

Minutes

DVD No. 394

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, July 17, 2017. Mayor Peggy Dunn presided.

**Councilmembers Present:** Jim Rawlings, Chuck Sipple, Julie Cain, Lisa Harrison, James Azeltine, Debra Filla and Andrew Osman

**Councilmembers Absent:** None

<b>Staff Present:</b> Patty Bennett, City Attorney	Chief Troy Rettig, Police Department
Chief Dave Williams, Fire Department	Ross Kurz, Info. Services Director
Chris Claxton, Parks & Recreation Director	Dawn Long, Finance Director
Richard Coleman, Comm. Dev. Director	Mark Klein, Planning Official
Mark Tepesch, Info. Services Specialist III	Debra Harper, City Clerk
David Ley, Interim Public Works Director and City Engineer	Cindy Jacobus, Assistant City Clerk Nic Sanders, Human Resources Director

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

1. **PLEDGE OF ALLEGIANCE** – Led by a Tenderfoot Rank Boy Scout from Troop 61.

2. **APPROVAL OF AGENDA**

Mayor Dunn noted a revised agenda to add Introduction of IS Director-Ross Kurz to Agenda Item 5, Presentations/Recognitions, and Councilmember Lisa Harrison-Road to the 2020 Census to Agenda Item 9, Councilmembers' Report, as well as revised documentation for Agenda Items 6 and 12.F.

**A motion to approve the amended agenda was made by Councilmember Rawlings; seconded by Councilmember Filla. The motion was approved with a unanimous vote of 7-0.**

3. **CITIZEN COMMENTS** – None

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 use profanity or 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** – None

## 5. PRESENTATIONS/RECOGNITIONS

Introduction of IS Director, Ross Kurz

Ms. Bennett stated Mr. Ross had been selected at the conclusion of a grueling interview process that included Department Heads.

Mr. Kurz stated he had been in government service with Johnson County Med-Act for 22 years, and was excited for the opportunity to work with Police and Fire Departments, and teams who utilize systems 24 hours/7 days a week. Ensuring business continuity in case of emergency and implementing some other items from his prior experience would be emphasized.

Mayor Dunn welcomed Mr. Kurz, stating the City was delighted to have him onboard, with some Staff requiring more assistance than others.

## 6. SPECIAL BUSINESS

**Resolution No. 4810**, authorizing the offering for sale of General Obligation Bonds and General Obligation Temporary Notes of the City of Leawood, Kansas; approving the form of Notice of Sale and Preliminary Official Statement to be used in connection therewith; and authorizing the advertisement of such sale in the manner prescribed by law

Ms. Long stated Financial Advisor Mr. Roger Edgar, George K. Baum Company, was present to answer questions.

Mr. Roger Edgar, 14100 Howe Drive, provided an overview of offerings, the authorization to publicize the sale being before the Governing Body tonight. Sale by sealed bid would occur on Monday, August 7, 2017, and results would be presented at the Governing Body meeting for consideration that evening. About this time each year the City does this in advance of the budget cycle. There are three different pieces of debt to be issued: A) \$19,990,000 in General Obligation bonds that would retire Temporary Notes for authorized projects all involving streets, curbs and storm sewers, B) short-term Temporary Notes would be issued for new unfunded street, curb and storm sewer projects and C) refinancing a small series of 10-year redemption taxable bonds that can be called or cancelled in advance of maturity. The rate at which the taxable bonds can be refinanced is lower, resulting in an \$80,000 savings after refinance costs.

Councilmember Azeltine asked if there was the opportunity to refinance the taxable bonds with the rest of debt. Mr. Edgar stated taxable bonds were issued based on the type of project and to provide the City flexibility to use under the tax code. The type of use qualifies whether bonds are taxable or tax exempt.

Councilmember Sipple asked if municipal interest rates had remained about the same as last year. Mr. Edgar stated rates have risen slightly this year, estimating that a 20-year maturing bond issue would have a rate two-tenths of a percentage point higher than one year ago. The City's Financial Advisor monitors rates and does not anticipate rates to fall. This is the first opportunity to refinance and the taxable bonds and the 8% savings justify the refinance.

**A motion to approve Agenda Item 6. was made by Councilmember Sipple; seconded by Councilmember Cain. The motion was approved with a unanimous vote of 7-0.**

## 7. CONSENT AGENDA

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted upon 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. 2017-24, 2017-25, 2017-26 and 2017-27
- B. Accept minutes of the June 19, 2017 Governing Body meeting
- C. Accept minutes of the June 12, 2017 Governing Body Work Session
- D. Accept minutes of the May 9, 2017 Parks & Recreation Advisory Board meeting
- E. Approve purchase for an amount not to exceed \$50,000.00 from Challenger TeamWear, for the purchase of Soccer Uniforms
- F. Approve payment of \$59,225.00 to Leawood Chamber of Commerce for the remaining balance of 2017 Economic Development Agreement
- G. **Resolution No. 4811**, 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]
- H. **Resolution No. 4812**, approving and authorizing the Mayor to execute a Professional Engineering Agreement in the amount of \$180,680.00 between the City and Affinis Corporation, pertaining to the design of Corrugated Metal Pipe [CMP] Replacement Project located at the Catalina Cul-de-sac in the Cherry Creek and Leawood South Subdivision [Project # 80255]
- I. **Resolution No. 4813**, approving and authorizing the Mayor to execute an Inter-local Agreement between the City and Board of County Commissioners of Johnson County, Kansas, pertaining to the improvement of Sewer Lines along Wenonga between 91<sup>st</sup> Terrace and 92<sup>nd</sup> Terrace [Project # 80217]
- J. **Resolution No. 4814**, approving a Revised Final Plat for Normandy Place, 5<sup>th</sup> Plat, located south of 127<sup>th</sup> Street and west of Roe Avenue (PC Case 58-17) [From the June 27, 2017 Planning Commission meeting]
- K. **Resolution No. 4815**, approving a Revised Final Plan for Wells Fargo, Roof, located north of 103<sup>rd</sup> Street and west of State Line Road (PC Case 62-17) [From the June 27, 2017 Planning Commission meeting]
- L. **Resolution No. 4816**, approving a Final Plan for a change to the façade of a tenant space for Town Center Plaza – Sundance (Retail: Apparel and Home Furnishings), located north of 119<sup>th</sup> Street and west of Roe Avenue (PC Case 57-17) [From the June 27, 2017 Planning Commission meeting]
- M. **Resolution No. 4817**, approving an Eligible Facilities Request for the replacement of antennae and associated equipment at Saddle and Sirloin Cellular Tower for AT&T Wireless, located south of I-435 and east of Mission Road. (PC Case 74-17)
- N. **Resolution No. 4818**, approving a Revised Final Plan for Leawood Elementary School, Mechanical Screening, located north of 123<sup>rd</sup> Street and east of Norwood Drive [PC Case 63-17]
- O. Police Department Monthly Report
- P. Fire Department Monthly Report
- Q. Municipal Court Monthly Report

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

Councilmember Filla requested Consent Agenda Items 7.H. and 7.L. be pulled.

Councilmember Sipple requested Consent Agenda Items 7.M. and 7.N. be pulled.

Mayor Dunn and Councilmember Cain requested Consent Agenda Item 7.O. be pulled.

Councilmember Filla applauded the City for providing budget funding for School Resource Officers [SROs] in Consent Agenda Item 7.G. The SROs provide an important service and are greatly appreciated by the schools.

**A motion to approve the remainder of the Consent Agenda items was made by Councilmember Filla; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of 7-0.**

A. Accept Appropriation Ordinance Nos. 2017-24, 2017-25, 2017-26 and 2017-27

Councilmember Azeltine asked for additional payment information for Ironhorse Golf Course items on Pages 2 and 5 of Appropriation Ordinance 2017-26, \$37,075.00 payable to Electronic Technology Inc. for a security camera system and \$45,104.81 payable to Mission Electronics Inc. for a new audio/video system and upgrade of the existing system.

Ms. Long stated the purchases were arranged by Mr. Mark Andrasik, recently retired Information Services Director.

Ms. Claxton stated the security camera system purchase included new cameras for the clubhouse expansion and networking and upgrade of existing cameras to work with those in the expansion. This was not a part of fiber installation. To avoid price mark-up, the purchase was not included in the overall cost of the clubhouse expansion. Several companies were contacted and Electronic Technology was selected. Chief Rettig confirmed the Police Department would be able to monitor the video feed of the security camera system.

Ms. Claxton stated her belief that the cost of audio/visual system purchase from Mission Electronics was more than \$45,104.81, so this may be only a payment. Quotes from two companies were obtained and reviewed, including consideration of service. Mission Electronics was the vendor for the systems used at the Justice Center.

Councilmember Azeltine inquired if the clubhouse expansion project was complete. Ms. Claxton stated final payment has not been made and receipt of another change order is expected at some time.

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

H. **Resolution No. 4812**, approving and authorizing the Mayor to execute a Professional Engineering Agreement in the amount of \$180,680.00 between the City and Affinis Corporation, pertaining to the design of Corrugated Metal Pipe [CMP] Replacement Project located at the Catalina Cul-de-sac in the Cherry Creek and Leawood South Subdivision [Project # 80255]

Councilmember Filla inquired if the Ash street trees in Cherry Creek would receive special handling because of the potential for Emerald Ash borer infestation. Mr. Ley stated the City typically works with Home Owners Associations [HOAs] in regard to replacement trees located over the storm sewers. The storm sewers in Cherry Creek are located under the middle of the cul-de-sac. In Leawood South there are many large Oak trees and the City may relocate storm sewers at angles to avoid the trees. Councilmember Filla stated her appreciation for the consideration.

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

- L. **Resolution No. 4816**, approving a Final Plan for a change to the façade of a tenant space for Town Center Plaza – Sundance (Retail: Apparel and Home Furnishings), located north of 119<sup>th</sup> Street and west of Roe Avenue (PC Case 57-17) [*From the June 27, 2017 Planning Commission meeting*]

Councilmember Filla noted that Sundance is owned by entertainment personality Robert Redford and she agreed with Councilmember Harrison that he should attend the ribbon cutting for the store.

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

- M. **Resolution No. 4817**, approving an Eligible Facilities Request for the replacement of antennae and associated equipment at Saddle and Sirloin Cellular Tower for AT&T Wireless, located south of I-435 and east of Mission Road. (PC Case 74-17)

Mr. Coleman confirmed to Councilmember Sipple that equipment would be placed in same location as now, but replacement antennae would be larger. Ms. Bennett clarified antennae would be located at a centerline of 99 feet on the pole and each antennae would be 96 inches in height.

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

- N. **Resolution No. 4818**, approving a Revised Final Plan for Leawood Elementary School, Mechanical Screening, located north of 123<sup>rd</sup> Street and east of Norwood Drive [PC Case 63-17]

Councilmember Sipple inquired if the City had measured the current mechanical equipment sound level, if the proposed ground location would meet City ordinance for sound levels, and if the City planned to measure sound levels after installation of ground mechanical equipment. He pointed out the prior issue of mechanical noise from Blue Valley District school roof equipment for neighbors at 143<sup>rd</sup> Street and Mission Road. Mr. Coleman stated the applicant is aware of the City's ordinance regarding sound levels measured at the property line and the proposed equipment specifications conform to requirements. The proposed units would be screened and located right next to the school, so engineers would want to ensure the units are quiet and non-disruptive. There have been no previous complaints about mechanical noise at the school. Mr. Coleman agreed to have sound level measurements taken before and after installation.

Mr. Coleman confirmed to Mayor Dunn that ground relocation of rooftop mechanical equipment seems to be the new standard for Blue Valley District schools. Ground equipment is easier to maintain and the new units produce less sound.

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

O. Police Department Monthly Report

Mayor Dunn recognized Detective Randy Rausch, Police Department Employee of the Quarter for the second quarter of 2017. Detective Rausch is a remarkable employee, very active with blood drives creating competition between Police and Fire Departments with the drives.

Councilmember Cain thanked Detective Rausch for his professional support and for providing resources to families dealing with a teen suicide.

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

**8. MAYOR'S REPORT**

- A. On July 6, 1976, Mayor William Eddy presented the City with a Tricentennial Savings Certificate of Deposit [CD] from the Leawood American Revolution Bicentennial Committee with a request for an annual report. Last year the CD earned \$43.12 in interest on a principal amount of \$8,596.16, which brings the current balance of the CD to \$8,639.28. The new CD yields an interest rate of 0.50% and will mature on June 20, 2018. Prior documentation regarding this CD includes a request that if the City of Leawood should ever cease to exist, the funds should be put to good use for the public.
- B. Sincere sympathies to family and friends of Herschel David Williams, Father of Leawood Fire Chief Dave Williams, who passed away on July 5, 2017, at age 83. He leaves behind a wife of 64 years, children, grandchildren and two great granddaughters, and many other family members and friends.
- C. Councilmembers Andrew Osman, Jim Rawlings, Chuck Sipple and James Azeltine joined me at the dedication of Leawood's All Inclusive Playground whose funding was spearheaded by Leawood Foundation Chair Alice Hawk and her Board of Directors. "Variety KC" was the largest donor and granted naming rights, but numerous others were also involved. Many thanks to Parks & Recreation Director Chris Claxton and her team for all of their hard work on this magnificent project. There will be a donor reception in the Fall to recognize all participants. The park is being greatly used.
- D. Councilmembers Jim Rawlings and Chuck Sipple again joined me at the grand opening celebration of the beautiful Ironhorse Golf Course Clubhouse expansion. Congratulations to Ironhorse Golf Course Advisory Board Chair Dick Fuller and his Board of Directors, as well as Parks & Recreation Director Chris Claxton. There were former Councilmembers Lou Rasmussen, Gregory Peppes and Gary Bussing on hand, as well as members of the Troon management team. This addition is expected to allow far greater flexibility for both golf and non-golf events. I am happy to share the June 2017 issue of Tee Times magazine which featured the Ironhorse Golf Course as its course of the month.
- E. Great appreciation once again to Parks & Recreation Director Chris Claxton and her team, as well as members of our Police and Fire Departments, for hosting another terrific 4<sup>th</sup> of July festivity. Although the weather looked questionable in the beginning, it was beautiful during the fireworks and thousands came out to the City Park to enjoy. Councilmember James Azeltine was very impressed by the musical entertainment.

- F. The City of Leawood hosted the TZOFIM Israeli Scouts traveling musical group for lunch while they were in town. My thanks to Councilmembers Andrew Osman, Jim Rawlings and Chuck Sipple for attending along with all Department Heads. Thanks as well to Parks & Recreation Director Chris Claxton and City Clerk Debra Harper for assisting with the arrangements.
- G. Reminder that the Leawood Stage Company is presenting the musical “Annie” again this Thursday, Friday and Saturday at 8:00 P.M. in the Ironwoods Park amphitheater. The opening scheduled for Thursday, July 13, was rained out, but the crowds have been great at other performances despite the heat; attendees may want to bring a fan. Thanks to Councilmember James Azeltine for his involvement.

**9. COUNCILMEMBERS’ REPORT**

**Councilmember Lisa Harrison – Road to the 2020 Census**

Councilmember Harrison stated she had attended a presentation last week at the Overland Park City Hall about how communities can prepare for the 2020 Census. Many area city employees and elected officials attended. As a former history and geography teacher, she has always been interested in the stories numbers can tell us about our past. Simply, it is about power and money. Numbers tell the government where the power, elected officials, and how the money, federal tax dollars, will be distributed. The 10-year census is conducted because the United States Constitution says to do so. Demographic data assists with future planning. Sobering data was shared, including the number of aging baby boomers that require, or will require, memory care each day. Everyone must do their civic duty to provide valuable information; Kansas ranks high in doing so. Count college students where they spend 6 months a year or more. The 2020 Census will contain about 15 to 20 questions and all data will be protected. There will be a 2017 Census on economic issues with a different set of questions. Census packets will be distributed by the United States Postal Service.

Mayor Dunn thanked Councilmember Harrison for attending, representing the City and providing a report on this important information.

**10. CITY ADMINISTRATOR REPORT – None**

Mayor Dunn noted that Mr. Lambers is recovering from his recent health challenge.

**11. STAFF REPORT – None**

***COMMITTEE RECOMMENDATIONS***

**12. PLANNING COMMISSION**

*[from the April 25, 2017 Planning Commission meeting]*

- A. Resolution approving and authorizing the Mayor to execute an Addendum to that certain Inter-local Agreement dated April 6, 2017, between the City and the Board of County Commissioners of Johnson County, Kansas, pertaining to the approval process for the improvement of the Tomahawk Creek Wastewater Treatment Facility, located at 10701 Lee Boulevard (PC 13-17) *[Continued from the June 5, 2017 and June 19, 2017 Governing Body Meetings]* - CONTINUED TO THE AUGUST 7, 2017 GOVERNING BODY MEETING

Councilmember Rawlings asked why the item was continued. Ms. Bennett stated the City and the Johnson County Board of County Commissioners continue to work through the process on items such as which utility power lines can or cannot be buried.

*[from the June 27, 2017 Planning Commission meeting]*

- B. **Resolution No. 4819**, approving a Revised Final Plan and Revised Final Plat for First Federal Bank of Kansas City, located south of 79<sup>th</sup> Street and west of State Line Road. (PC Case 60-17)

Mr. Rick Mann, Senior Vice President, First Federal Bank of Kansas City, 6900 North Executive Drive, Kansas City, Missouri and 8000 State Line Road Branch, stated architect Mr. Kwame Smith of SFS Architecture was also present.

Mr. Mann stated the existing facility was built in 1975 and there have been no updates in 42 years. The facility has the original carpet, wall tapestries and artwork. In 2016, Interstate Bank merged with First Federal Bank. Interstate Bank has provided services for over 100 years and First Federal Bank has promoted financial responsibility for over 80 years. The bank is owned by the customers, not shareholders, and 100% of the bank's business is single family mortgages. Personal finance guru Dave Ramsey wrote about his dislike of all banks in his book, but made exception for First Federal Bank of Kansas City once he learned about the bank practices. The bank attempts to get people out of debt, invests in and is part of the community, and provides personal service. When asked at the City of Leawood's Governing Body meeting on June 5, 2017, he was especially pleased to report that no other branches would be closed or consolidation of customers would occur as a result of the merger or planned facility renovations. Mr. Mann stated appreciation for the opportunity to work with Mr. Coleman, Mr. Klein and Planning Department on this exciting project.

Mr. Kwame Smith, SFS Architecture, 2100 Central Street, Kansas City, Missouri, reviewed the site plan, current photographs and color renderings of the proposed renovations. The State Line Road entry façade would be raised and made more appealing. The main entrance on the west side of the building would have an accessible route from the public right-of-way. The pedestrian entry plaza would have seating and bicycle racks. The proposed plan includes accessible parking and landscaping to City Code. On behalf of First Federal Bank, he thanked the City for their assistance.

Councilmember Cain stated the renovation would be a welcome update and inquired if there were connections to the pedestrian sidewalk being provided on State Line Road. Mr. Klein stated the sidewalk would not connect at this time, it would stop. Prairie Village is directly north of the property and sidewalks will be included in future development to the south. Councilmember Cain thanked Mr. Mann and Mr. Smith for inclusion of the sidewalk.

Councilmember Rawlings inquired if there had been any pleasant surprises revealed behind the fixtures that had been in place for 42 years. Mr. Mann stated the tapestries and artwork may be of value, but can be appreciated for their condition and character. Some of these may be re-used in the new environment.

Councilmember Harrison inquired when the new facility would open. Mr. Mann stated the facility would be open by the end of February 2018 in advance of the expiration of leased office space in Overland Park for the relocation of 20 high-paying jobs to Leawood. Most of the property would be renovated by the end of December 2017.

**A motion to approve Agenda Item 12.B. was made by Councilmember Rawlings; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 7-0.**

Mayor Dunn stated she would recuse on Agenda Items 12.C. and 12.D. due to a conflict of interest. She turned over the meeting to Presiding Officer Andrew Osman and left Council Chambers.

Ms. Bennett pointed out Agenda Items 12.C. and 12.D. involve government entities. As discussed with Mr. Lambers and agreed in advance, a hybrid process was proposed in which most planning would be through the normal City process. Agenda Item 12.C. addresses items outside of the normal planning process. The agenda items would require separate motions and votes.

- C. **Resolution No. 4820**, approving and authorizing the Mayor to execute an Inter-local Agreement between the City and Shawnee Mission Unified School District No. 512, pertaining to the Final Plan and Final Plat for Brookwood Elementary School, located south of 103<sup>rd</sup> Street and east of Mohawk Road [PC 65-17]

Ms. Jennifer Berka, Hollis + Miller Architects, 1828 Walnut Street, Kansas City, Missouri, and Mr. Brian Hill, MKEC Engineering, 11827 W. 112<sup>th</sup> Street, Overland Park, stood for questions.

Mr. Berka stated the inter-local agreement had been developed between the Shawnee Mission School District [SMSD] and the City. Mr. Coleman stated planning stipulations are contained in the inter-local agreement. The stipulations for deviations to the Leawood Development Ordinance are 1) no relocation of existing sidewalk on 103<sup>rd</sup> Street which the City would have required to separate roadways from pedestrian ways, 2) continued use of changeable copy/lettering sign that predates 2002 City Code [sign will be moved slightly to the west], 3) use of 3 ft. high shrubs and substantial landscaping rather than berm for screening, and 4) slight deviation from the City's 60/40 rule for paved surface area for lot frontage of 43%.

**A motion to approve Agenda Item 12.C. was made by Councilmember Filla; seconded by Councilmember Cain. The motion was approved with a unanimous vote of 7-0.**

- D. **Resolution No. 4821**, approving a Final Plan and Final Plat for Brookwood Elementary School, located south of 103<sup>rd</sup> Street and east of Mohawk Road. (PC Case 65-17)

At the request of Councilmember Filla, Ms. Berka reviewed the changes made since the Preliminary Plan. Based on comments of neighbors, the orientation of parking stalls in the visitor parking lot was adjusted so vehicle headlights point towards the school rather than point to homes and the hard surface play area close to back yards was moved 30 ft. to the east to be further from resident fence lines. Ms. Berka stated that per SMSD policy, access gates would be locked during the school day after the school bell rings and unlocked by School Maintenance for public access during the evenings and on weekends.

Councilmember Sipple inquired if there were any other neighbor comments that had been received and not addressed. Mr. Hill stated he was not aware of any unresolved issues.

Councilmember Cain pointed out there is very large, bright blue JE Dunn Construction Company screening around the site and residents may not wish to look at the screening until project completion in January 2019. Mr. Coleman said he was not aware any permits had been issued and he would address. He stated that named signage is normally restricted and he could ask the contractor to change the color of the screening to black or a neutral color. Councilmember Cain stated she does not have a problem with name on screening, just the screening's bright blue color.

Councilmember Osman stated the screening for the Trailwood Elementary School demolish and rebuild project had the same color screening, and the color was a welcome distraction from the view of building debris.

Councilmember Azeltine expressed appreciation for SMSD submitting according to the City's planning process and providing resolutions to resident concerns.

Councilmember Rawlings recalled the Restoration Hardware project in Town Center used the same contractor screening. He stated the neighborhood is excited to see the new school built and he could not support micromanaging the contractor and asking them to change the screening.

**A motion to approve Agenda Item 12.D. was made by Councilmember Filla; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 7-0.**

Presiding Officer Osman turned the meeting over to Mayor Dunn, who had returned to Council Chambers.

- E. **Ordinance No. 2848**, amending Section 16-2-6.4 of the Leawood Development Ordinance [LDO] entitled "MXD [Mixed Use Development District]" and repealing existing Section 16-2-6.4 and other sections in conflict herewith. (PC Case 69-17) [ROLL CALL VOTE]

Mr. Coleman stated the proposed amendment regarding MXD would ensure users of the LDO were aware of the existence of the 135<sup>th</sup> Street Community Plan by reference in the ordinance and would clearly communicate requirements of MXD. The Planning Commission had requested these clarifications.

Councilmember Azeltine recalled the Governing Body had only accepted rather than adopted the 135<sup>th</sup> Street Community Plan. Mr. Coleman confirmed, stating the 135<sup>th</sup> Street Community Plan was accepted as part of the City's Comprehensive Plan. Mr. Coleman said the term "adopted" would be revised to "accepted" in the Staff memo and proposed ordinance.

Mayor Dunn shared that Ingram's business magazine had published a feature on Lenexa's City Center and gave accolades for MXD use, considered the "wave of the future." Lenexa plans to have a library next to their City Hall. She complimented Leawood Staff, stating the City is ahead of the times.

Mayor Dunn pointed out the agreed revision would be an override of the Planning Commission recommendation.

**A motion to pass Agenda Item 12.E. with revision of "adopted" to "accepted" in regard to the 135<sup>th</sup> Street Community Plan was made by Councilmember Filla; seconded by Councilmember Harrison. The motion was approved with a unanimous roll call vote of 7-0.**

- F. **Ordinance No. 2849**, amending Sections 16-4-7.3, 16-4-7.4, 16-4-7.5, and 16-4-7.6 of the Leawood Development Ordinance [LDO] respectively entitled “Landscaping Requirements – Other Districts”; “Installation and Maintenance of Landscaping and Screening”; “Landscape Plan Requirements”; and “General Regulations” and repealing existing Sections 16-4-7.3, 16-4-7.4, 16-4-7.5, and 16-4-7.6 and other sections in conflict herewith. (PC Case 70-17) [ROLL CALL VOTE]

Mayor Dunn pointed out the last sentence of Section 16-4-7.3 A) of the revised ordinance [in blue text], states the proposed amendment effective date would affect any Final Plans approved at this meeting.

Mr. Klein confirmed to Councilmember Azeltine that input on the caliper size of trees had been received from Parks & Recreation staff, a landscape architect and a nursery. Councilmember Filla thanked Mr. Coleman, Mr. Klein, Ms. Bennett for retroactive dating, Parks Superintendent Mr. Brian Anderson, Master Arborist Mr. Dustin Branick, Councilmember Sipple, Foxborough HOA representative Mr. Thad Carver, Edgewood HOA representative Mr. Jim Ernest, Leawood HOA representative Mr. Bruce North, Hunter’s Ridge HOA representative Mr. Jim Decker, and nurserymen and landscape architects Mr. Chad Witnaur and Mr. Robert Whitman, for their input and shared experience.

Councilmember Cain noted Mr. Coleman’s statement of concern in the Planning Commission minutes regarding purposeful, expedient removal and replanting of trees by developers every few years so that trees never reach a mature height. Mr. Coleman stated he was comfortable with the proposed LDO amendment which provides an effective date for new sizing requirements in regard to Final Plan approval and Final Plan plantings.

Councilmembers Cain and Osman expressed appreciation for their effort as well. Councilmember Osman stated landscape architects and developers have difficulty procuring 4-inch caliper trees, and they are often much harder to establish and grow than a 2-inch caliper tree. The proposed amendment should be well-received by landscapers and quicker beautification of the City.

Mr. Coleman confirmed to Councilmember Sipple the Planning Department was aware of all impacted approved Final Plans and plantings.

**A motion to pass Agenda Item 12.F. was made by Councilmember Filla; seconded by Councilmember Sipple. The motion was approved with a unanimous roll call vote of 7-0.**

- G. **Ordinance No. 2850**, amending Section 16-4-6.3 of the Leawood Development Ordinance [LDO] entitled, ‘Office, Commercial and Industrial Signage in Planned Districts,’ and repealing existing Section 16-4-6.3 and other sections in conflict herewith [PC Case 48-17] [ROLL CALL VOTE]

Mr. Klein stated at the June 19, 2017 Governing Body meeting, signage and signage for MXD had been discussed and a larger proposed ordinance amendment had been passed except for Section 16-4-6.3. Proposed revision of this section was continued to tonight’s Governing Body meeting to allow Staff to determine if there should be modification of the wording “whichever is less” in regard to deviations to signage. Staff has reviewed and does not support removal of the wording for deviations allowed for signage in all districts; removal would mean signage could be a maximum of 5% of the building façade for wall and canopy signs without a maximum of 200 sq. ft. Staff recommends rewording to “...maximum of all wall and canopy signs shall be 5% of the total area of the façade, 200 square feet, whichever is less, or as permitted in Table 16-4-6.13.” By relocating the table reference to the end of the sentence, desired maximums are maintained unless other allowances are provided in the table.

Mayor Dunn pointed out this exercise confirms that the Governing Body should not attempt to make a snap decision during a meeting to revise wording at the request of an applicant when further Staff review is appropriate.

Mr. Klein confirmed to Councilmembers Cain, Harrison and Sipple the proposed amendment would not adversely impact signage for Park Place. Park Place would be permitted to have both garage identity signs and multi-tenant signs located above parking garage entrances. The minutes of the May 23, 2017 Planning Commission meeting provided in the agenda packet documented all discussion at that time, but the minutes do not address the proposed amendment. With the large size of the Park Place garages, about 250 ft. to 300 ft. long and 40 ft. to 50 ft. high, and allowing reference to the ordinance table, Park Place would be allowed a 300 sq. ft. per sign maximum, which would be less than 5% of total area. Park Place had previously presented about 252 sq. ft. of signage. Individual signs within the multi-tenant garage sign would need to be smaller in size.

Mr. Coleman stated some Park Place signage was previously approved and has already been installed such as crown-mounted directional, wall and monument signs. Mayor Dunn reminded the Park Place signage application has not been brought before the Governing Body. Councilmember Sipple stated he anticipated visible, tasteful garage signage and wanted to ensure Park Place businesses had a decent chance to be successful in the City.

**A motion to pass Agenda Item 12.F. was made by Councilmember Cain; seconded by Councilmember Sipple. The motion was approved with a unanimous roll call vote of 7-0.**

**13. OLD BUSINESS – None**

**14. OTHER BUSINESS – None**

**15. NEW BUSINESS**

Schedule a Governing Body Work Session on Monday, August 7, 2017 at 6:00 P.M., for Presentation of a Better KCI

Councilmember Osman stated he favored the new airport, but questioned why the Governing Body would hold a Work Session for this educational presentation, rather than an open session in Council Chambers. Mayor Dunn stated she had heard a quite lengthy concept presentation by Kansas City, Missouri, Mayor Sly James at the Greater Kansas City Chamber of Commerce Board of Directors meeting and the meeting with the City had been requested. Presentations are being made at other cities. The Kansas City Area Development Council [KCADC] has presented to the Leawood Chamber of Commerce. There was a large amount of discussion at the Greater Kansas City Chamber of Commerce Board of Directors meeting and the proposed Work Session would be an opportunity for dialogue and to voice opinions.

Mr. Kevin Jeffries, 13451 Briar Drive, Leawood Economic Development Director, stated due to scheduling difficulties Mr. Joe Reardon, President and Chief Executive Officer of the Greater Kansas City Chamber of Commerce would be unable to attend, but Mr. Tim Cowden of the KCADC would attend and present. The presentation is informative and the Leawood Chamber of Commerce supports the new airport as being good for the metropolitan area. He confirmed City Staff and the public would be invited to attend.

Mayor Dunn stated there cannot be an assumption and public statement that the City supports unless they present and feedback is provided. The Work Session could move into the Council Chambers if a larger meeting space is needed.

**A motion to schedule the Work Session was made by Councilmember Filla; seconded by Councilmember Cain. The motion was approved with a unanimous vote of 7-0.**

**ADJOURN**

There being no further business, the meeting was adjourned at 9:03 P.M.

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Debra Harper, CMC, City Clerk

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Cindy Jacobus, Assistant City Clerk