf courses listed. Congratulations to Ironhorse General Manager Jeff Thomasson, Parks and Recreation Director Chris Claxton and the Parks and Recreation Advisory Board.

9. COUNCILMEMBERS' REPORT

- A. Councilmember Rawlings Update on Justice Center Construction Project

Councilmember Rawlings reported that the Justice Center Project is on schedule and is 69% complete. Installation of the building precast walls and exterior brick and masonry work are complete. The columns in the main lobby will be installed this week. The flooring has been installed. Electrical and interior rough-in construction is underway. Windows will be installed soon, which will completely enclose the building. A walk-thru for City staff is tentatively planned for May 20th.

10. STAFF REPORT - None

COMMITTEE RECOMMENDATIONS

11. ARTS COUNCIL

[From the March 26, 2013 Arts Council meeting]

Relocation of art piece, 'Koinonia' to the Justice Center

Councilmember Cain stated there was unanimous consent from the Arts Council as well as the Art in Public Places Committee [APPI] for the City to keep the art piece and place it in an interior location at the Justice Center.

A motion to relocate art piece 'Koinonia' to the Justice Center was made by Councilmember Cain; seconded by Councilmember Bussing.

Councilmember Rasmussen stated the City has been struggling to find a proper location for this piece of art for almost a decade. He felt the Arts Council and APPI's recommendation was contrary to City policy procedure and they were looking to force fit this piece into the Justice Center. He suggested they appoint a professional committee to evaluate the art piece and return with their recommendation. If the piece is sold, he wanted to ensure that the funds are deposited into the Arts Council Budget.

Councilmember Cain stated they had discussed the City's procedure; however, the unanimous consensus was to keep the art piece.

Mayor Dunn noted the Arts Council and APPI Committee members will do a walk through with Police Chief John Meier as soon as the weather allows. If no suitable location is found, this could return before the Governing Body for reconsideration. Chief Meier confirmed he would give an objective observation.

The motion carried following a vote of 7-1. (Nay: Councilmember Rasmussen).

12. IRONHORSE ADVISORY BOARD

[From the March 28, 2013 Ironhorse Advisory Board meeting]

Resolution No. 4020 accepting the 2013 IRONHORSE Golf Course Business Plan, as submitted by Troon Golf, LLC

A motion to approve the resolution was made by Councilmember Filla; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 8-0.

13. STORMWATER MANAGEMENT COMMITTEE

[From the April 25, 2012 and March 27, 2013 Stormwater Management Committee meetings]

A. Discussion of a cost-share program regarding installation of stormwater treatment structures

Recommendation: Accept Johnson County Stormwater Management Program for Stormwater BMP Cost-Share Program and permit Leawood to apply to participate in program

Councilmember Rawlings stated this cost-share program is administered through the Johnson County SMAC Program allowing cities to sign up for \$10,000 to help residents fund stormwater BMP's on their property. This program has a 50% max with a maximum participation of \$1,000 per property owner.

A motion to approve the Stormwater Management Committee's recommendation to accept the cost-share program and permit the City of Leawood to apply to participate in the program was made by Councilmember Rawlings; seconded by Councilmember Bussing.

Councilmember Cain noted this program is for residents, businesses, and HOA's and can be used for rain gardens, native planting buffers, cisterns, permeable pavement and rain barrels. This program is ongoing and is already budgeted through Johnson County allowing cities to receive \$10,000 each year.

City Engineer David Ley stated this would be administered through the Public Works Department, which is anticipating 15-25 applications per year.

The motion carried following a unanimous vote of 8-0.

[From the March 27, 2013 Stormwater Management Committee meeting]

B. Discussion of 15310 Sherwood resident's request for sponsorship of a State Program home buy-out.

Recommendation: Move forward with sponsorship [no cost to City] of resident, Glenn Hermreck for a Home Buy-out due to residence flooding

Councilmember Rawlings stated Mr. Hermreck's home abuts Ironhorse Golf Course. At the time his home was constructed, the lot was not designated as being in the FEMA 100-year floodplain. FEMA has updated its maps and that property is now located in the floodplain. Mr. Hermreck has experienced catastrophic losses in several floods and has been working with FEMA on a potential buy-out of his property. The cost-share is 75% federal and 25% other. Mr. Hermreck will cover the 25% with no out of pocket cost to the City. City staff will work with the State to complete the application process. Once the buy-out is complete, the property will be deeded to the City at no cost. The City will administer removal of the home and restoration of the property.

A motion to approve the Stormwater Management Committee's recommendation for the City to sponsor the application for Mr. Hermreck's home buy-out was made by Councilmember Rawlings; seconded by Councilmember Bussing.

Mr. Hermreck confirmed FEMA funding would cover the removal of the home and restoration of the property.

The motion carried following a unanimous vote of 8-0.

[From the March 27, 2013 Stormwater Management Committee meeting]

C. Discussion of Corrugated Pipe Replacement Update

Recommendation: Council to take a pro-active stance in fixing situations instead of failures by investing in pro-active corrugated pipe repairs/replacements

Councilmember Rawlings stated the Stormwater Management Committee discussed the status of replacing corrugated metal storm sewer pipe [CMP] and recommended the City be pro-active in replacement. Funding for the replacement of CMP is provided through the 1/8 cent sales tax Accelerated Stormwater and Street Overlay Programs.

A motion to approve the Stormwater Management Committee's recommendation to have the City be pro-active in the replacement of CMP and have City staff update the committee on an annual basis was made by Councilmember Rawlings; seconded by Councilmember Bussing.

City Administrator Scott Lambers confirmed 100% of the 1/8 cent sales tax is being utilized for stormwater and street programs. Currently, 1,000 lineal feet of CMP is being replaced per year. In today's dollars, replacing the remaining CMP would cost \$30-35 Million. He suggested they schedule a work session to discuss the possibility of moving forward at a faster rate.

If the City Council wants to see this program incorporated into the Capital Improvement Program [CIP] in the near future, they may need to accelerate the mill levy increases that are forecasted for 2019, 2020 and 2021.

Councilmember Rawlings withdrew his motion; Councilmember Bussing withdrew his second.

A motion to schedule a work session on July 1, 2013, for further discussion on how to proceed with CMP replacement was made by Councilmember Rawlings; seconded by Councilmember Filla.

Councilmember Rasmussen suggested City staff incorporate the following items for review at the work session:

- Televised pipe survey
- Engineers estimate on repetitive corrosion of the pipe
- Possibility of coordinating the Street Overlay Program in conjunction with this project

The motion carried following a unanimous vote of 8-0.

14. PLANNING COMMISSION

[From the January 29, 2013 Planning Commission meeting]

- A. **Ordinance No. 2617** approving a Revised Preliminary Plan for Camelot Court, located at the northeast corner of 119th Street and Roe Avenue (PC Case 15-13) [Roll Call Vote]

John Petersen, Polsinelli Shughart, gave a presentation requesting approval of a Revised Preliminary Plan to permit extensive modifications to the Camelot Court Development. The applicant is seeking concurrent approval of 3 (three) Special Use Permits [SUP]; a pharmacy store drive-thru, dry cleaner drive-thru, and the Hen House expansion project from 53,162 square feet to 78,778 for big box retail use. The SUP presented to the Planning Commission was requested for 73,162; however, they are requesting an additional 5,616 square feet. As a part of redevelopment, they will address the intersection that serves as the main entrance. The median will be reconfigured to prohibit a left turn. Deceleration lanes will be added to the main entrance on Roe and to the south entrance on 119th Street. A total of 128 trees and 210 shrubs will be planted along the entire perimeter for a more aesthetically pleasing streetscape. Additional landscaping and berming will be placed on the back side of the center. Pedestrian accessibility will be ADA compliant. Two variances were granted by the Board of Zoning Appeals [BZA]; removing the existing access point north of Oklahoma Joe's to improve internal traffic and to install additional parking and; to not require a berm or 3 foot wall between the parking lots and public right-of-way [ROW] for screening. There will be 14 additional islands and 51 trees added to the parking lot. The existing light poles will be replaced with new ones that are required to be 18 feet in height. The new architecture will result in a more modern look to the center. There are 971 existing parking spaces; 1007 spaces are proposed. City Codes require at least 1,302 spaces, which is based upon square footage.

Third party consultants conducted parking studies, which determined the proposed 1,007 spaces are adequate. Downspouts will be reconfigured to the new roof design and for aesthetic purposes. All sidewalks along the perimeter will be replaced. Mr. Petersen confirmed they were in agreement with all Planning Commission stipulations.

Community Development Director Richard Coleman stated City staff was not made aware of their request for an additional 5,616 square feet until now. Mr. Petersen replied this was overlooked in the original square footage calculations.

Mayor Dunn asked if they were planning to remove any landscaping with the additional ingress/egress on Roe. Mr. Petersen replied the applicant does not own the McDonald's or the bank site; therefore, they would not be removing any landscaping.

Councilmember Rasmussen asked if they were proposing a pedestrian crosswalk across Roe into Town Center Plaza. Mr. Petersen replied they preferred to encourage people to cross at the controlled intersections. Mr. Rasmussen asked their rationale for not using pavers on the crosswalks in the development. Mr. Petersen replied they may consider this at Final Plan; however, pavers do not maintain the same level of efficiency and aesthetics over time. Mr. Rasmussen was concerned with adequate parking for employees. Mr. Petersen replied employees have been factored in and will park behind the center and on the east side.

Councilmember Rasmussen expressed traffic concerns along the drive north of Waterway and along Tomahawk Creek Parkway. Councilmember Cain voiced concerns of disrepair of that drive and asked who was responsible for maintaining it. Mr. Petersen replied the City acquired this drive as a part of the condemnation; however, an easement was granted for the public to access the shopping center and Tomahawk Creek Parkway. It is utilized by shopping center patrons; however, the City owns this property. Resolution of this can be considered in further discussions of the Community Improvement District [CID]. City Attorney Patty Bennett confirmed she would further address this with Mr. Petersen for resolution.

Councilmember Cain reiterated concerns of safety by narrowing the parking lot isles and removing the drive north of Oklahoma Joe's. Mr. Coleman and Mr. Petersen replied this could be further addressed at Final Plan.

Councilmember Rezac suggested they consider the west side of the center as the main thoroughfare and incorporate a pedestrian friendly area in front of Hen House. Mr. Petersen felt this type of configuration would not work for the center; however, they would review it for Final Plan. The main entrance for Hen House will be in-line with the main drive with dedicated pedestrian ways. Architecture, elevations, screening, landscaping, rooftop mechanicals, etc., will all be addressed at Final Plan.

Mayor Dunn suggested that Stipulation No. 2 be revised to have City staff review the parking study with the additional 5,616 square feet prior to Planning Commission consideration of Final Plan and, if necessary, the applicant provide a revised parking study determined to be satisfactory by staff. Mr. Petersen and Mr. Coleman concurred. Mayor Dunn noted this change would require a super majority vote to override the Planning Commission's recommendation.

A motion to pass the ordinance with revisions to Stipulation No. 2 as stated was made by Councilmember Cain; seconded by Councilmember Bussing. The motion carried following a unanimous roll call vote of 8-0. Nay: None.

- B. **Ordinance No. 2618** approving a Special Use Permit for a Dry Cleaner with a Drive-thru for Camelot Court – Dry Cleaner with Drive-thru, located at the northeast corner of 119th Street and Roe Avenue (PC Case 152-12) [Roll Call Vote]

A motion to pass the ordinance was made by Councilmember Azeltine; seconded by Councilmember Osman. The motion carried following a unanimous roll call vote of 8-0. Nay: None.

- C. **Ordinance No. 2619** approving a Special Use Permit for Drug Store with Drive-thru for Camelot Court – Drug store with Drive-thru, located at the northeast corner of 119th Street and Roe Avenue (PC Case 153-12) [Roll Call Vote]

A motion to pass the ordinance was made by Councilmember Rawlings; seconded by Councilmember Osman.

Councilmember Cain suggested they incorporate Planning Commissioner Jackson's recommendation to include signage that would encourage people to turn off their vehicles while waiting in the drive-thru pharmacy.

The motion carried following a unanimous roll call vote of 8-0. Nay: None.

[From the March 12, 2013 Planning Commission meeting]

- D. **Ordinance No. 2620** approving a Special Use Permit for Big Box Retail for Camelot Court – Hen House Expansion, located at the northeast corner of 119th Street and Roe Avenue (PC Case 30-13) [Roll Call Vote]

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

Mr. Petersen indicated the Final Plan could be ready within the next 60 days.

The motion carried following a unanimous roll call vote of 8-0. Nay: None.

- E. **Resolution No. 4021** approving the Planning Commission's recommendation to adopt an update to the Leawood Comprehensive Plan and Map (PC Case # 18-13)

Mayor Dunn noted due to modifications subsequent to the Planning Commission's recommendation, this will require a super majority vote to override.

Mr. Coleman stated a consultant is currently reviewing all of the City's annexations and zonings insuring these are incorporated into the documents. Councilmember Rasmussen confirmed with Mr. Coleman that the Comprehensive Plan is not evidence in itself of the zoning.

A motion to approve the resolution was made by Councilmember Bussing; seconded by Councilmember Filla. The motion carried following a unanimous vote of 8-0.

- F. **Resolution No. 4022** approving a Revised Final Plan for Residences at Park Place – Axis Lofts, located south of Town Center Drive and east of Nall Avenue. (PC Case 35-13)

Jeffrey Alpert, Park Place Residences, gave a presentation requesting approval of a Revised Final Plan for the Residences at Park Place to convert a lobby that was originally approved with Axis Lofts into a residential unit. This building was originally approved as a 26 unit, 4-story building and are proposing a 4-story 27 unit building and some changes to the elevations. All of the units are currently intended to be leased.

A motion to approve the resolution was made by Councilmember Rasmussen; seconded by Councilmember Rawlings. The motion carried following a unanimous vote of 8-0.

- G. **Resolution No. 4023** approving a Revised Final Sign Plan for Park Place – Revised Sign Criteria, located south of Town Center Drive and east of Nall Avenue. (PC Case 36-13)

Jeffrey Alpert, Park Place Developers, gave a presentation requesting approval of a Revised Final Sign Plan for revised sign criteria for Park Place. The proposal is to modify their existing sign criteria to allow increasing the maximum letter height of primary signs from 18" to 24" in situations with 10 or fewer characters in only one line. This could only be done with their prior approval.

Mayor Dunn noted this would change the sign criteria for all of Park Place and will require a super majority vote to override of the Planning Commission's recommendation.

A motion to approve the resolution with amendments to Stipulation No. 2 to include the maximum single line letter height may, with landlord approval, be increased to 24" in situations where 10 or fewer characters in only one line are required was made by Councilmember Bussing; seconded by Councilmember Osman. The motion carried following a unanimous vote of 8-0.

Mr. Lambers stated this is limited to Park Place; however, he wanted to ensure the City Council was aware this could be precedent setting for other shopping centers to submit requests.

15. OLD BUSINESS – None

16. OTHER BUSINESS

Mayor Dunn reminded the Council of the Executive Session scheduled for Monday, April 22nd, for the evaluation of City Administrator Scott Lambers.

17. NEW BUSINESS - None

There being no further business, the meeting was adjourned at 10:30 P.M.

Debra Harper, CMC, City Clerk

Pam Gregory, Assistant City Clerk