

Minutes

DVD No. 437

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, March 18, 2019. Mayor Peggy Dunn presided.

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

Councilmembers Absent: Andrew Osman

Staff Present:

Patty Bennett, City Attorney	David Ley, Public Works Director
Chief Troy Rettig, Police Department	Richard Coleman, Comm. Dev. Director
Chris Claxton, Parks & Recreation Director	Chief Dave Williams, Fire Department
Nic Sanders, Human Resource Director	Mark Klein, Planning Official
Dawn Long, Finance Director	Ross Kurz, Info. Services Director
April Bishop, Cultural Arts Coordinator	Debra Harper, City Clerk
Mark Tepesch, Info. Services Specialist III	Cindy Jacobus, Assistant City Clerk

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

<u>Arts Council Committee</u>	<u>Leawood Stage Company</u>
Mary Tearney, former Chair	Paul Anderson
Julia Steinberg	Cindy Flaspohler
David Hazen	Kim and Lynn Sheek
Kim Hinkle	
Dr. Ann Kenney (former member)	

Alice Hawk, Leawood Foundation Chair

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

Mayor Dunn noted the agenda had been amended to continue Agenda Item 13.E., 2018 Update to the Comprehensive Plan, to the April 1, 2019 Governing Body meeting.

A motion to approve the amended agenda was made by Councilmember Rawlings; seconded by Councilmember Cain. 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 Recognition Resolution No. 5140 of
Mary Tearney, former Arts Council Chair**

Mayor Dunn read the resolution into the record. Mayor Dunn then read the inscription of a crystal Outstanding Service Award, and presented both to Ms. Tearney. Attendees gave a standing ovation.

Ms. Tearney thanked everyone and stated in 1995, the mission of the Arts Council Committee was to expand and enhance the quality of life for citizens. She stated her belief she had accomplished the mission in the last 25 years and hoped she had done a good job, giving her heart and soul. When she came on-board in October 1995, the budget was \$700. She wants to continue in any capacity needed to support the City. She expressed appreciation for years of support, and will continue to support the leadership that will follow, providing for continued growth of programs though space may be limited. It has been a wonderful 25 years.

Ms. Tearney stated she is proud of accomplishments as Arts Council Committee Chair, but it took other volunteers helping along the way such as the Leawood Stage Company and Arts Council Committee Liaisons Councilmembers James Azeltine and Julie Cain. They have been supportive, especially Councilmember Azeltine who participates in many Leawood Stage Company productions. She acknowledged the support and assistance of current and former members of the Arts Council Committee, Leawood Stage Company members, and Alice Hawk, Leawood Foundation Chair, in attendance tonight. Ms. Tearney thanked attendees for their recognition.

Mayor Dunn stated the budget is certainly larger today, with reasons being the City's unique privilege of citizens willing to fund the arts, and confidence in Mary's leadership and her team. It is an extraordinary accomplishment and the City wants Mary to continue. Ms. Tearney stated Leawood is the envy of the metro area and no City has more volunteers. Leawood Stage Company productions can involve over 100 volunteers.

Mayor Dunn thanked everyone for their attendance.

A motion to approve Agenda Item 5. was made by Councilmember Filla; seconded by Councilmember Harrison. The motion was approved with a unanimous vote of 7-0.

6. SPECIAL BUSINESS – None

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. 2019-9 and 2019-10
- B. Accept minutes of the March 4, 2019 Governing Body meeting
- C. Accept minutes of the January 30, 2019 Stormwater Management Committee
- D. Accept minutes of the October 25, 2018 Ironhorse Advisory Board meeting
- E. Accept minutes of the October 23, 2018 Leawood Foundation meeting
- F. Approve purchase in the amount of \$111,036.00, from Shawnee Mission Ford for the purchase of [3] vehicles for Public Works
- G. **Resolution No. 5142**, accepting the 2018 Annual Report regarding the Leawood Park Impact Fee, pursuant to § 12-409, of the Code of the City of Leawood, Kansas, 2000
- H. **Resolution No. 5143**, accepting the 2018 Annual Report regarding the Public Art Impact Fee, pursuant to § 12-609, of the Code of the City of Leawood, Kansas, 2000
- I. **Resolution No. 5144**, approving and authorizing the Mayor to execute a Service Agreement in the amount of \$68,820.00, between the City and Next to Nature, pertaining to right-of-way [ROW] and median maintenance
- J. **Resolution No. 5145**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$3,219,842.85, between the City and J. M. Fahey Construction Company, pertaining to the Mission Road Improvement Project, between 119th Street and 127th Street [Project # 72065]
- K. **Resolution No. 5146**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,466,445.30, between the City and McAnany Construction, pertaining to the 2019 Residential Mill & Overlay Program [Project # 70026]
- L. **Resolution No. 5147**, approving and authorizing the Mayor to execute Amendment No. 1 to that certain Engineering Service Agreement dated March 19, 2018, between the City and HDR Engineering, Inc., for a total amount not to exceed \$70,035.00, pertaining to the Preliminary Engineering Study for drainage improvements north of I-435 between Mission Farms and Lee Boulevard [Project # 73004]
- M. **Resolution No. 5148**, approving and authorizing the Mayor to execute a Reimbursement Agreement for an amount not to exceed \$1,300,000.00, between the City and Magellan Pipeline Company, L.P., pertaining to the 143rd Street Improvement Project from Windsor to Kenneth Road [Project # 80129]
- N. **Resolution No. 5149**, accepting a Deed of Dedication for Right-of-Way from Grantors Pedro L. and Susan B. Rodriguez, for property located at 14204 Canterbury Court, Lot 4, Block 4, Charlemagne Manor Subdivision, pertaining to the 143rd Street Improvement Project from Windsor to Kenneth Road [Project # 80129]
- O. **Resolution No. 5150**, accepting a Temporary Construction Easement from Grantors Pedro L. and Susan B. Rodriguez, for property located at 14204 Canterbury Court, Lot 4, Block 4, Charlemagne Manor Subdivision, pertaining to the 143rd Street Improvement Project from Windsor to Kenneth Road [Project # 80129]
- P. **Resolution No. 5151**, accepting a Temporary Construction Easement from Grantors Mujeep A. Noorani and Maria Noorani, for property located at 12851 Pembroke Circle, Lot 3, Block 3, Leawood South, Second Plat, pertaining to the 2018 CMP Replacement Project [Project # 80255]

- Q. **Resolution No. 5152**, approving a Revised Final Plat for the Smith Estate, located south of 143rd Street and west of Mission Road. (PC Case 07-19) *[from the February 26, 2019 Planning Commission meeting]*
- R. **Resolution No. 5153**, approving a Revised Final Sign Plan for Plaza Pointe – Revised Sign Criteria, located south of 135th Street and east of Briar Street (PC Case 08-19) *[from the February 26, 2019 Planning Commission meeting]*
- S. **Resolution No. 5154**, approving a Final Plan for changes to the façade of a tenant space for Town Center Crossing – Lovesac (Retail: Furniture), located south of 119th Street and east of Roe Avenue. (PC Case 09-19) *[from the February 26, 2019 Planning Commission meeting]*
- T. Police Department Monthly Report
- U. Fire Department Monthly Report
- V. Municipal Court Monthly Report

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

Councilmember Harrison requested Consent Agenda Item 7.Q. be pulled.

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

- 7.A. Accept Appropriation Ordinance Nos. 2019-9 and 2019-10

Councilmember Sipple stated he would recuse from voting because his wife was listed as a payee. She provides services to the Parks & Recreation Department as an outside contractor.

A motion to approve Consent Agenda Item 7.A. was made by Councilmember Filla; seconded by Councilmember Larson. The motion was approved with a unanimous vote of 6-0, with recusal by Councilmember Sipple for reason stated.

- 7.Q. **Resolution No. 5152**, approving a Revised Final Plat for the Smith Estate, located south of 143rd Street and west of Mission Road. (PC Case 07-19) *[from the February 26, 2019 Planning Commission meeting]*

Mr. Coleman stated the lot had been replatted from one to two lots in the past by the Spears family, anticipating the construction of a home for a family member. Construction did not take place and the Spears sold the property to the Smiths, and the Smiths are platting for one lot. He confirmed to Councilmember Harrison the replatted singleton lot was shaded in blue on Page 2 of the Staff Report, and his understanding the area will remain as one lot in the future.

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

8. MAYOR'S REPORT

- A. Our sympathies to the family and friends of Leawood resident Dr. Morry Wise, husband of former Mayor Jean Wise, who passed away on March 6 at the age of 80. Morry was a great athlete, and cycling was one of his passions. I often met him while walking along the Tomahawk Creek Trails – although he was on a bicycle.

- B. Roeland Park Mayor Mike Kelly hosted the March meeting of the Johnson & Wyandotte Counties Council of Mayors. Meeting agenda consisted of presentation by United Community Services of Johnson County Board Members on topic of affordable housing. They would like to have a multi-jurisdictional housing study funded. The last one was done in 2004 and funded by Johnson County.
The second topic was a legislative update by Overland Park Lobbyist Dick Carter. He stated that the first half of the session was on the “fast track to nowhere!”
- C. Attended the Kansas/Missouri State Affairs Committee Presentation on the “Border War” hosted by the Greater Kansas City Chamber of Commerce. There is a bill that has been worked through the Missouri Senate on its way to the House that would alter the current practices of the Missouri Works Program and the Kansas PEAK Program.
- D. I had the pleasure of presenting abbreviated “State of the City” remarks to both the Leawood Lions and the Leawood Rotary Club this past week. My thanks to Councilmember Rotarians Jim Rawlings and Lisa Harrison for hosting me.
- E. Congratulations are in order for Deputy Police Chief Kevin Cauley who retired after 27 years of dedicated service to our community. Chief Rettig hosted a great celebration with many former Police Department retirees and other Police Chiefs throughout the metro region. We wish him well on his life’s next journey.
- F. Congratulations on Police Department promotions for Captain Kirt Yoder, Sergeant Shane Chambers and Corporal Chris Hargis.
- G. Received correspondence from Leawood resident Tom Hall, 4421 W. 112th Terrace, dated February 18, 2019, that reads:
 - “I hope you take a few minutes during a council meeting to compliment the Leawood road crews who have, and continue, to keep our streets clear and safe. They do an exceptional job and deserve a thank you from each of us as citizens as well as each member of the council. Thank you.”
 Public Works Director David Ley will receive a copy.
- H. Received card in mail from Leawood Arts Council member Stephanie Hamil that reads:
 - “The Germans say...Danke Schön! The French say...Merci Beaucoup! The Spanish say...Imuchas Gracias! And I say...I’m speechless with gratitude, but then I say a BIG THANK YOU for Storm Damage Pick-up.”
 Public Works Director David Ley will receive a copy of this as well.

9. COUNCILMEMBERS’ REPORT – None

10. CITY ADMINISTRATOR REPORT – None

11. STAFF REPORT – None

COMMITTEE RECOMMENDATIONS

12. ARTS COUNCIL

[from the January 22, 2019 Arts Council meeting]

Repair of Art Piece, 'Faith,' located at Brook Beatty Park, located at 8646 Lee Boulevard

Mayor Dunn stated she viewed the damaged piece yesterday. Ms. Bishop stated the tree branch that struck the sculpture was not that large, but hit right on an edge of the piece creating a crack. She and Ms. Bennett confirmed there has been no response from the City's insurance company. Ms. Bishop stated questions exist about how much insurance will pay and the piece is being appraised. Mayor Dunn stated since the piece was purchased several years ago and the sculptor has passed, the value of the piece should have increased significantly. Ms. Bishop stated the piece is unique and most of the sculptor's pieces are displayed in museums, not outdoors. Zahner is recommended as the only company to take on the repair task and do a perfect job.

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

13. PLANNING COMMISSION

[from the February 26, 2019 Planning Commission meeting]

A. **Resolution No. 5155**, approving a Revised Final Plan for Town Center Plaza – Chase Bank, located north of 119th Street and west of Roe Avenue. (PC Case 11-19)

Mr. Patrick Bennett, Core States Group, Architect-Engineering Consultant, 6500 Chippewa Street, St. Louis, Missouri, stated the project was straightforward. A portion of the development, the former Dean & Deluca building, is being remodeled for a bank and drive-through ATM, and space for a future unconfirmed tenant, with associated improvements to the site to facilitate the changes. Minimal changes to the building exterior are expected.

Councilmember Cain noted the land-banking of additional parking spaces, with assumption space would be available. Mr. Klein stated currently the tenant does not need those 11 spaces, five of which would be located in the back on the west side of the building and six located in the northeast corner of the site. These parking spaces are not striped in the proposed Revised Final Plan.

Mr. Klein confirmed to Councilmember Cain if the applicant would decide the land-banked spaces are needed in the future, this would be a Revised Final Plan that would come back before the Planning Commission and Governing Body for consideration. Councilmember Cain questioned the reason for not installing the parking spaces at this time. Mr. Coleman stated six of the spaces are located by the trash dumpster and may be needed for truck access, and five spaces would need to be paved. It is desired to keep the site as green as possible at this time.

Councilmember Sipple stated ATMs typically are designed with a dedicated driveway from the street so ATM users do not have to drive through an active parking lot. He expressed concern the proposed ATM would be accessed through the parking lot parallel to Roe, where other customers would be backing vehicles into the ATM access driveway. Mr. Bennett stated the applicant is comfortable with the layout; the site is limited with an existing facility. Design options were reviewed and the ATM might have been recessed if it had been possible. Councilmember Sipple stated he was agreeable to the plan, as long as the bank and Planning Commission accepted, but there could be a future problem.

Mayor Dunn inquired about the number of Chase employees. Mr. Bennett estimated eight to 10, with staffing based on anticipated customer volume.

Councilmember Sipple asked if the bank would contain a vault to store cash overnight or if the bank had other arrangements. Mr. Bennett stated he is not familiar or privy to the bank's requirements, but expected there would be a vault. Mr. Coleman agreed with the assumption the bank would contain a vault.

Councilmember Cain stated she was personally thankful to have a Chase Bank in the area. Mayor Dunn pointed out this is the first Chase Bank in Kansas, with another planned for 77th Street and State Line Road in Missouri. Mr. Bennett stated the proposed bank and bank/ATM on State Line Road are hoped to be open by the end of 2019. Chase Bank's fiscal year runs January through December.

A motion to approve Agenda Item 13.A. was made by Councilmember Filla; seconded by Councilmember Azeltine. The motion was approved by a vote of 6-1; Nay vote from Councilmember Sipple for concern of site traffic flow.

B. **Ordinance No. 2930**, approving a Special Use Permit [SUP] for a Place of Worship for Village of Seville – The New Apostolic Church USA, located north of 133rd Street and west of State Line Road. (PC Case 12-19) [ROLL CALL VOTE]

Mr. Dave Eskov, Klover Architects, Inc., 10955 Lowell, Overland Park, did not have a presentation on behalf of applicant.

Councilmember Harrison asked if the church was meeting at another location at this time. Mr. Eskov stated the church meets in Overland Park and Raytown, with a combined congregation of 120 members. The church would have a five-year lease at the proposed location.

Councilmember Cain stated there are only a few handicap parking spaces located nearby, creating a hardship at this time. The Breakfast Spot and Windy City Pub are close-by. She asked if the Special Use Permit [SUP] request would result in additional handicap parking spaces. Mr. Klein stated a total of 88 parking spaces are required for the development. He stated he would speak with the City's Building Official in regard to her concern.

Mr. Eskov confirmed to Councilmember Sipple the church anticipates using the location only for the renewable five-year lease term although the SUP term is 20 years. However, the church could be there longer than five years if a permanent location cannot be found.

Councilmember Harrison expressed parking concerns, stating that St. Luke's Micro-hospital likely has 20 staff members needing 20 parking spaces around-the-clock, the church might use 100 parking spaces, and the Breakfast Spot also needs parking and their staff would likely need 10 spaces. She did not want to see signs erected to mark dedicated parking spaces, or negative situation develop between neighbors. Mr. Klein stated the church would utilize parking in front of the church and on the west, leaving 10 spaces in the other area. Staff felt available parking would be satisfactory, especially since church parking would be needed on Sunday mornings, one Wednesday a month from 7:30 P.M. to 9:00 P.M., and on religious holidays such as Christmas and Easter. There is a cross-parking agreement for the Village of Seville development.

Mayor Dunn pointed out the Staff Report states the development is currently under parked, and the church expects one parking space for every three seats. Mr. Eskov stated approximately 40 cars maximum are expected for services.

Mayor Dunn stated there was no stipulation for evaluation of parking, and questioned if this needed to be added to address any future concerns. Mr. Klein stated Staff felt parking would not be a problem. The Religious Land Use and Institutionalized Persons Act of 2000, requires a religious institution to be treated as a business, therefore an SUP is required. It is hoped the church will drive business to the center; Mayor Dunn agreed. Mr. Klein stated at full build-out of the development, the site will need to conform to the LDO, and in the Village of Seville development there is to be no dedicated/marked parking. Mr. Coleman stated Staff is comfortable with 100 available parking spaces for three businesses.

Councilmember Azeltine stated very good attendance at a service is 20% to 30% of a congregation, unless the church is having a large function or special observance. He stated the church would likely be a beneficial “good problem” for restaurants.

Councilmember Cain stated Windy City Pub, Anytime Fitness and the Massage Parlor employees all park around back and use employee entrances. The Breakfast Place opens at 6:30 A.M. and Windy City Pub opens at 10:30 A.M. on Sunday. It is not safe to assume there will be adequate and non-designated parking, or church parking available in these areas.

Mr. Eskov confirmed to Councilmember Cain the church would not have a kitchen; only beverages such as coffee would be offered.

A motion to pass Agenda Item 13.B. was made by Councilmember Cain; seconded by Councilmember Sipple. The motion was approved with a unanimous roll call vote of 7-0.

C. **Ordinance No. 2931**, approving a Special Use Permit [SUP] for a before-and-after school program for Brookwood Elementary School, located south of 103rd Street and east of Mohawk Road. (PC Case 13-19) [ROLL CALL VOTE]

Ms. Kim Chappelow-Lee, Johnson County Park & Recreation District, 6501 Antioch, Merriam, provided history and status of the before-and-after school program. She stated the program is not new to the school, being in operation since 1983 and the first such program in Johnson County. The program continues to thrive, but had been displaced to Indian Creek Technology Center during construction at Brookwood. Students have now returned to Brookwood. There is strong community support of the program.

Councilmember Filla asked Staff why the City requires a Special Use Permit [SUP]. Mr. Klein stated the program is considered a daycare with paid fees for 60 school age and 24 preschool age children. A SUP is required for a daycare business per the Leawood Development Ordinance.

Councilmember Larson stated the program is wonderful and is glad it is offered. She asked Staff if the school was making progress on lighting and being a better neighbor. Mr. Coleman stated the City has discussed lighting with the school. All landscaping has been installed and once mature, this will help. Mayor Dunn stated the school has gone above and beyond what was required by ordinance.

Councilmember Filla stated she had received an e-mail from a resident stating parking lot lighting had decreased, but lighting on the flagpole and exterior still needed to be addressed. Mr. Coleman stated the flag is continually lit and its lighting had been misaligned. He will discuss lighting with the school.

Councilmember Sipple inquired if the SUP would cover Summer programs as well as programs during the traditional school year, and if the Shawnee Mission School District would notify residents if a Summer program was to be held at Brookwood. Ms. Chappelow-Lee stated locations of the five Summer programs rotate through all schools in the district, and locations are not assigned/announced until January. Summer programs will eventually be held at Brookwood, but not this year. Typically, residents are not provided notice there will be a Summer program held at a school. Many long-term residents did not realize the school has before-and-after care until they received notice of an Interact Meeting for the proposed SUP. Children are not allowed off school property and traffic patterns do not change. If required notification could be given, but the face of the program and interaction with neighbors does not change.

Councilmember Azeltine shared his past experience working with Ms. Chappelow-Lee as a member of the Parks & Recreation Advisory Board and becoming familiar with the daycare program. He stated the City is fortunate to have the program.

A motion to pass Agenda Item 13.C. was made by Councilmember Azeltine; seconded by Councilmember Larson. The motion was approved with a unanimous roll call vote of 7-0.

D. **Ordinance No. 2932**, amending § 16-2-7 of the Leawood Development Ordinance entitled “Table of Uses” and repealing existing Section 16-2-7 and other sections in conflict herewith. (PC Case 17-19) [ROLL CALL VOTE]

Mr. Klein stated the proposed amendment would allow the use “Recreation and Entertainment, Indoor” within planned Business Park [BP] zoning districts with a Special Use Permit [SUP]. The Leawood Development Ordinance [LDO] currently allows the use “Recreation and Entertainment, Outdoor” in these districts with SUP, though indoor use would likely be of less impact. In discussion between City Staff and Legal, it was recommended the parenthetical text “(excludes uses in retail Sales and Services)” be removed from the use “Recreation and Entertainment, Indoor” to allow retail sales in BP and SD-CR zoning districts. There would be a limitation of 20% of sales in the same building in BP, as the intent is not to have Business Park Districts become Retail Districts.

Mr. Klein confirmed to Councilmember Filla that property would qualify for this with a SUP.

A motion to pass Agenda Item 13.D. was made by Councilmember Filla; seconded by Councilmember Azeltine. The motion was approved with a unanimous roll call vote of 7-0.

E. Resolution approving the 2018 Update to the Comprehensive Plan of the City of Leawood, Johnson County, Kansas. (PC Case 144-18) – [CONTINUED TO THE APRIL 1, 2019 GOVERNING BODY MEETING]

Mayor Dunn agreed with Councilmember Filla’s suggestion that Councilmembers retain and bring to the April 1, 2019 Governing Body meeting the Comprehensive Plan documentation that had been provided.

14. OLD BUSINESS – None

15. OTHER BUSINESS – None

16. NEW BUSINESS

- A. **Ordinance No. 2933C**, amending Chapter 3, Article 1 of the Code of the City of Leawood, Kansas, 2000, entitled, ‘Cereal Malt Beverages,’ by amending § 3-101, 3-102, 3-103, 3-107, 3-109, 3-111, 3-114, 3-115, and 3-116, and repealing existing sections and other provisions in conflict herewith [ROLL CALL VOTE]

Ms. Bennett confirmed to Mayor Dunn that Cereal Malt Beverage and Liquor license holders would not need to come before the Governing Body to sell/serve beverages with up to 6% alcoholic content. The amendments proposed in Agenda Items 16.A. and 16.B. would be published and effective April 1, 2019. The proposed amendments would align City Code with State Statutes. Mayor Dunn stated the only way to identify alcoholic content would be to read the beverage label.

Councilmember Cain asked for the rationale for the proposed revision. Ms. Bennett stated over the years there has been concern about how small individually-owned stores in Kansas, as compared to Missouri, struggle to be competitive. They have good lobbyists and this legislation is a start to address concerns.

Councilmember Sipple inquired if there would be a difference in tax amount collected on different percentage sales. Ms. Bennett stated she would defer to the Finance Director for research. Mayor Dunn stated she thought tax would be based only on price paid.

A motion to pass Agenda Item 16.A. was made by Councilmember Rawlings; seconded by Councilmember Larson. The motion was approved with a unanimous roll call vote of 7-0.

- B. **Ordinance No. 2934C**, amending § 3-201 and 3-217 of the Code of the City of Leawood, Kansas, 2000, respectively entitled, ‘Definitions’ and ‘Revocation of Alcoholic Beverage Licenses’ and repealing existing § 3-201 and 3-217 sections and other provisions in conflict herewith [ROLL CALL VOTE]

A motion to pass Agenda Item 16.B. was made by Councilmember Larson; seconded by Councilmember Azeltine. The motion was approved with a unanimous roll call vote of 7-0.

- C. Schedule an Executive Session on Monday, April 1, 2019 for a Personnel Matter; City Administrator’s 6-month review

Mayor Dunn stated start time of the proposed Executive Session would be 6:00 P.M. There is also a Governing Body meeting scheduled that evening. Ms. Bennett stated she would provide specific motion language to be used to recess from public Council meeting to Executive Session, which is not needed to schedule the Executive Session.

A motion to approve Agenda Item 16.C. was made by Councilmember Rawlings; 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 8:35 P.M.

Debra Harper, CMC, City Clerk

Cindy Jacobus, Assistant City Clerk