

Minutes

DVD No. 349

The City Council of the City of Leawood, Kansas, met in regular session in the Council Chambers, 4800 Town Center Drive, 7:30 P.M. on Monday, June 1, 2015. Mayor Peggy Dunn presided.

Councilmembers Present: Julie Cain, Jim Rawlings, Lou Rasmussen, Debra Filla, Carrie Rezac, Andrew Osman, James Azeltine and Chuck Sipple

Councilmembers Absent: None

Staff Present: Scott Lambers, City Administrator	Patty Bennett, City Attorney
Mark Andrasik, Info. Services Director	Karl Weinfurter, Info. Services Specialist II
Richard Coleman, Comm. Dev. Director	Chief Dave Williams, Fire Department
Chief John Meier, Police Department	Chris Claxton, Parks & Rec. Director
Joe Johnson, Public Works Director	Mark Klein, Planning Official
Nic Sanders, Human Resources Director	Training Chief Colin Fitzgerald, Fire Dept.
Debra Harper, City Clerk	Cindy Jacobus, Assistant City Clerk

Others Present: Kevin Jeffries, Leawood Chamber of Commerce President

1. **PLEDGE OF ALLEGIANCE** – Led by scouts from Troop 10.
2. **APPROVAL OF AGENDA**

Mayor Dunn pointed out the amended agenda which had been revised to remove Consent Agenda Item 7.S. and to continue Agenda Item 11.C. to the July 6, 2015 Governing Body meeting.

Councilmember Rezac added Item 9.A. – Councilmembers Report, regarding a referral to Public Works Committee for recommendation.

A motion to approve the amended agenda was made by Councilmember Rawlings; seconded by Councilmember Rasmussen. The motion was approved with 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.**

Mayor Dunn clarified the three citizens who had signed in would speak in regard to Agenda Item 6 and would be called upon to stand and provide their comments when the agenda item was discussed.

4. PROCLAMATIONS – None

5. PRESENTATIONS/RECOGNITIONS Introduction of visiting French Firefighter, Adrien Tisseau

Fire Department Training Chief Colin Fitzgerald introduced French Firefighter Adrien Tisseau, who was visiting the Leawood Fire Department for the past nine weeks. Chief Fitzgerald gave a brief presentation on the Fire Student Exchange Program, providing background of the program and information about the student participants. Four visiting students are in Johnson County working to complete their internship. Firefighter Tisseau intends to make firefighting his career and he is working on a paper on the principles of modern fire tactics.

6. SPECIAL BUSINESS

- A. Public Hearing Traffic Calming Improvements to 85th Terrace between State Line Road and Lee Boulevard [85th Terrace Improvement District] [Project # 80408]

Mayor Dunn opened the public hearing.

Mr. Curtis Naber, 2200 W. 85th Terrace, Leawood, stood and expressed concern that drivers were not observing posted speed limits at the traffic calming speed tables, traveling at 40 miles per hour on the curve where his residence is located and just prior to the first speed table. Mr. Naber inquired if the City would maintain the speed tables after the 10-year collection of speed table cost, if the City would enforce the posted speed limits, and if speed counters would be used.

Mr. Johnson stated the City would maintain the speed tables during and after the 10-year period. Chief John Meier stated the Police Department would be present, and would also utilize equipment to monitor speed and the number of cars.

Mrs. Mary McKillip, 2007 W. 85th Terrace, Leawood, stood and stated she was compelled to speak on two issues, the first being clarification of the payment terms for the traffic calming improvements. She stated her second and most important issue was that the City had been requested to address the situation years ago using taxes, but instead the City focused on development in the south. Mrs. McKillip stated that although the contractor for sod installation and partial driveway construction was excellent, it was unfair for property owners to pay much of the percentage of the cost.

Ms. Bennett stated the benefit district was formed by a petition signed by 51% of the property owners and clarified how assessment payments would be made. She stated assessments would be placed on all properties in the benefit district and estimated the yearly assessment on each would be \$300 for a period of 10 years. The total assessment of \$3,000 could be paid in a lump sum, or it would be included in the yearly property tax or in a mortgage payment.

Mr. Lambers pointed out that Leawood has the second lowest mill levy of 1st Class cities in Kansas.

Councilmember Filla stated the cost of traffic calming was lessened because staff had incorporated the speed tables into the sidewalk and street improvements, all made at the same time.

Ms. Katie Kolb, 2015 W. 85th Terrace, Leawood, stood and stated she would have been agreeable to an additional speed table directly in front of her residence, in an effort to reduce driver speed from State Line to the first of the speed tables and to restrict westbound drivers from clearing the last speed table and racing for the stoplight. She stated she was pleased with the sidewalk and street improvements.

Mr. Steve Cresto, 8439 Lee Boulevard, Leawood, stood and stated his opposition to the assessment and questioned why his property was part of the benefit district, since his property access is located on Lee Boulevard. He stated he had not received any benefit from the project, but had incurred damage because elevation changes for 85th Terrace improvements had negatively impacted water flow on his property. After meetings with Mayor Dunn, City Engineer David Ley, Special Projects Engineer Michelle Sherry, and City Inspector Tom Klotz in this regard, the proposed remedy was for the City to install a stone wall at the corner and to allow tie-in of a drain to the existing storm water system at his own expense. He had spent \$3,000 for the drain tie-in and had now received an additional \$3,000 assessment.

Councilmember Rasmussen inquired if Mr. Cresto had signed the traffic calming petition. Mr. Cresto replied that he had not and he had contacted the City for information when he received the petition. Councilmember Rasmussen asked Mr. Cresto if he had received benefit and if his property had been damaged by the project. Mr. Cresto replied that he had not received benefit and his property had been damaged.

Mayor Dunn stated Mr. Cresto would receive communications about the Benefit District.

A motion to close the public hearing as made by Councilmember Rasmussen; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of 8-0.

- B. **Ordinance No. 2733**, levying assessments on lots, pieces, and parcels of ground in the City of Leawood, Kansas, for the purpose of paying for the cost of Traffic Calming Improvements to 85th Terrace between State Line Road and Lee Boulevard [85th Terrace Improvement District] [Project # 80408] [ROLL CALL VOTE]

Councilmember Rasmussen made a motion to continue Agenda Item 6.B. to the June 15, 2015 Governing Body meeting, so that staff could review the appropriateness of the Cresto property in the Benefit District; seconded by Councilmember Rezac.

Mr. Lambers stated Mr. Cresto's corner property clearly abuts the benefit district, and therefore, must be included per Kansas Statute which has been in effect for 50 years. Ms. Bennett confirmed the statute's language and stated the statute allows for other property to be included beyond abutting properties.

Councilmember Azeltine questioned process, petition, notice, and determination of benefit. Ms. Bennett stated, as per Kansas Statute § 12-6a04, the petition was presented to the City and accepted; no notice was required. She stated the Kansas Attorney General's opinion that abutting property equally benefits. Mr. Johnson stated the process started two years before construction. A petition was signed by 75% of property owners to start the process, then 65% to 69% signed / agreed to traffic calming. Next a formal for-or-against petition was distributed. The Public Works Committee had discussed this project at several meetings.

Councilmember Filla noted that Mr. Cresto's comments were two-fold; drainage concerns related to street improvements which were not part of the traffic calming benefit district, and then whether his property should be included in the traffic calming benefit district.

In regard to street improvements impacting Mr. Cresto's property, Mr. Johnson stated a compromise had been reached where the City built a stone wall to retain existing elevation / grade of the yard [9%] and Mr. Cresto had tied a 6-inch drain into the City's storm water system.

Councilmember Rasmussen suggested that Mr. Cresto should receive a letter from the City clearly stating what had been done and that the City had not damaged his property.

Councilmember Rezac rescinded her second of Councilmember Rasmussen's motion to continue Agenda Item 6.B. to the June 15, 2015 Governing Body meeting, based on Kansas Statute requiring abutting properties to be included in benefit districts. Councilmember Osman then seconded Councilmember Rasmussen's motion. The motion failed 2-6, with Nay votes from Councilmembers Sipple, Cain, Rawlings, Azeltine, Filla and Rezac.

A motion to approve Agenda Item 6.B., and requiring Public Works to generate official correspondence addressing items in Mr. Cresto's communication was made by Councilmember Filla; seconded by Councilmember Azeltine. The ordinance was passed with a unanimous roll call 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. 2015-18 and 2015-19
- B. Accept minutes of the May 18, 2015 Governing Body meeting
- C. Accept minutes of the December 3, 2014 Bicycle Friendly Committee
- D. Accept minutes of the February 11, 2015 Bicycle Friendly Committee
- E. Accept minutes of the January 8, 2015 Sustainability Advisory Board
- F. Accept minutes of the February 12, 2015 Sustainability Advisory Board
- G. Accept minutes of the April 9, 2015 Sustainability Advisory Board
- H. Accept minutes of the April 14, 2015 Parks & Recreation Advisory Board
- I. Accept minutes of the April 23, 2015 Leawood Foundation meeting
- J. Approve renewal of Cereal Malt Beverage [CMB] license to Price Chopper #500, located at 13351 Mission Road
- K. Approve 2nd and Final Payment to CP Associates in the amount of \$1,897.00, pertaining to the painting at Gezer Park
- L. **Resolution No. 4456**, approving and authorizing the Mayor to execute an Extension of Services until July 31, 2016, for the purchase of office supplies with National Joint Powers Alliance [NJPA] (f/n/a National Intergovernmental Purchasing Alliance Company [NIPA] with Staples Advantage) [f/n/a Corporate Express]
- M. **Resolution No. 4457**, revising Resolution No. 4447, approving a Special Event at Park Place at 116th Place and Ash Street for a Street Fair 'Paint the Night' to be conducted on Saturday, August 1, 2015, in Leawood, Kansas

- N. **Resolution No. 4458**, approving and authorizing the Mayor to execute a Community Service Agreement between the City and Blue Valley Unified School District No. 229, pertaining to the assignment of School Resource Officers [SRO]
- O. **Resolution No. 4459**, approving and authorizing the Mayor to execute an amendment to the Cooperation Agreement between the City and the Board of County Commissioners of Johnson County, Kansas, [BOCC] for the purpose of amending the cooperation agreement for participation in the Community Development Block Grant [CDBG] and Home Investment Partnerships [HOME] Programs, for the federal fiscal years 2016-2018
- P. **Resolution No. 4460**, requesting the participation of Johnson County, Kansas in the City's Five-Year Capital Improvement Program through the 2016-2020 County Assistance Road System [CARS] Program
- Q. **Resolution No. 4461**, approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$67,000.00 between the City and C.V. Anderson, Inc., pertaining to the 2015 Structural Steel Painting Project at Leawood Public Works Facility, located at 14303 Overbrook Road
- R. **Resolution No. 4462**, approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$7,700.00 between the City and P. Morgan Painting, pertaining to the 2015 Fire Station No. 3, Exterior Paint and Refinish Project, located at 14801 Mission Road
- S. Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$18,000.00 between the City and P. Morgan Painting pertaining to the 2015 Painting Project at Ironwoods Activity Lodge, located at 14701 Mission Road – ***THIS ITEM HAS BEEN PULLED***
- T. **Resolution No. 4463**, approving and authorizing the Mayor to execute Supplemental Agreement No. 1, to that certain Inter-local Agreement, dated June 3, 2013, between the City and Kansas Department of Transportation [KDOT], pertaining to the 143rd Street Improvement Project between Nall Avenue to east of Mission Road [Project # 80162] [KDOT Project # 46 N-0426-01]
- U. Declaration of Surplus Property: PW Unit # 9422, 2005 Ford F-350 Truck, last 4 VIN/2500; PW Unit # 9432, 2005 Ford F-550 Truck, last 4 VIN/4534; and Parks Unit # 9608, 2005 F-550 Truck, last 4 VIN/5003

Councilmember Sipple requested Consent Agenda Item 7.A. be pulled.

Councilmember Filla requested Consent Agenda Items 7.O. and 7.T. be pulled.

Councilmember Azeltine requested Consent Agenda Item 7.O. be pulled.

A motion to approve the remainder of the Consent Agenda was made by Councilmember Rasmussen; seconded by Councilmember Rezac. The motion was approved with a unanimous vote of 8-0.

- A. Accept Appropriation Ordinance Nos. 2015-18 and 2015-19

Councilmember Sipple stated Check #77890 listed on Appropriation Ordinance 2015-18 was payable to his wife, an independent vendor for the Parks & Recreation Department, and he would recuse from voting.

A motion to approve Consent Agenda Item 7.A. was made by Councilmember Filla; seconded by Councilmember Rasmussen. The motion was approved with a vote of 7-0; Councilmember Sipple recused.

- O. **Resolution No. 4459**, approving and authorizing the Mayor to execute an amendment to the Cooperation Agreement between the City and the Board of County Commissioners of Johnson County, Kansas, [BOCC] for the purpose of amending the cooperation agreement for participation in the Community Development Block Grant [CDBG] and Home Investment Partnerships [HOME] Programs, for the federal fiscal years 2016-2018

Councilmembers Filla and Azeltine requested additional information about the Cooperation Agreement and administration of the funds received. Mr. Lambers replied the City receives CDBG funding, but Leawood does not have low income areas to which these funds would be applied. The City turns the funding over to the Board of Johnson County Commissioners, and they administer its use.

Mayor Dunn stated the last time Leawood was able to use these funds was for curb cuts in 1998 totaling \$55,000. She stated she was a member of the CDBG Advisory Board.

A motion to approve Consent Agenda Item 7.O. was made by Councilmember Filla; seconded by Councilmember Rasmussen. The motion was approved with a unanimous vote of 8-0.

- T. **Resolution No. 4463**, approving and authorizing the Mayor to execute Supplemental Agreement No. 1, to that certain Inter-local Agreement, dated June 3, 2013, between the City and Kansas Department of Transportation [KDOT], pertaining to the 143rd Street Improvement Project between Nall Avenue to east of Mission Road [Project # 80162] [KDOT Project # 46 N-0426-01]

Councilmember Filla noted a change in funding. Mr. Johnson stated that an additional funding source was able to be utilized. In the future, he expects federal aid to become more difficult to receive.

A motion to approve Consent Agenda Item 7.T. was made by Councilmember Filla; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 8-0.

8. Mayor's Report

- A. Councilmember Chuck Sipple joined me at the Leawood Chamber of Commerce ribbon-cutting for Anthem Publishing in Town Center Crossing. They have a second floor, loft-style headquarters for approximately 60 local employees.
- B. Councilmembers Lou Rasmussen, Jim Rawlings, Chuck Sipple and James Azeltine joined me at the Leawood Chamber of Commerce ribbon-cutting for The Residences at Park Place. It was a grand celebration welcoming the residential component of the mixed-use Park Place development. Furnished dwellings were open for touring and were most impressive. They currently have residents living in 60% of the completed units.

- C. Chief John Meier and Kansas Attorney General Derek Schmidt joined me at the final Drug Abuse Resistance Education [D.A.R.E.] graduation conducted by Officer Randy Wiler at Brookwood Elementary. His service with the students was greatly appreciated for the past 24 years. There were a number of nice surprises honoring Officer Wiler.
- D. Congratulations are in order to Leawood Public Works Superintendent Dominick Stasi who retired after 24 years of dedicated service to our community. We wish him the best with his future endeavors.
- E. Kansas City, Missouri, Mayor Sly James hosted a meeting providing an update on the Greater Kansas City Chamber of Commerce’s Big 5-Kindergarten Readiness. Attendees came away with a greater awareness of what we can do to support families and children in the earliest years of development.
- F. Attended a reception at the Nelson-Atkins Museum of Art celebrating the loan of Thomas Hart Benton’s “Utah Highlands”, and the partnership of the museum with the Shawnee Mission School District Board of Education and Superintendent Dr. Jim Hinson.
- G. Reminder to Councilmembers to advise City Clerk Deb Harper of any upcoming vacation plans that may impact agenda packet distribution.

9. COUNCILMEMBERS’ REPORT –

- A. Councilmember Rezac – Referral to Public Works Committee for Recommendation

Councilmember Rezac stated the City had received a request from the Hallbrook Home Owners Association [HOA] to partner with City on LED bulb installation in their public street lights. Mr. Johnson stated the HOA owns the lights and provides light pole maintenance, and the City pays for electricity. The HOA proposes to receive an off-set of savings in electrical costs from the City, and in two to three years, the HOA would recoup their cost for updated fixtures. Mr. Johnson clarified the request does not include Hallbrook Villas, which has private streets / lights, but added if the request is approved, a few other HOAs could propose the same consideration.

Councilmember Osman noted this type of program was not uncommon in Kansas City. Developers and individuals could request a rebate, based on a predetermined formula, for installation of energy efficient equipment. He stated the HOA request was on par with the energy savings program.

A motion to approve Agenda Item 9.A. was made by Councilmember Rezac; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 8-0.

10. STAFF REPORT – None

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the May 12, 2015 Planning Commission meeting]

- A. **Ordinance No. 2734**, approving a Preliminary Plan, Final Plan, and Revised Final Plat for Centennial Park – Heartland Services Building 3, located south of 142nd Street and east of Kenneth Road (PC Case 45-15) [ROLL CALL VOTE]

Councilmember Rezac recused from voting due to the appearance of a conflict of interest.

Mr. David Rezac, architect with Hellmuth, Obata & Kassabaum, Inc., 300 W. 122nd Street, Kansas City, Missouri, stood to provide a brief overview. He stated the applicant, Mr. Patrick Cocherl, Jr., Heartland Services, Inc., and Mr. Randy Huber, Huber Construction, were also present to answer questions.

The site is bounded by 142nd, 143rd, Kenneth and Overbrook Streets. The proposed two-story building would be 23,000 sq. ft., and have a palette consistent with Mr. Cockrell's campus vision and the existing 12,000 and 20,000 sq. ft. buildings built in the 1990s and early 2000s.

Notable additions for the proposed building include a slate roof and a bronzed plaque of the Cocherl family crest over the southern entrance. The Thomas Jefferson quote, "Honesty is the first chapter in the book of wisdom," would be incised in capital letters in the cornice over the southern entrance as well. The base of each of the six columns on the south would be incised with a single word: obedient, cheerful, thrifty, brave, clean, reverent. Parking would be balanced, with spots for 30 cars each on the north and south, and the plan includes bicycle racks. The applicant agrees to all stipulations, including staff recommended changes regarding Stipulation No. 30. If approved, ground-breaking would be expected to occur within the next two months.

Councilmember Sipple inquired if any other Leawood buildings have incised lettering. Mr. Coleman confirmed and gave the example of Dean & DeLuca. Mr. Patrick Cocherl, 14105 Canterbury, Leawood, stood and stated the column inscriptions are part of the Boy Scout values and also the motto of his company.

Mayor Dunn stated modification of Stipulation No. 30 would require a super-majority vote to override the Planning Commission's recommendation.

A motion to approve Agenda Item 11.A. with staff recommended changes to Stipulation No. 30 was made by Councilmember Rasmussen; seconded by Councilmember Cain. The ordinance was passed with a roll call vote of 7 in favor and 1 recusal (Councilmember Rezac).

[From the April 28, 2015 Planning Commission meeting]

B. **Resolution No. 4464**, approving a Revised Final Plan for Camelot Court, located north of 119th Street and east of Roe Avenue (PC 47-15)

Applicant Mr. John Peterson, Polsinelli, PC, stood and stated that Director of Construction, Ms. Caprice James, MD Management, and Civil Engineer, Mr. Brian Forquer, Lutjen, Inc., were present for questions.

Mr. Peterson stated changes made to the proposed plan since last before the Governing Body include elimination of a tower in the Earl May façade, Tide Cleaners was no longer part of the project, revision of construction work hours for the convenience of shoppers, and removal of internal and external pedestrian access connections. Staff modification of Stipulation No. 16 was acceptable.

Councilmember Rasmussen stated he had been in favor of this project, which was the City's first Community Improvement District [CID], but was concerned that internal and external pedestrian access connections, and their benefit, had been removed.

Mr. Peterson addressed the removal of a new pedestrian access from the public sidewalk [Pad Site L] and gave a background on internal and external pedestrian access. He stated a great deal of time was spent to include access points in the redevelopment plans starting in 2012. Every single pedestrian access approved in the 2013-2014 final plan met the spirit and intent of all requirements of the City, Kansas Statutes and Federal Laws. Stairs and sidewalks were constructed, inspected and approved, but during an interim inspection the City's inspector stated they were non-compliant with the Americans with Disabilities Act [ADA] and work was halted. There was not enough structural space to install ADA ramps between the buildings without reduction in parking and landscaping. Stairs installed between Buildings L and H have been removed.

Mr. Peterson stated his disagreement with staff and the City Attorney that it is legally required to have every point of access ADA compliant, but to have adequate ADA access. Mr. Coleman stated that if a pedestrian route was created where none existed before such as the Pad L stairs, ADA access to the building / center would need to be provided. Ms. Bennett stated she and Mr. Peterson had met and discussed, and she agrees that not every access needs to be ADA compliant, as long as there is ADA access from the main streets. However, per ADA Guideline 206.2.2, for new pedestrian access, such as the stairs built between the buildings, ADA access is also required.

Councilmember Cain noted that an important north-south pedestrian access connection in Town Center, denying the shortest route available to the majority when other ADA routes were available. Councilmember Azeltine stated his concern that approved plans were followed and the desire to avoid future instances.

Mr. Lambers stated that Planning only deals with plans and the Council approval does not sanction ADA compliance. ADA compliance rests with the City's Building Official Travis Torrez, who has reviewed the situation several different times.

Councilmember Osman supported reliance upon staff and the City Attorney in regard to ADA compliance. He stated the CID process was not meant for walkability, but for economic development of the City and a better retail center for shoppers.

Councilmember Filla expressed concern about the risk of people walking in the parking lot and avoiding cars. Mayor Dunn asked about pedestrian access demarcation lines. Mr. Peterson stated there would be none from the main shopping center to Buildings L and M, but in the south there is an internal walk associated with parking islands.

Councilmember Sipple stated the tenant space on the northeast corner did not have a pyramid roofline like the northwest corner and questioned if the parking lot islands would be irrigated. Mr. Peterson replied the space had been planned for a catering operation on the back, which fell through, so a door feature was added for focus as shown on Page 9. No approved architectural elements had been removed. Mr. Peterson confirmed that parking lot islands would be irrigated.

Councilmember Azeltine noted Agenda Items 11.A. and 11.B. contain stipulations regarding 10-year expiration of final plans, which requires an override vote by the Governing Body, and requested the definition of "substantial amount of work." Mr. Klein stated that Kansas Statute had changed from 5 to 10 years and clarification was made as to when the 10-year period begins. The 10-year period begins when permits are issued. Ms. Bennett stated the term "substantial amount of work" is the exact language of the statute.

Mayor Dunn noted Page 5 states the CVS Pharmacy drive-thru was moved to a future phase and she recalled the project was to be complete in 1.5 to 2 years. Ms. Caprice James, MD Management Director of Construction, 5201 Johnson Drive, Mission, stood and stated the drive-thru shown would remain in case a lease-driven drive-thru would be needed in the future. CVS Pharmacy remains part of Camelot Court.

A motion to approve the Agenda Item 11.B. with the addition of stairs from Buildings M to L, and leaving stairs from Buildings M to H was made by Councilmember Rezac; seconded by Councilmember Filla.

A motion to recess to an Executive Session of 10 minutes was made by Councilmember Azeltine; seconded by Councilmember Filla. The motion was approved with a unanimous vote of 8-0.

Ms. Bennett, City Attorney, asked the Governing Body to recess into Executive Session for 10 minutes to consult regarding matters subject to attorney-client privilege.

The Governing Body recessed into Executive Session at 9:45 P.M.

The Governing Body reconvened into regular meeting at 9:55 P.M.

Councilmember Rezac rescinded her motion regarding Agenda Item 11.B.; Councilmember Filla rescinded her second.

A motion to approve Agenda Item 11.B. with staff recommendation changes to Stipulation No. 16 was made by Councilmember Rezac; seconded by Councilmember Osman. The motion passed with a vote of 7-1; Nay vote from Councilmember Rasmussen for reasons previously stated.

[From the April 28, 2015 Planning Commission meeting]

- C. Ordinance approving a Revised Preliminary Plan for Ranch Mart, located north of 95th Street and east of Mission Road (PC #61-13) [ROLL CALL VOTE] - **CONTINUED TO THE JULY 6, 2015 GOVERNING BODY MEETING**

12. **OLD BUSINESS** – None

13. **OTHER BUSINESS** – None

14. **NEW BUSINESS** – None

ADJOURN

There being no further business, the meeting was adjourned at 10:01 P.M.

Debra Harper, CMC, City Clerk

Cindy Jacobus, Assistant City Clerk