

Minutes

DVD No. 422

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, August 6, 2018. Mayor Peggy Dunn presided.

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

**Councilmembers Absent:** Andrew Osman

<b>Staff Present:</b> Scott Lambers, City Administrator	Chief Troy Rettig, Police Department
Patty Bennett, City Attorney	Nic Sanders, Human Resources Director
Chris Claxton, Parks & Recreation Director	Dawn Long, Finance Director
Chief Dave Williams, Fire Department	David Ley, Public Works Director and City Engineer
Ross Kurz, Information Services Director	April Bishop, Cultural Arts Coordinator
Mark Tepesch, Info. Serv. Specialist III	Cindy Jacobus, Assistant City Clerk
Debra Harper, City Clerk	

**Others Present:** Kevin Jeffries, President, Chief Executive Officer and Director of Economic Development, Leawood Chamber of Commerce  
David Arteberry, Senior Vice President Kansas/Missouri Public Finance Group,  
George K. Baum & Company – City Financial Advisor  
Bill Hess, Attorney, Gilmore & Bell – City Bond Counsel  
Ben Thompson, Attorney, Gilmore & Bell – City Bond Counsel

**1. PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF AGENDA**

Mayor Dunn stated the agenda had been amended to add a report by Councilmember Filla regarding a referral to the Stormwater Management Committee as Agenda Item 9.A. and a report by Councilmember Cain regarding the City Banner Task Force as Agenda Item 9.B. under Agenda Item 9. Councilmembers' Report. In addition, replacement documentation for Agenda Items 6.A. through 6.D. had been provided.

**A motion to approve the amended agenda was made by Councilmember Rawlings; seconded by Councilmember Azeltine. 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 – None**

**6. SPECIAL BUSINESS**

- A. **Ordinance No. 2899**, authorizing and providing for the issuance and delivery of \$23,470,000 General Obligation Temporary Notes, Series 2018-1, of the City of Leawood, Kansas, to provide funds to finance the cost of certain public improvement projects within the City; providing for the levy and collection of an annual tax if necessary, for the purpose of paying the principal of and interest on said notes as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto [ROLL CALL VOTE]

Mayor Dunn welcomed Messrs. Arteberry, Hess and Thompson.

Ms. Long stated Temporary Notes and Bonds sales had occurred this morning, with great response. There were three bidders for the Temporary Notes and 11 bidders for the Bonds. Bid rates were fantastic and, as expected, Bond interest rates were slightly higher than those offered last year.

Mr. Arteberry stated since he last presented information on the pending sale to the Governing Body, much had been done to prepare. Bid documents were finalized and official statements were distributed to potential purchasers last week. Moody's was invited to Leawood and their analysts toured the City. It has been a number of years since Moody's prior visit. Both Mr. Lambers and Ms. Long did a great job facilitating the analysts' visit.

This morning at 10:30 A.M. three bids for Temporary Notes were received, with the best bid from the New York office of the Chicago company Jefferies LLC. Jefferies LLC purchased Temporary Notes from the City last year. At 11:30 A.M., 11 bids for Bonds were received; a record to his knowledge for a City Bond issue. The best bid was from Piper Jaffray at a low interest rate of 2.348479%. A portion of this sale was a refinance of old 2010 outstanding bond issue that saves the City \$379,000 of debt. In the last 10 years, the City has refinanced eight Bond issues resulting in a savings of \$2,820,000. This is just another example of how the Staff and Governing Body monitor finances and look to save taxpayer money. Mr. Arteberry confirmed Moody's had reaffirmed the City's Aaa rating; no higher rating is available. Mayor Dunn stated she was thrilled about the rating which saves residents money.

Councilmember Azeltine asked if there were pending legislative changes to tax exemptions. Mr. Arteberry stated that last year as part of tax reform the corporate tax rate was lowered and an increase in interest rate occurred. There have not been any recent changes of concern in the tax code, of Federal or State legislation. Councilmember Azeltine asked if there had been discussion to tax Temporary Notes. Mr. Arteberry stated this arises on occasion. About 8 to 10 years ago there had been discussion to eliminate or reduce tax exempt debt.

Mayor Dunn was pleased to see the savings and congratulations on the number of bidders.

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

- B. **Resolution No. 4980**, prescribing the form and details of and authorizing and directing the issuance, sale and delivery of \$23,470,000 General Obligation Temporary Notes, Series 2018-1, of the City of Leawood, Kansas; providing for the levy and collection of an annual tax, if necessary, for the purpose of paying the principal of and interest on said notes as they become due; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith

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

- C. **Ordinance No. 2900**, authorizing and providing for the issuance and delivery of \$12,930,000 General Obligation Refunding and Improvement Bonds, Series 2018-A, of the City of Leawood, Kansas, to provide funds to finance the cost of certain public improvements within the City and refund certain outstanding General Obligation Bonds of the City; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said Bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto [ROLL CALL VOTE]

**A motion to pass Agenda Item 6.C. was made by Councilmember Filla; seconded by Councilmember Sipple. The motion was approved with a unanimous roll call vote of 7-0.**

- D. **Resolution No. 4981**, prescribing the form and details of and authorizing and directing the sale and delivery of \$12,930,000 General Obligation Refunding and Improvement Bonds, Series 2018-A, of the City of Leawood, Kansas, previously authorized by Ordinance No. 2900, of the City; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith

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

- E. **Public Hearing** Consider the 2019 Fiscal Budget for the City of Leawood, Kansas

Mayor Dunn opened the public hearing. No one was seen or heard to speak.

**A motion to close the public hearing made by Councilmember Filla; seconded by Councilmember Larson. The motion was approved with a unanimous vote of 7-0.**

- F. **Resolution No. 4982**, adopting the Fiscal Year 2019 annual budget for the City of Leawood, Kansas

Mayor Dunn stated the Governing Body had multiple Work Sessions on the topic beginning in February and a Budget & Finance Committee meeting occurred June. The budget needs to be signed and sent to Johnson County by August 25. Adopting the budget would be the final step before a required sign-off document would be passed by the City Clerk.

Mayor Dunn thanked Ms. Long, Budget Manager Kathy Byard, City Administrator Scott Lambers and all Department Heads for their hard work on the budget.

Councilmember Filla inquired the 2019 Budget-in-Brief document would be posted to the City's website. Mr. Kurz stated prior versions are available on the website and the 2019 Budget-in-Brief document would be posted after approval.

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

- G. **Public Hearing** Consider the vacation of a Street Right-of-Way located at 2908 W. 86<sup>th</sup> Street, [Paul A. Barnds & Shawn R. Sabin] within the City of Leawood, Johnson County, Kansas [Lot 828, Leawood Plat]

Mayor Dunn opened the public hearing. No one was seen or heard to speak.

**A motion to close the public hearing made by Councilmember Filla; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 7-0.**

- H. **Ordinance No. 2901**, vacating a Street Right-of-Way located at 2908 W. 86<sup>th</sup> Street, within the City of Leawood, Johnson County, Kansas [Paul A. Barnds & Shawn R. Sabin] [Lot 828, Leawood Plat] [Roll Call Vote]

**A motion to pass Agenda Item 6.H. made by Councilmember Rawlings; seconded by Councilmember Harrison. The motion was approved with a unanimous roll call 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. 2018-28, 2018-29 and 2018-30
- B. Accept minutes of the July 16, 2018 Governing Body meeting
- C. Accept minutes of the July 16, 2018 Executive Session meeting
- D. Approve purchase for an amount not to exceed \$50,000 from Challenger TeamWear for Parks & Recreation Soccer uniforms
- E. Approve 27<sup>th</sup> and Final Pay Request in the amount of \$41,995.43 to Titan Built, LLC, pertaining to the Leawood Justice Center Project, located at 4201 & 4205 Town Center Drive & [Project # 76008]

- F. **Resolution No. 4983**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$324,977.15, between the City and McConnell & Assoc. Corp., pertaining to the 2018 Tennis Court Renovation Project, located at City Park, 10601 Lee Boulevard [Project # 71025]
- G. **Resolution No. 4984**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,747,706.60, between the City and O'Donnell & Sons Construction, pertaining to the 2018 Residential Thin Lift Overlay Program [Project #s 72029, 72030, 72031 & 70024]
- H. **Resolution No. 4985**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$614,559.25, between the City and O'Donnell & Sons Construction, pertaining to the 2018 Ironwoods Park Parking Lot Improvement Project, located at 14701 Mission Road [Project # 71025]
- I. **Resolution No. 4986**, approving and authorizing the Mayor to execute a Right-of-Way Maintenance Agreement between the City and Hallbrook Office Center, LLC, pertaining to Hallbrook East Village
- J. **Resolution No. 4987**, approving and authorizing the Mayor to execute a Service Agreement in the amount of \$25,704.21, between the City and Paint Pro, Inc., pertaining to the 2018 Ironwoods Lodge Paint and Refinish Project, located at 14701 Mission Road
- K. Approve Change Order No. 1 in the amount of \$2,295.79 from Paint Pro, Inc., pertaining to the 2018 Ironwoods Lodge Paint and Refinish Project, located at 14701 Mission Road
- L. **Resolution No. 4988**, accepting a Permanent Sidewalk Easement from Grantor Cocherl Family, LLC, for property located at 14212 Overbrook Road, Cocherl Family Subdivision, Tract 21, Lot 1, pertaining to the 143<sup>rd</sup> Street Improvement Project from Windsor to Kenneth Road [Project # 80129]
- M. **Resolution No. 4989**, accepting a Permanent Utility Easement from Grantor Cocherl Family, LLC, for property located at 14212 Overbrook Road, Cocherl Family Subdivision, Tract 21, Lot 1, pertaining to the 143<sup>rd</sup> Street Improvement Project from Windsor to Kenneth Road [Project # 80129]
- N. **Resolution No. 4990**, accepting a Deed of Dedication for Right-of-Way, from Grantor Cocherl Family, LLC, for property located at 14212 Overbrook Road, Cocherl Family Subdivision, Tract 21, Lot 1, pertaining to the 143<sup>rd</sup> Street Improvement Project from Windsor to Kenneth Road [Project # 80129]
- O. **Resolution No. 4991**, accepting a Temporary Construction Easement from Grantor Cocherl Family, LLC, for property located at 14212 Overbrook Road, Cocherl Family Subdivision, Tract 21, Lot 1, pertaining to the 143<sup>rd</sup> Street Improvement Project from Windsor to Kenneth Road [Project # 80129]
- P. **Resolution No. 4992**, accepting a Deed of Dedication for Right-of-Way, from Grantor Cocherl Family, LLC, for property located at 14206 Overbrook Road, Cocherl Family Subdivision, Tract 33, Lot 2, pertaining to the 143<sup>rd</sup> Street Improvement Project from Windsor to Kenneth Road [Project # 80129]
- Q. **Resolution No. 4993**, accepting a Permanent Utility Easement from Grantor Cocherl Family, LLC, for property located at 14206 Overbrook Road, Cocherl Family Subdivision, Tract 33, Lot 2, pertaining to the 143<sup>rd</sup> Street Improvement Project from Windsor to Kenneth Road [Project # 80129]

- R. **Resolution No. 4994**, accepting a Temporary Construction Easement from Grantor Centennial Park, LLC, for property located at the northeast corner of 143<sup>rd</sup> & Overbrook Road, Centennial Park, Tract A, Building 23, pertaining to the 143<sup>rd</sup> Street Improvement Project from Windsor to Kenneth Road [Project # 80129]
- S. **Resolution No. 4995**, accepting a Permanent Sidewalk Easement from Grantors William J. Venable and Gwenn E. Venable, for property located at 3519 W. 93<sup>rd</sup> Street, Lot 1393, Leawood Subdivision, pertaining to the Mission Road Improvement Project from 84<sup>th</sup> Street to 95<sup>th</sup> Street [Project # 72074]
- T. **Resolution No. 4996**, accepting a Permanent Utility Easement from Grantors William J. Venable and Gwenn E. Venable, for property located at 3519 W. 93<sup>rd</sup> Street, Lot 1393, Leawood Subdivision, pertaining to the Mission Road Improvement Project from 84<sup>th</sup> Street to 95<sup>th</sup> Street [Project # 72074]
- U. **Resolution No. 4997**, accepting a Permanent Utility Easement from Grantors Rafael L. Martin and Janet S. Martin, for property located at 3538 W. 92<sup>nd</sup> Place, Lot 1439, Leawood Subdivision, pertaining to the Mission Road Improvement Project from 84<sup>th</sup> Street to 95<sup>th</sup> Street [Project # 72074]
- V. **Resolution No. 4998**, accepting a Permanent Sidewalk Easement from Grantors Rafael L. Martin and Janet S. Martin, for property located at 3538 W. 92<sup>nd</sup> Place, Lot 1439, Leawood Subdivision, pertaining to the Mission Road Improvement Project from 84<sup>th</sup> Street to 95<sup>th</sup> Street [Project # 72074]

Councilmember Cain requested Consent Agenda Item 7.F. be pulled.

Councilmember Azeltine requested Consent Agenda Items 7.J. and 7.K. be pulled.

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

- 7.F. **Resolution No. 4983**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$324,977.15, between the City and McConnell & Assoc. Corp., pertaining to the 2018 Tennis Court Renovation Project, located at City Park, 10601 Lee Boulevard [Project # 71025]

Councilmember Cain stated she pulled the item to recognize and thank Parks & Recreation for maintaining the surface of the current courts which are 17 years old. Available new technology such as a grid fiber layer and fiber-reinforced asphalt will be used, so it is possible the resurfaced courts may last even longer. Pickle ball is very popular and the City received many calls in this regard. Two pickle ball courts will be striped, for a total of eight courts. St. Andrews and Hallbrook also have pickle ball courts.

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

- 7.J. **Resolution No. 4987**, approving and authorizing the Mayor to execute a Service Agreement in the amount of \$25,704.21, between the City and Paint Pro, Inc., pertaining to the 2018 Ironwoods Lodge Paint and Refinish Project, located at 14701 Mission Road

Councilmember Azeltine questioned why Change Order No. 1 for the project was presented as Consent Agenda Item 7.K. immediately following the contract presented as Consent Agenda Item 7.J. He noted the contractor's bid was one of two bids received.

Mr. Ley stated the contract was bid at a cost per linear foot to replace wood rot within 10 ft. of the ground. Change Order No. 1 would be needed for wood rot above 10 ft., once scraping of building occurs. The Change Order brings the cost to the budgeted amount.

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

- 7.K. Approve Change Order No. 1 in the amount of \$2,295.79 from Paint Pro, Inc., pertaining to the 2018 Ironwoods Lodge Paint and Refinish Project, located at 14701 Mission Road

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

## **8. MAYOR'S REPORT**

- A. *435 Magazine's* August 2018 issue features the annual "Best of" list. Months are spent researching all that Kansas City has to offer. "Dancers" was selected as the region's best new sculpture, and the only sculpture in the metro area to be recognized. Artist Ewerdt Hilgemann states the columns represent the "inward spiral of energy." The article will be passed for your review.
- B. *Leawood Lifestyles'* August 2018 issue features a great article, "Leawoof, Leawood's Dog Oasis." Parks & Recreation Director Chris Claxton was a major contributor to the article.
- C. Reminder that Tuesday, August 7, 2018, is Election Day for Kansas Primaries. I hope everyone will exercise their greatest privilege in our democratic society and go to the polls.

## **9. COUNCILMEMBERS' REPORT**

- A. Councilmember Filla- Referral to Stormwater Committee, 9849 Sagamore

Councilmember Filla stated resident Pam Nolan, 9849 Sagamore, had contacted her. Ms. Nolan and neighbor Scott Jeffcote, 9843 Sagamore, have concerns about a catch basin at 9831 Pembroke. The residents had Kahn Engineering create preliminary drawings and have met with Mr. Ley. She would like to refer the issue to the next available Stormwater Management Committee meeting.

Mr. Ley stated the next Stormwater Management Committee meeting would be August 29 and the item could be added to the agenda.

**A motion to approve the referral to the Stormwater Management Committee for their August 29, 2018 meeting was made by Councilmember Filla; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 7-0.**

Mayor Dunn pointed out Councilmember Azeltine is Chair and Councilmember Filla is Vice-Chair of the Stormwater Management Committee

B. Councilmember Cain-City Banner Task Force

Councilmember Cain stated it was a privilege to be the Council Liaison to the Arts in Public Places Initiatives [APPI] Banner Selection Task Force and made she made a brief slide presentation.

The City's 130 pole banners are twenty years old; it is time to renew and refresh. The Selection Task Force was led by Professional Artist Lynette Ubel, and members Anne Blessing, APPI Chair, Julia Steinberg and Carla Rauth, and Staff Liaisons April Bishop and Chris Claxton are present. The Selection Task Force met six times and the effort has been an exciting labor of love. The process started by drafting a Request for Proposal [RFP] for artists to design five banners, one design each for 1) Neighborhoods/People, 2) Outdoors/Nature, 3) Community, 4) Commerce/Business and 5) Arts/Creativity. The designs were to contain graphics, not photographs, the word "Leawood", and could contain other text as well. The RFP was distributed to local and out-of-state artists, and two or three finalists invited to City Hall to present their overall vision for the project and a mock-up of the Community Banner. The Selection Task Force had judged the Community Banner to be the most difficult to represent.

The Selection Task Force was overwhelmed by the presentation and submission of local artist Zach Newton. Mr. Newton was selected as the winner by a unanimous decision. Mr. Newton grew up in the small town of Wathena, Kansas, attended the University of Kansas for a degree in graphic design, lives in Liberty, Missouri, with his wife and two children, and has been with Hallmark for 15 years, where is he is a Senior Designer.

Mr. Newton's presentation included how he had struggled to capture "Community" for the City of Leawood. His family visited all City parks and walked the City. Inspiration struck when his daughter was on his shoulders at the 4<sup>th</sup> of July celebration in Liberty. His Community Banner does not use the word "Community", but rather "Celebrate" with all-inclusive silhouettes of people and a child on a man's shoulders under a fireworks-filled sky. Mr. Newton also submitted a design for "Unwind" for "Outdoors/Nature" that includes a golfer and two cyclists, and proposes other banner signs feature the words "Inspire", "Thrive" and "Grow". Mr. Newton was receptive to Ms. Claxton's suggestion of depicting one walker, perhaps with a dog, and one cyclist. All banners would have the same five-color palette.

Councilmember Cain stated the Governing Body would be provided all five designs for consideration and can collaborate on the project. The project budget provides for 180 new banners, produced at the same time for same dye lot. This number provides spares in the event of future damage or needed replacement. It is proposed the current banners be removed, mounting brackets repaired or added, and the new banners installed in Spring 2019, avoiding any conflict with holiday banners. The Selection Task Force is exploring possible opportunities to publicly launch the banner campaign as well as use of the wonderful artwork in other media. Councilmember Cain passed Mr. Newton's proposal.

The Selection Task Force asks the Governing Body for acceptance of Zach Newton as the banner artist and instruction that Ms. Claxton work with City Attorney Patty Bennett on the contract to hire. The contract would be brought before the Governing Body on August 20, 2018 for approval. All five designs would be brought before the Governing Body for review and approval.

Councilmember Cain confirmed to Councilmember Sipple that a professional banner company would produce the banners using a digital process on a weatherproof fabric suitable for exterior use such as “Sunbrella”. It is hoped the new banners could last more than 20 years, but the Selection Task Force feels use of these banners for five years would be appropriate.

Councilmember Larson stated her like of the proposed banners and offered congratulations for a job well-done; Mayor Dunn agreed. Mayor Dunn stated the new banners were exciting in light of the celebration of the City’s 70<sup>th</sup> Anniversary this year. She has received many comments about the current banners appearing to need replacement.

Councilmember Rawlings stated he too liked the proposed banner design. He expressed desire to purchase one of the current banners for his collection. Mayor Dunn stated this could likely be arranged at a reasonable price after 20 years of use.

Mayor Dunn stated appreciation for the work of the Selection Task Force and thanked members for their attendance.

**A motion to accept the selection of Mr. Zach Newton as the banner design artist was made by Councilmember Cain; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 7-0.**

**10. CITY ADMINISTRATOR REPORT – None**

**11. STAFF REPORT – None**

***COMMITTEE RECOMMENDATIONS***

**12. PLANNING COMMISSION – None**

**13. OLD BUSINESS – None**

**14. OTHER BUSINESS – None**

**15. NEW BUSINESS**

- A. **Ordinance No. 2902C**, amending § 1-102 of the Code of the City of Leawood, Kansas, 2000, entitled “Definitions” and repealing existing § 1-102 and other sections in conflict herewith [ROLL CALL VOTE]

Ms. Bennett stated the proposed changes were necessitated due to revision of Kansas Statute 12-104. The statute was revised to allow a City to choose when the Mayor can vote. The proposed amendment to City Code provides that the Mayor can continue to vote as a member of the Governing Body. It also eliminates a circular reference between the City Code and the statute. The proposed amendment updates the definition of “Officer”, removing “assistant city attorney” which has not been an appointed position for many years, and revising “director of community and planning” to “director of community development”. She is not aware of the reason for the statutory change.

Ms. Bennett confirmed to Councilmember Azeltine the Mayor is a member of the Governing Body and vote would be counted for Charter Ordinances and for ordinances passed by two-third majority vote. A two-third majority vote for a nine members is six votes, and six votes is also the two-thirds majority for eight members. The Mayor can vote, but does not have to vote. Examples of Mayor vote for “any other matter” would include tie-breaking, and to be counted in the six votes of a two-third majority for planning items and protest petitions. There are some items the Mayor cannot vote upon, such as a regular ordinance that requires five votes from the Council, not of the Governing Body.

Mr. Lambers stated the Mayor cannot vote to make a motion fail. Mayor Dunn pointed out she does have veto power the next day, which can be over-ruled by a two-third majority vote of the Council.

**A motion to pass the ordinance was made by Councilmember Larson; seconded by Councilmember Sipple. The motion was approved with a unanimous roll call vote of 7-0.**

- B. Schedule a Governing Body Work Session at 6:00 P.M., on Monday, November 5, 2018 to discuss Proposed 2019 Fee Schedule; and Review Chamber of Commerce’s Annual Economic Plan

**A motion to approve Agenda Item 15.B. was made by Councilmember Filla; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 7-0.**

#### **ADJOURN**

There being no further business, the meeting was adjourned at 8:16 P.M.

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Debra Harper, CMC, City Clerk

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Cindy Jacobus, Assistant City Clerk