

Minutes

The City Council of the City of Leawood, Kansas, met for a Special Call Meeting at City Hall, 4800 Town Center Drive, at 6:00 P.M., on Monday, October 19, 2015. Mayor Peggy Dunn presided.

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

Councilmembers Absent: None

Staff Present:

Scott Lambers, City Administrator	Mark Klein, Planning Official
Dawn Long, Finance Director	Chief Troy Rettig Police Dept.
Chief Dave Williams, Fire Dept.	Joe Johnson, Public Works Director
Patty Bennett, City Attorney	Mark Andrasik, Info. Services Director
Chris Claxton, Parks & Rec. Director	Nic Sanders, Human Resources Director
Debra Harper, City Clerk	Kim Curran, Recreation Superintendent
Cindy Jacobus, Assistant City Clerk	

Others Present: Kevin Jeffries, President, Chief Executive Officer and Director of Economic Development, Leawood Chamber of Commerce

Proposed 2016 Fee Schedule

Mayor Dunn welcomed attendees and introductions were made. Mr. Lambers asked City Clerk Debra Harper to facilitate the discussion.

Ms. Harper stated the goal of the Work Session was the annual review of the 2016 fee schedule. Proposed revisions had been received from several departments. Review would be by department memo and with reference to the draft red-lined fee schedule provided in the meeting documentation.

COURT, MASSAGE THERAPY LICENSE, SOLICITATION PERMIT APPLICATION – Page 2 of 2016 Schedule of Fees

1. Daily Impound Fee – Increase from \$15 to \$20.
2. Massage Permit Fee – Fee amount had been in the code book under the regular massage ordinance. Specific fee amount would be removed from ordinance and placed in the fee schedule. Thereafter, a revision to the ordinance would not be required if the fee changes. Also, a fee of \$53 for fingerprinting was included.
3. Solicitation Permit Application Processing Fee – Accompanies a proposed change to the Solicitation Ordinance, including movement of fees addressed in the ordinance to the fee schedule. The actual requested change in fees is to remove the maximum fee of \$60 currently in the ordinance.

Councilmember Sipple questioned if the cost associated with these items was known, and if the City had an impound fee for animals. Chief Rettig replied the cost covers staff time and the City pays a monthly impound fee for animals.

Councilmember Cain had several questions about fingerprinting. Chief Rettig stated the City offers no-cost digital fingerprinting for Leawood residents or persons working within City limits. The requester receives a printed fingerprint card.

Fees for motion to revoke diversion/probation [\$50], motion to set aside guilty plea filing [\$50], and motion for expungement of conviction/arrest filing [\$100] would be added; previously there was no fee for these in the schedule.

Councilmember Rasmussen questioned why the City was setting the new fees in line with Merriam, Olathe, Overland Park and Prairie Village, rather than Lenexa. Other cities wages are not lower than those of Leawood. Ms. Bennett stated Judge Gurney had reviewed and had felt the proposed fees would be sufficient to cover staff time. If not, revisions could be proposed for 2017.

PLANNING & DEVELOPMENT

Pages 5 and 6 of Proposed 2016 Schedule of Fees

Inserted non-agricultural/non-residential final plan fees; self-explanatory.

Page 8 of Proposed 2016 Schedule of Fees

Under "Other Plan Approvals", added "Hardscape Plan [\$200 each]. Also added "Wireless Communication Facilities Co-locations and Modifications to Existing Tower or Base Station [\$300 each]", "Administrative Review of Electric Car Charging Stations [\$100 each]" and "Administrative Review of Ground Mounted Utility Box [\$100 each]".

In regard to electric car charging station at \$100 each, Councilmember Osman asked if the fee would be \$100 or \$500, if five stations were installed at one location. Mr. Klein stated the fee would be \$100, as staff would be reviewing landscape and one site overall.

Councilmember Osman inquired if there would be one ground mounted utility box fee per pole or utility box; there may be numerous different boxes and multiple carrier owners/operators such as ExteNet at one location. Mr. Klein stated the fee would be per box. ExteNet usually has only one box.

Pages 10 and 11 of Proposed 2016 Schedule of Fees

Annual update of Building Evaluation Data [BVD] tables to match latest standards, released August 2015.

Mayor Dunn noted the Community Development cover memorandum stated the average increase between the prior August 2013 BVD tables and the August 2015 BVD tables was 1.95%.

PARKS AND RECREATION – Pages 17 through 22 of Proposed Schedule of Fees

1. Pool Passes –\$1 increase for resident, non-resident, resident senior and non-resident senior seasonal passes.
2. Swim & Dive Lessons –\$2 increase for both resident and non-resident.
3. Dive Team – \$5 decrease.
4. T-Ball & Coach Pitch Baseball League – \$5 increase for both resident and non-resident.
5. Outdoor Education Program - \$1 decrease in the lower end of the range of fees.

The above was a partial list of items presented in the department memorandum.

Councilmember Osman inquired about the seasonal pool pass increase to cover anticipated credit card fees as result of adding card terminals at the Aquatic Center. Ms. Curran estimated the credit card processing fee to be 2% or more, as the City must pay for the terminals for 12 months versus just during the pool season. At this time, staff felt they will cover their costs and since seasonal pool passes increased \$2 last year, it was best to increase the seasonal pool pass fee by \$1.

Councilmember Sipple noted the amount of discount for Leawood residents varied greatly in Parks and Recreation fees, and suggested consideration of a standard 25% discount across the board. Ms. Claxton stated discounts are based on the range of programs offered, program cost and anticipated resident/non-resident participation. As program budgets are built, the department uses the fee and charges policy and considers the resident fee first, then determines other fee categories. Councilmember Sipple appreciated there was thought and discussion in this regard, and favored substantial resident discounts, similar to those incorporated for the Ironhorse Golf Course.

Councilmember Filla complimented the proposed new Off-Season Lodge Rental Fee. Mayor Dunn stated the proposed new Lodge Patio Clearing Fee was a good idea.

Councilmember Osman asked for an explanation of the proposed fee increase for birthday parties at the Prairie Oak Nature Center; he noted a price point of \$300 for a child birthday party may be prohibitive. Ms. Curran stated the increase was to the top end of the range from \$220 to \$300 for residents and from \$250 to \$350 for non-residents, the only two categories of fees. The proposed increase would be to cover additional staff needed for larger parties. Staff prefers a party-size of 19 to 20, but recently facilitated a party of 31. Mayor Dunn stated an appropriate level of supervision is required and compared to what other facilities charge, the fee was economical; Councilmember Osman agreed. She recalled a personal event held at the Nature Center and complimented staff. Councilmember Rawlings noted the fee includes post-party cleanup.

Councilmember Rasmussen asked attendees to refer to Page 1 of the proposed 2016 Schedule of Fees, Animals and Animal Control, and to have discussion in regard to the City's very popular premium dog park, Leawood. He stated the City had created a wonderful dog park with unique features and amenities, such as a fenced pasture, special surfaces and indoor/outdoor water, which had approximately 19,000 visitors in one month. The heavy volume of use creates maintenance expenditures; cost of approximately \$40,000 for operations and maintenance last year [excludes capital costs]. Increased usage is anticipated and volume needs to be controlled. The City needs to be cognizant of the Parks and Recreation recovery policy that brings in 70% to 75% per year. The Park & Recreation Advisory Board set a timeframe of one year to consider potential cost recovery methods, no different than other recreational programs or facilities such as soccer or the swimming pool. Specifically, a card-reader gate entry system and consideration of revising the license fee for use of the dog park to \$17 per year starting in 2017; it would probably take until 2017 to install the gate system.

The current Leawood dog license fee is \$5 per year, so Leawood residents utilizing the dog park would pay an additional \$12 per year, and additional \$1 per month. To avoid discussion of resident and non-resident use, Councilmember Rasmussen suggested all users of the dog park be required to apply for a Leawood dog license. This would ensure consistency and that dog vaccinations have been documented. A key card would be issued and used to access the park. He stated the cities of Grandview, Missouri, and Santa Monica, California, utilize card-reader gate entry systems to their dog parks. Santa Monica installed to control the volume of users.

Councilmember Filla inquired if the percentage of resident and non-resident dog park visitors was known. Councilmember Rasmussen stated there was no official data, except review of parking lot vehicle license plates.

The Licensing Clerk reports approximately 2,500 dogs are licensed in Leawood. The dog park had 19,000 visitors in one month; a visitor may have accessed the park more than once during that time period and not all dogs have the occasion to use the park. However, with a City population of approximately 31,000, 2,500 licensed dogs is most likely an under-estimate of the true number of dogs residing in the City. Statistically, there are more dogs in the United States than children and an estimate of 8,000 to 15,000 dogs in Leawood may be accurate.

Councilmember Cain stated she was opposed to the suggestion. She stated she understood the high usage and costs to the City. No other area dog parks besides Grandview charge and she did not like the message sent to the community. Leawood dogs have been utilizing other facilities for years. She did not recall a consensus of the Park & Recreation Advisory Board charging for usage one year ago or probably now. She stated the City does not charge a fee to use park playgrounds.

Councilmember Rasmussen reminded that at the budget session a red flag was raised that the fee schedule as a function of City revenue was decreasing, 5% from 6% or 7%. Parks and Recreation is frequently criticized for non-recovery of costs and \$40,000 is a large expenditure. He inquired if the Governing Body wanted to make the dog park a free operation in the non-fee section of the Parks and Recreation budget or control volume and have a fee schedule. He stated if the nominal charge of \$1 was too much, consider \$0.50.

Councilmember Sipple agreed every dog should be registered, but wondered if obtaining a license would be inconvenient for those who do not have frequent interface with City Hall. There may be some users who visit infrequently or a visitor who comes to the dog park and could not enter. An annual license would work for some, but there would need to be an option to pay-as-you-go, via a coin or credit card machine. His position would be somewhere between that of Councilmembers Rasmussen and Cain.

Councilmember Azeltine suggested the Park & Recreation Advisory Board review and come back before the Governing Body; they may have alternatives for the Governing Body to consider. Increase in licensing fee from \$5 to \$17 per year would be substantial. He felt this was policy and the City expected costs from the outset, and suggested controlled access may not be worth the public relations hassle that could ensue. Mayor Dunn was in favor of Park & Recreation Advisory Board review, but felt the board was leaning against.

Councilmember Osman stated he visited the dog park on a regular basis and he greatly enjoys. The Parks and Recreation staff has a big task with maintenance. He stated this would be a good opportunity to implement, but implementation would be problematic. A card-reader entry access system could be easily defeated if a gate was held open by one visitor to allow entry by others. Most visitors he had spoken with were from Leawood, but there are dogs that are not licensed. He pointed out the need for education of residents and veterinarians, and preferred a license tag increase to \$15 to \$20 per year from the few compliant users to recoup costs. The current fee of \$5 per year is very low.

Councilmember Filla was in favor of implementing the proposed changes with caveats of system cost and the ability to license on-line. Also, residents should not be charged for use if their pet would not be visiting the park. Another option would be a premium of \$2 to \$3 to access.

Mayor Dunn supported an increase in dog licensing fee from the current \$5 per year to \$10 per year, but was not in favor of an access system. Such a system might be perceived as exclusivity, which the City does not support. She pointed out that all parks have uncontrolled maintenance costs such as rock removal from the Gezer Park water wadi, and made the suggestion of a donation box. She stated Leawood citizens have come to expect quality of life amenities and she receives the most compliments related to the dog park.

Councilmember Rezac stated she leaned towards not charging, and this could be discussed again in three to five years.

Councilmember Cain pointed out the need for another dog park in south Leawood, perhaps on land at Ironwoods.

Councilmember Rasmussen stated in conclusion, the City Council is saying that for the foreseeable future, the dog park will cost in operation and maintenance, similar to the July 4th celebration and all parks, and would be a zero cost recovery line item in budget session and fee policy. Ms. Claxton stated when looking at cost recovery this would be similar to the July 4th celebration and holiday lighting.

Councilmember Cain pointed out there was some cost recovery with the \$5 licensing fee. Councilmember Rasmussen stated that per the Licensing Clerk, the \$5 fee does not cover the cost of the metal tags or mailings.

Mayor Dunn asked Ms. Claxton if \$5 was an appropriate license fee. Ms. Claxton stated the license fee goes to Finance, not Parks and Recreation, and deferred to Ms. Long. Ms. Long stated a review of the fee amounts charged by other cities in the area had been conducted several years ago, and unneutered and unspayed fees were increased. Councilmember Cain noted the total license renewal fee could be higher if late fees are incurred. The City offers a 60-day grace period for renewals and charges a late fee of \$5 per month thereafter. She was not opposed to an increase in fee from \$5 to \$10. It was noted that renewal notices are only sent to owners of licensed pets.

Mayor Dunn asked Mr. Lambers when the fee schedule would need to be on a Governing Body meeting agenda for approval; Mr. Lambers stated before December. He stated the current licensing fee of \$5 was nominal and an increase to \$7.50 or \$10 plus late fees was reasonable, if there was a consensus to look at increased fee.

Councilmember Filla stated the focus should be to have dogs licensed that are using the park and she favored an annual license fee/registration, but use of the dog park should be free. She suggested that Animal Control have a presence at the park for a few days. Councilmember Cain agreed that once or twice a year Animal Control could monitor and ensure the health and safety of all users. Councilmember Rasmussen had seen other parks with signage indicating courtesy license checks. He pointed out that the same inconvenience would be encountered by visitors if they attempt to use the park without an access card as they would with an unlicensed pet. Mayor Dunn stated that a licensing requirement is on signage at the dog park.

Councilmember Rasmussen stated the City Council had agreed to track costs for one year. He wanted to ensure operation and maintenance costs continue to be tracked. Ms. Long stated she was uncertain how Parks Superintendent Brian Anderson tracks, but that Finance could set-up a specific line item or track through project accounting.

Councilmember Azeltine pointed out that he had learned from his experience on the County Parks Board about the potential to use other monies to apply to underfunded enterprise items. He stated raising the licensing fee could result in fewer licensed pets.

Councilmember Sipple suggested providing on-site licensing information at the dog park. Ms. Claxton stated this information is in the new kiosk at the dog park and at the recent Barktoberfest event held at the dog park, information was available. Councilmember Rasmussen reminded that only four or five dogs were licensed at the event. Ms. Claxton stated most people grasp the importance of vaccinations, but dogs can be inoculated without being licensed. She would like the opportunity to work with Animal Control to repair this disconnect. Councilmember Cain suggested education of veterinarians and dog care centers as well.

Councilmember Azeltine asked Chief Rettig about dogs that are impounded and found to be unlicensed. There are penalties and fines for Leawood residents if non-licensed. Chief Rettig suggested issuing initial warnings or citations with licensing materials that include a license-by date in a “fix the ticket program” would be preferable to issuing numerous citations at the dog park. Councilmember Cain questioned if a mailing about licensing requirements had been distributed to residents. Mayor Dunn stated her preference of starting with education and suggested information could be included in the Parks and Recreation brochure.

Ms. Harper questioned how to proceed in regard to the proposed schedule of fees. Mayor Dunn asked if education and no increase to the \$5 licensing fee were desired. Councilmember Filla stated to start a \$10 licensing fee in 2017 and to educate in the interim; a portion of the fee would be infrastructure and a portion would go to Parks and Recreation for existing and future dog parks.

Councilmember Rasmussen stated his understanding that for 2016 operations and maintenance costs for the dog park would be non-chargeable. Mayor Dunn clarified 2016 should be “currently into the future” and added would give consideration to raising the licensing fee in 2017.

Mayor Dunn thanked Ms. Harper and complimented staff on the presentations.

There being no further business, the Work Session was adjourned at 7:13 P.M.

Debra Harper, CMC, City Clerk

Cindy Jacobus, Assistant City Clerk