

Minutes

The Governing Body 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, April 2, 2018. Mayor Peggy Dunn presided.

Councilmembers Present: Debra Filla, Jim Rawlings, Andrew Osman, Lisa Harrison, Chuck Sipple and Mary Larson

Councilmembers Absent: James Azeltine and Julie Cain

Staff Present: Patty Bennett, City Attorney	Mark Klein, Planning Official
Richard Coleman, Comm. Dev. Director	Dawn Long, Finance Director
Brian Anderson, Parks Superintendent	Chief Dave Williams, Fire Department
Chief Troy Rettig, Police Department	Ross Kurz, Info. Services Director
April Bishop, Cultural Arts Coordinator	Chris Claxton, Parks & Rec. Director
David Ley, Public Works Director	Debra Harper, City Clerk
and City Engineer	Cindy Jacobus, Assistant City Clerk

Others Present: Karen Ward Reimer, Parks & Recreation Advisory Board Chair
Lorrie Hamilton, Parks & Recreation Advisory Board Member
Steve McGurren, Parks & Recreation Advisory Board Member

Mayor Dunn welcomed attendees and introductions were made. She stated Councilmembers Julie Cain and James Azeltine, and City Administrator Scott Lambers were unable to attend. A discussion of revisions to Park Impact Fees would be first, followed by discussion of the redevelopment plan for 96th and Lee Boulevard.

Councilmember Rawlings questioned, based on absences, if the Work Session would be a final wrap-up for future direction on the redevelopment plan. Mayor Dunn stated the Work Session was likely not the final meeting on the redevelopment plan, as public input was needed. She stated that Mr. Lambers had provided several comments for her to share.

Discuss Revisions to Park Impact Fees

Ms. Claxton noted as mentioned in the Staff Memo, there had been a couple of missed opportunities to discuss revision of Park Impact Fees due to lack of meeting time, and ironically, it was almost time for annual consideration of impact fees.

Ms. Claxton stated the impetus for suggested revisions was the fees have remained unchanged since adopted in 1987. With increased residential construction and commercial development, revision of the fees would be a financial benefit to the City. The Parks & Recreation Advisory Board requests Council input on proposed revision from current fee of \$0.10 per sq. ft. to \$0.15 to \$0.20 per sq. ft. for commercial and proposed revision from the current fee of \$300 per unit to \$400 to \$500 per unit for residential.

Mayor Dunn stated the Arts Impact Fee had been increased to \$0.15 per sq. ft. in 2008 and no comments on the increase had been received. She suggested an increase to \$0.15 per sq. ft. for the commercial Park Impact Fee would be more logical and palatable than an increase to \$0.20 per sq. ft. Advance notice of the fee increase should be provided and the fees should be reviewed every few years. It is appalling the fees have not been reviewed until now.

Councilmember Sipple asked if developers would be against a 50% increase and how an effective date for fee assessment is determined, pointing out that a substantial amount of planning is complete for the final phase of Park Place and The Hills of Leawood. Mr. Coleman opined that developers might push-back on a 50% increase. He suggested an effective date of at least 60 days in the future would be less likely to impact the application pipeline. Councilmember Sipple suggested an effective date of September 30 or a minimum 90 days, would provide sufficient notice.

Mr. Klein stated the Park Impact Fees are collected at Building Permit issuance for commercial development and at Final Plat for residential. For commercial development, the fee is based on square footage, and for residential the fee is assessed per unit, including condominiums and apartments. He stated the Final Plan for The Hills of Leawood is on the Planning Commission meeting agenda for April 24. Park Plan would likely submit their Final Plan to the Planning Commission at their next meeting.

Councilmember Osman requested the square footage of the final phase of Park Place. Mr. Coleman estimated the approved Preliminary Plan contained an 84-room hotel, a 60,000 sq. ft. new office building, a future planned 7-story office building and residential units. Councilmember Osman pointed out the Park Impact Fee for a 200,000 sq. ft. development at \$0.10 per sq. ft. would be \$20,000 and increasing the fee to \$0.20 would be \$40,000. Material costs are rising, there can be cost overruns and a fee increase without notice could have a significant impact. For a large project such as The Hills of Leawood on 151st Street, cents add up to dollars. Without notice, there could be backlash. An increase in the residential fee to \$400 or \$500 would be as much of a challenge. Councilmember Filla pointed out that many entities of a development can split / divide the commercial fee.

Councilmember Filla asked if Councilmember Sipple had performed an analysis of differential effective date timing. Councilmember Sipple stated he had met with Budget Finance Manager Kathy Byard, who provided information that the City collected Park Impact Fees of about \$40,000 for the past two years, and \$10,000 has been collected thus far this year because of Hallbrook additions. On average, about \$45,000 per year in fees are collected.

Councilmember Filla suggested the current commercial fee could be increased to \$0.12 because of projects already in the pipeline and increase to \$0.15 effective January 1, 2019. For perspective, the average national inflation rate is 2%; the proposed increase is a more manageable and fair amount compared to the inflation rate.

Councilmember Harrison favored commercial fee increase to \$0.15 per sq. ft. effective January 1, 2019, and to review the fee in five years. To double the fee from the current amount would not be good. The Leawood Chamber's Director of Economic Development, Kevin Jeffries, might consider such an increase to be not developer friendly. It would be best to make incremental steps.

Mayor Dunn confirmed to Councilmember Rawlings that Park Impact Fees apply only to new and not existing property. The \$5 per-person fee Councilmember Rawlings noted on his annual property tax bill goes to the Arts Fund [comprised of the City Capital Art Fund, Cultural Arts Program-General Fund and the Community Theater Program-General Fund].

Ms. Claxton recalled that several years ago, the ordinance changed to include renovations of all developments and she gave the example of Camelot Court. Mr. Klein stated the fees apply to new construction or expansion only. A new tenant with a change of building finish is not assessed. Ms. Claxton stated she had discussed this with Ms. Byard, but the fee assessment for Camelot Court was likely due to the Hen House expansion.

Mayor Dunn stated the Art Impact Fee is collected for commercial remodels and not collected on residential. Mr. Klein stated that fee is only collected on additions and not remodels. Ms. Bishop stated the Art Impact Fee ordinance was written to apply to any reconstruction and policy specifically uses the term "remodeling." Mr. Klein stated his understanding the fee was to apply to space built. Ms. Bennett stated in regard to new and remodels, the definition of building permits includes rehab for commercial.

Mayor Dunn asked for discussion on residential increase from the current \$300 per unit to \$400 or \$500 per unit. She suggested an increase to \$400 and that future analysis would be appropriate.

Councilmember Harrison favored residential fee increase to \$400 and stated that commercial seems to be hit with the most fees.

Councilmember Filla offered to use the same percentage increase as commercial, 50%, and increase the residential fee to \$450. She called attention to the total expenditure of the four buildings in the final phase of Park Place against a \$40,000 Park Impact Fee. Mayor Dunn stated the City would have the option of exempting projects in the current pipeline from fee increase. Mr. Coleman stated that Park Place developers have been working on the project for quite some time and they assume a Park Impact Fee of \$0.10 per sq. ft. The developers have been striving to control project costs, and to double the fee at this point would be unfair.

Councilmember Osman suggested an increase of 33%, which would not impact small commercial or residential. A 50% increase for commercial would be too large.

Councilmember Larson stated the Parks & Recreation Department has shown great restraint in fee income. She favored commercial fee increase to \$0.15 per sq. ft. and residential fee increase to \$400, exempting projects currently in the pipeline, and performing an analysis again in a few years.

Councilmember Rawlings supported exemption of any projects in the pipeline, commercial fee increase suggested by Councilmember Osman and to examine the Park Impact Fee every budget year.

Ms. Bennett stated there are four impact fees submitted to the Council in the Spring of each year: South Leawood Transportation, 135th Street, Parks, and Art. City budget and fee analysis could dovetail. Mayor Dunn stated if Parks & Recreation had not raised the issue, the Governing Body would likely to have continued the fees as in the past.

Mayor Dunn stated that a commercial Park Impact Fee increase to \$0.15 per sq. ft. being consistent with the current Art Impact Fee, exemption for projects in the current pipeline, and effective date either 90 days in the future or on January 1, 2019, would be sensible.

Mr. Coleman confirmed to Councilmember Filla that current pipeline projects have Preliminary Plan approval and fees could remain unchanged, and revised fees apply to any applications received after a chosen effective date. He suggested an effective date of 90 days. Ms. Harper pointed out that any recommendation would need to go before the Governing Body at a Council meeting, likely in May, and if approved, would thereafter require ordinance publication.

Mayor Dunn summarized that Councilmembers Filla, Harrison, Sipple and Larson supported a commercial Park Impact Fee of \$0.15 per sq. ft. Councilmember Rawlings stated he was also agreeable to this fee increase with adequate notice. Councilmember Osman stated an increase of \$0.13 or \$0.15, with adequate notice, was acceptable. Mayor Dunn stated the effective date would be September 1, 2018, and all projects in the current pipeline would be exempt. She pointed out the convenience of having the Art Impact Fee and Park Impact Fee assessed at the same amount per sq. ft. She stated agreement was heard for residential Park Impact Fee increase to \$400.

Mayor Dunn thanked all participants.

Discussion of Redevelopment Plan for 96th and Lee Boulevard

Ms. Claxton stated a large amount of information had been provided in the meeting packet, which included minutes of prior Governing Body and Historic Commission meetings. A list of questions for discussion and Governing Body input, some of which are from the Task Force comprised of Councilmember Julie Cain, Parks & Recreation Advisory Board Chair Karen Ward Reimer, Parks Superintendent Brian Anderson and herself, are located at the end of the packet. The Park Site Plan Request for Proposal [RFP] states project start would not immediately commence because of outstanding issues. The selected consultant needs to know as much information as possible for their work. Two large photo collages of existing site buildings were displayed and available for reference.

Ms. Claxton confirmed to Councilmember Rawlings the contract for the new Fire Station to be constructed on the site would be separate from the contract for the rest of the development.

Mayor Dunn stated comments from the City Administrator Scott Lambers for consensus consideration, as follows:

1. The City will move forward with construction of a new Fire Station, pushed south on tract.
2. Re-affirm the fact the City would save old City Hall on site and most likely need to relocate the building on a slab.
3. Consider disposition of the existing Fire Station; take down completely or discuss keeping inner bay.
4. Consider the need for public input. The site is a small tract and every decision to retain or include an item takes away another opportunity. A spray-ground amenity had been mentioned previously, and he supports this, but need to know what the public thinks.

Mayor Dunn stated the current Fire Station continues to have “Band-Aid” repairs, so all agreed a new Fire Station is needed. At previous Work Sessions, it was agreed to leave old City Hall on the site, knowing the building would likely need to be moved to accommodate the new Fire Station.

Councilmember Sipple disagreed with retaining old City Hall on the site. His first choice would be relocate the building to another site, but that would be an expensive endeavor, and the building has mold and dry-rot. He suggested using as many original architectural items from the structure such as columns and cupola on a new building on slab. He stated 90% of residents like the appearance of the old City Hall, but they do not have a historic attachment. His suggestion is based on appeal to 90% of residents. Mayor Dunn stated only the history of the building, and not this suggestion, had been previously discussed. She pointed out it cost \$134,000 to relocate Oxford School House. Councilmember Harrison added the school house is much smaller and in better condition than the old City Hall.

Councilmember Rawlings disagreed with Councilmember Sipple’s suggestion; he favors lifting old City Hall and placing on slab. This would eliminate the need and expense for an elevator. Having a meeting room in the old City Hall would be fine, but the City has many available rooms in City Hall and the Justice Center. Since the old City Hall would not be open all the time, which would require additional Staff, ADA compliant [Americans with Disabilities Act] restrooms to serve the building could be built along a walkway path or attached to the exterior of the new Fire Station when it is constructed.

Councilmember Harrison stated the minutes of Historic Commission meetings indicate they want a meeting space and a museum. She favors to relocate old City Hall on slab, but it is not practical to keep the old Fire Station. A bay for the historic fire truck and ADA compliant restrooms that unlock on a timer could be built on old City Hall. A park with nice restrooms and old City Hall should be at opposite end of the site, away from the new Fire Station. This would keep guests away from the working Fire Station. Mayor Dunn stated the buildings would be 50 ft. apart. She reminded the tract is only three acres, so no walk would be lengthy. She pointed out the small amount of open space surrounding the current City Hall on three-fourth acre.

Councilmember Filla referred to the hand-annotated site plan in the meeting packet and the photo collage display. She pointed out the existing Fire Station has two original bays and houses the historic fire truck. There is some leakage on the sides of the building, but there is no settling of the brick and it has a wooden roof. The building was solidly constructed. There would be benefits to not having guests view the historic fire truck in the working Fire Station. Chief Williams agreed the construction was solid. As is done now, guest access in the working Fire Station would need to be controlled. Restrooms would need an outside access.

Councilmember Filla pointed out cost has been included for storage of the historic fire truck in the build of the new Fire Station could be used to re-purpose one-half of the existing old Fire Station for the truck display and the other one-half for a park shelter, similar to the north I-Lan Park Shelter that can accommodate four tables. The size of the new Fire Station might be reduced if space for the historic fire truck was removed from the new Fire Station and firefighter dormers moved from the first floor to the second floor.

Councilmember Filla state since there would be the opportunity to take the costs saved from removal of storage for fire truck in the new Fire Station and demolition of current Fire Station, she would want an RFP to investigate alternative costs of taking the central original two-bay core of the existing Fire Station for re-purposing. The bay and shelter could have the same symmetry and appearance of old City Hall, with shared parking out front. The hand-annotated drawing is actually the plan she supports.

Chief Williams confirmed to Mayor Dunn that the current design plans for the new Fire Station include a place for the historic fire truck. He stated the design of the new Fire Station is long and narrow, with dormers on the first floor, a classroom and other areas on the second floor, and an exercise room in the basements. Design is fairly far along and all needs have been addressed. To incorporate exterior architectural details to mimic the Old City Hall and current Fire Station would probably not add much to the project. Councilmember Osman offered that minor exterior changes would be less costly than changes to interior configuration.

Chief Rettig confirmed to Mayor Dunn that there may be a space large enough to accommodate the truck in open area underneath Court in the Justice Center, but access to this area would not be large enough.

Ms. Claxton clarified the hand-annotated site plan had been prepared by DeGasperi & Associates Architecture when the company was working on the footprint for the new Fire Station. The consultant retained will need to be able to merge all site functions. A proposed site plan of existing buildings and location of the new Fire Station is provided in the meeting packet.

Councilmember Osman stated the site is in his Ward and it is important to have the right plan, with a long-term view of 50 to 70 years. The property has been there since the inception of the City. In speaking with his constituents, the Ward is neglected, with all attention focused on the south. South Leawood has Ironwoods, Ironhorse, Gezer and I-Lan. Brook Beatty Park was an "olive branch" to north Leawood, and the City received only one negative comment related to possible negative impact on traffic, which ultimately did not come to fruition; walking actually increased. The City needs to be open and take a hard look at this between now and next year. He stated agreement with Councilmember Sipple, having attachment only to the façade of the old City Hall, not the building.

The new Fire Station and a new better City Hall building could be constructed with the architectural features of old City Hall. It is important to retain “Old Leawood” charm and for the look to fit the neighborhood. Whether or not to keep the current Fire Station on site is a separate discussion.

Councilmember Osman confirmed to Mayor Dunn that he would like to see historic architectural details used on the new Fire Station, similar to how the fire-damaged Prairie Elementary School was rebuilt with its original architectural façade.

Councilmembers Harrison and Larson favored keeping the architectural character of building similar such as white trim work and cupolas.

Councilmember Osman stated he would like to hear the Historic Commission’s opinion of the discussion and the option of having a new identical City Hall building. Councilmember Filla stated the Historic Commission does not want a new building or for old City Hall to be located to another site. The Historic Commission is not as wedded to the old Fire Station as to the old City Hall. She stated that Former Councilmember Gary Bussing had wanted to demolish. She pointed out that beyond the minutes of Historic Commission meetings found in the packet, the Fire Station housed the City Hall and Police Department.

Councilmember Larson inquired if the old City Hall would host classes and be visited by students similar to the Oxford School House. Ms. Claxton stated staffing and the reality of being open seven days a week needs consideration and decision; it may be open by appointment. Mayor Dunn stated there are many historic artifacts currently stored in basements and attics. She believes the building would not be set up to be a City Hall from yesteryear, so it would be different from school house. Councilmember Filla stated the Historic Commission wants a versatile place for meetings and art exhibits. The building would not have to be large enough to store all artifacts or be climate-controlled; most artifacts would be kept off-site and have not been in a climate-controlled environment. Exhibits could rotate, perhaps with the seasons. For example, the history of swim teams.

Councilmember Sipple stated if his understanding of the artist’s rendering, all three buildings would have the same set-back to the east off Lee Boulevard. An option would be to join the existing Fire Station and the eastern side of old City Hall to create a meeting and storage space. Councilmember Filla stated her belief there was no need for on-site storage space for artifacts.

Councilmember Rawlings stated that years ago he thought the site would only be a park. We are now looking at keeping part of the old Fire Station that has no historic value being only just the first station, 50 to 60 years old. The historic fire truck has a place in the new Fire Station. The truck must be secured, which defeats storage in conjunction with a shelter. He likes the idea that part of the old Fire Station would be a park shelter. Overall, the ideas presented result in a large amount of impervious space rather than green space. It would be cheaper to just demolish the existing Fire Station.

Mayor Dunn confirmed to Councilmember Osman that an architect had been hired for the new Fire Station. Councilmember Osman stated the minimum and maximum space left after layout of various options and associated parking should be determined and this information presented to the residents.

Councilmember Larson stated residents should be asked what they want preserved. Mayor Dunn stated it would make sense to include a park shelter on the site.

Mayor Dunn stated she had not heard a consensus on the disposition of the old Fire Station and citizen input would be needed before a final decision was made.

Councilmember Harrison requested costs associated to keep and renovate the old Fire Station. Mayor Dunn requested the cost of building a new shelter or to retro-fit the wings of the old Fire Station. Councilmember Filla pointed out there was going to be cost to demolish the existing Fire Station, regardless.

Mayor Dunn inquired if Ms. Claxton needed additional direction at this time. Ms. Claxton stated her next steps would be to host a citizen interact meeting for resident input soon and before hiring the consultant. Mayor Dunn suggested the meeting could be held in the Oak Room of City Hall or at the Justice Center. Councilmember Sipple suggested a consultant may benefit from being part of the interact meeting. Ms. Claxton stated if the consultant was not present at the interact meeting, information from the meeting would be available.

Mayor Dunn inquired who would provide the requested cost alternatives and stated the information would not be needed for the interact meeting. Mr. Ley and Ms. Claxton confirmed the requested information would be provided by Mr. Coleman, Mr. Ley and Ms. Claxton.

Councilmember Osman pointed out he includes a request in RFPs for architects to envision two or three different options for what would be ideal on a site. Ms. Claxton stated that most RFP respondents do not wish to reveal too much proprietary information. The fit of options would be entertained once the remaining available acreage is determined. The RFP advised the City was not intending to hire an architect at this time.

Mayor Dunn stated there had been great discussion and she thanked everyone for their attendance. She stated appreciation for the good work of the Parks & Recreation Advisory Board.

There being no further business, the Work Session was adjourned at 7:20 P.M.

Debra Harper, City Clerk

Cindy Jacobus, Assistant City Clerk