

Minutes

DVD No. 447

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 Tuesday, September 3, 2019. Mayor Peggy Dunn presided.

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

Councilmembers Absent: None

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

Others Present: Anne Blessing, Chair, Leawood Arts Council
Kevin Jeffries, President, Chief Executive Officer and Director of Economic Development, Leawood Chamber of Commerce

1. **PLEDGE OF ALLEGIANCE** – Led by First Class and Star Rank Scouts from Troop 91.

2. **APPROVAL OF AGENDA**

Mayor Dunn pointed out the agenda had been amended where shown by asterisks in Agenda Item 9. and Agenda Item 11. In addition, a Bike-Walk Leawood committee referral would be made by Councilmember Chuck Sipple under Councilmembers' Report, Agenda Item 9.C.

A motion to approve the amended agenda was made by Councilmember Rawlings; seconded by Councilmember Harrison. The motion was approved with a unanimous vote of 8-0.

3. **CITIZEN COMMENTS**

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.**

Dr. Marc Turner, 12016 Mission Road, stated he was a retired physician having time for in-depth observation of the Mission Road project, specifically between 119th Street and 127th Street. He stated he had sent an email Councilmember Julie Cain, which all Council has now received, expressing concerns and raising questions about the project which are shared by members of his subdivision as well as others suffering from the project. He stated Public Works Director David Ley provided email answers to him earlier today. As a resident for 33 years, he recognizes the City's high standards and services.

He stated previous road construction projects have been well-managed and done in a timely manner, but the Mission Road project is an exception to the rule. The project has been mis-managed and information sent by the City has been inaccurate and infrequent. Mr. Ley has indicated there will be progress reports to residents and status update posted on the website every two weeks. Project delays in the Spring were understandable due to weather, but many days including last Friday, the weather was perfect and no work was being done along the mile. When work is done, it is by very few workers and amounts to little. Recently, one worker sat in truck until 10:30 A.M. and two other workers were going through items in the back of the truck for several hours; they left at 3:00 P.M. Many crew members are on cell phones for extended periods and take one hour lunches on his and other properties.

Mr. Ley has indicated one reason for project delays is extra time needed for boring which required double crews. Dr. Turner stated when his home was built 33 years ago, it was built on piers because of issue with fill. Rock fill in the area is well-known and should have been taken into account. Kansas City Power & Light [KCP&L] is also being used as an excuse, though admittedly they can be challenging to work with. Mr. Ley has stated that KCP&L does not allow timelines, but in Dr. Turner's personal experience on a solar panel project, KCP&L met his deadline at the last hour.

Dr. Turner questioned who is being held accountable, the consequences of mis-management and what the City is doing to expedite the project moving forward. He also asked why KCP&L cannot work to complete one project at a time instead of working at multiple sites. He thanked the Governing Body for their time and the opportunity to present concerns.

Mayor Dunn confirmed the Governing Body had received a copy of Mr. Ley's email responses. She stated Mr. Ley was present and heard all comments, which are part of the record. If Mr. Ley can obtain additional information or provide further responses, they will be forwarded to everyone. All have dealt with improvement projects that can be challenging. She thanked Dr. Turner for his patience and the City also very much looks forward to project completion.

4. PROCLAMATIONS

Diaper Need Awareness Week, September 23-29, 2019

Mayor Dunn read the proclamation into the record. She stated the proclamation had been mailed to the requestor.

National Suicide Prevention + Action Month, September 2019

Mayor Dunn read the proclamation into the record. She stated suicide prevention and reduction is one of the Governing Body's 2019 Goals, an epidemic especially among youth. Councilmember Harrison is involved with the "Speak Up" Suicide Prevention walk to be held September 15, 2019, and some Councilmembers have registered to participate. Mayor Dunn encouraged others to join as well.

5. PRESENTATIONS/RECOGNITIONS Introduction of Assistant City Attorney, Ashlee Tomasic

Ms. Bennett stated she was excited to have Ms. Tomasic on-board. Ms. Tomasic will be responsible for a number of tasks in the Legal Department including assisting the Board of Zoning Appeals, Prosecutor Ms. Marcy Knight and Municipal Court.

Ms. Tomasic stated she looks forward to growing her skills and knowledge, being a prosecutor only for the City of Lenexa for the past six years. She confirmed to Mayor Dunn her immediate and extended family have many members in the legal field, in both Kansas and Missouri.

Mayor Dunn expressed delight that Ms. Tomasic had joined the City and looked forward to working together; Ms. Bennett agreed.

Introduction of Johnson County Mental Health Co-Responder, Heather Mason

Police Chief Troy Rettig gave a brief history of the City's involvement in the co-responder program, thanking the Governing Body for its early advocacy in 2017. The co-responder program began with nine cities. The program was modified to improve service and it was determined Leawood would share a to-be-hired resource with Prairie Village. He stated that Jessica Murphy, Ms. Mason's Supervisor at the Johnson County Mental Health Center, was in attendance.

Ms. Mason stated she previously was with Jackson County. She was hired by Johnson County on June 17 and underwent training until mid-July. Her first solo call was in August. Mayor Dunn stated that both Leawood and Prairie Village are grateful; there should be ample work to keep busy.

Councilmember Cain asked how sharing of time would be handled and for the total number of Johnson County co-responders. Ms. Mason stated she was not "on-call", but scheduled. She would work Mondays and Tuesdays from 2:00 P.M. to 10:00 P.M., with one day at Leawood and one at Prairie Village, Wednesdays from Noon to 8:00 P.M. will rotate between Leawood and Prairie Village, and Thursdays and Fridays from 9:00 A.M. to 5:00 P.M. will be a day each in Leawood and Prairie Village. This schedule would provide for two or three days a week based in each Police Department. If a city needs her and she is at the other City and available, she will respond. She stated there are approximately 12 co-responders in Johnson County and their number is growing. Lenexa, northeastern area cities and the Sheriff have co-responders, and Overland Park and Olathe each have two co-responders.

Councilmember Cain shared that she had been personally touched by suicides in Johnson County just yesterday. She is grateful to have suicide prevention as a 2019 Governing Body goal and to know about the upcoming "Speak Up" walk. The number of suicides is staggering and growing, and more needs to be done. Ms. Mason offered sympathy and agreed the situation is eye-opening. She stated co-responders strive to provide help and resources to those who experience, as they are at higher risk for suicide as a result.

Councilmember Filla asked how a greater demand was perceived, how office time is handled between calls, and if resources are available for all as a “hotline” or only for impacted families. Chief Rettig stated the need is very apparent compared to when he started in law enforcement 26 years ago. Today, an unbelievable amount of calls involve mental health. He stated outside agencies are looking at the Johnson County program, being at the forefront to better serve citizens. Ms. Mason provides training and resources to the department.

Councilmember Sipple asked if Ms. Mason would work via telephone or in person. Ms. Mason stated she would go on calls, always with an officer, to personally assess the situation to determine any hospitalization, safety planning in the home and outpatient services; she can make involuntarily committals. Officers accompany her to the hospital, which may take hours.

Ms. Mason stated she monitors police calls and call documentation includes a check-box to indicate if there is a mental health component. Besides calls, she offers training and provides resources. Follow-up is initially done by telephone, but travels to the residence as needed with an officer, leaving a contact card and Johnson County Mental Health information if necessary. Her days are filled as a large amount of time is spent on resource “back work”; reducing barriers to obtain the exact resource needed. As a Johnson County contractor, she has peer support and access to County mental health databases.

Ms. Mason confirmed to Mayor Dunn she also covers Mission Hills, along with Prairie Village and Leawood. Mission Hills is policed by Prairie Village.

Mayor Dunn stated the City was fortunate to have 50% of Ms. Mason’s time, and she thanked her for attending the meeting. She also thanked Chief Rettig for his advocacy of this important program, noting Chief Rettig has been honored by Johnson County United Community Services for his work.

6. SPECIAL BUSINESS

Appointment of voting delegates to Kansas League of Municipalities Cities

- A. Councilmember Mary Larson, Voting Delegate
- B. Mayor Peggy Dunn, Alternate Voting Delegate

Mayor Dunn stated the league’s annual conference would be October 12 through October 14, 2019, and she thanked Councilmember Larson for agreeing to attend as a voting delegate. If others wish to attend, please inform her as soon as possible, as registration is required.

A motion to approve both Agenda Item 6.A. and Agenda Item 6.B. was made by Councilmember Filla; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 8-0.

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. 2019-32, 2019-33 and 2019-34
- B. Accept minutes of the April 3, 2019 Public Works Committee meeting
- C. Approve Mayor Appointment of Dr. Shelley Bhattacharya to Sustainability Committee for a 2-year term ending in 2021

- D. **Resolution No. 5246**, approving and authorizing the Mayor to execute a Professional Service Agreement in the amount of \$16,100.00 between the City and Continental Consulting Engineers pertaining to installation of the art piece ‘Inspiration’
- E. **Resolution No. 5247**, approving and authorizing the Mayor to execute a Reciprocal Investigation Intergovernmental Local Agreement between the City and the Eastern Kansas Multi-County Task Force to assist respective personnel in fire and explosion investigations, and rescinding Resolution No. 5063
- F. Approve purchase in the amount of \$199,449.70, from Key Equipment & Supply Company, for [1] Elgin Broom Badger Street Sweeper
- G. Approve purchase in the amount of \$23,080.00, from Overbilt Trailer Company for [1] Trailer
- H. Municipal Court Monthly Report - July
- I. Police Department Monthly Report - July
- J. Fire Department Monthly Report - July

Councilmember Filla requested Consent Agenda Item 7.D. be pulled.

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

Mayor Dunn requested Consent Agenda Item 7.I. be pulled.

A motion to approve the remainder of the Consent Agenda was made by Councilmember Cain; seconded by Councilmember Larson. The motion was approved with a unanimous vote of 8-0.

- 7.D. **Resolution No. 5246**, approving and authorizing the Mayor to execute a Professional Service Agreement in the amount of \$16,100.00 between the City and Continental Consulting Engineers pertaining to installation of the art piece ‘Inspiration’

Ms. Claxton confirmed to Councilmember Filla the proposed agreement cost included \$4,000 for bid document preparation, to advertise and bid, which includes building parameters such as footing, foundation and uplighting.

A motion to approve Consent Agenda Item 7.D. was made by Councilmember Filla; seconded by Councilmember Cain. The motion was approved with a unanimous vote of 8-0.

- 7.F. Approve purchase in the amount of \$199,449.70, from Key Equipment & Supply Company, for [1] Elgin Broom Badger Street Sweeper

Mr. Ley confirmed to Councilmember Harrison the proposed purchase would be for an additional street sweeper, not a replacement. He stated the existing street sweeper is scheduled for replacement in five years.

Councilmember Harrison asked if streets would be swept more frequently and how staffing could accommodate if the additional sweeper was approved. Mr. Ley confirmed, stating sweepers operate mainly in the Spring and Fall and one Action Crew Member would be moved to the Stormwater Crew as needed.

Councilmember Cain asked how often streets are swept. Mr. Ley stated the number of times varies by street type, but he estimated a street is swept an average of eight times per year. He did not recall the tonnage of material collected.

Councilmembers Harrison suggested information about the new street sweeper, the street sweeping process and what residents can expect and should do/not do, be posted on the City’s website and on social media. Mayor Dunn pointed out the Scouts in the audience might share what they heard with their troop.

A motion to approve Consent Agenda Item 7.F. was made by Councilmember Harrison; seconded by Councilmember Cain. The motion was approved with a unanimous vote of 8-0.

7.I. Police Department Monthly Report - July

Per Mayor Dunn’s request, Chief Rettig provided an explanation of “...fully transitioned to Cry Wolf for its false alarm reduction program coordination.” He stated Cry Wolf software had been used for many years to manage the alarm program, and since the retirement of Alarm Coordinator Jim Cogswell earlier this year the department desired to enhance the program’s use. Cry Wolf will be tasked initial alarm registrations and collection of penalties for excessive alarm calls. All alarm program money would be handled by Cry Wolf, with the City and Cry Wolf each receiving payments of 50%. He confirmed to the Mayor the City will no longer conduct an “alarm school” for citizen education.

Mayor Dunn congratulated Chief Retting on the great crime reduction statistics listed on Page 2 of the report.

A motion to approve Consent Agenda Item 7.I. was made by Councilmember Filla; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 8-0.

8. MAYOR’S REPORT

- A. We extend sincere sympathies to the family of Leawood Public Works Director David Ley on recent passing of his father, Bill Ley. Condolences also to former Public Works Director Joe Johnson on the passing of his mother, Helen Cline.
- B. Attended the Governors Summit for Regional Collaboration hosted by the Greater Kansas City Chamber of Commerce where both Governor Laura Kelly and Governor Mike Parson signed a truce ending the longstanding economic border war between Kansas and Missouri. Councilmember Chuck Sipple and Leawood Chamber President Kevin Jeffries were also in attendance.
- C. Thank you to Councilmember James Azeltine for standing in for me at the ribbon cutting ceremony for the grand opening of the new office building of Prevail Innovative Wealth Strategies located in the Plaza Pointe Office Complex. We congratulate them on their rapid growth and wish them continued success.
- D. Attended a special meeting of the Civic Council of Greater Kansas City with other regional mayors to hear a presentation on the future direction of KC Rising. KC Rising is a collaborative, regional effort launched in 2015 to ensure the Kansas City region is economically prosperous for all. The annual goal is being in the top ten of our peer 30 regions on three long-term measures: regional GDP, number of quality jobs and median household income.
- E. Councilmembers Chuck Sipple and Lisa Harrison joined me at the Blue Valley Educational Foundation breakfast where Leawood Rotary Member Ken Selzer and his wife Deb Grimes received the “Best of Blue Valley Hall of Fame” award. Congratulations to them both.

- F. I had the pleasure of meeting with a student delegation from I-Lan, Taiwan’s Lan-Yang Girls Senior High School who are here visiting for the third year in a row due to their sister-school relationship with Blue Valley North. Photographs that were shared with students were shown in a brief PowerPoint presentation.
- G. I would like to pass an article from the August 30, 2019 Kansas City Business Journal featuring two gentleman with “tech talent”, who found seven out of 10 persons they spoke with in their resident network that said, “You should really move to Kansas City.” They chose to come and live in Kansas City about six years ago, and their favorite place is I-Lan Park. The article features the gentlemen in a full-view photograph of the I-Lan pagoda.
- H. Councilmember Mary Larson and I had the pleasure of walking in the Leawood Rotary 5K Labor Day Run. Councilmember Rotarian Lisa Harrison served as Co-Chairman, and Councilmember Rotarians Jim Rawlings and Chuck Sipple hosted the 400 runners/walkers. It was a very successful fundraiser and beautiful weather.
- I. Thanks to Councilmember Lisa Harrison for volunteering to serve on the Johnson County Affordable Housing Task Force coordinated by United Community Services of Johnson County.
- J. Congratulations to Ironhorse Advisory Board member Leo Morton on the “Hole In One” at Ironhorse Golf Course.
- K. Congratulations to Chief Troy Rettig and the Leawood Police Department on recent ranking from BackgroundChecks.org finding Leawood the Number One Safest City in Kansas!
- L. Reminder the Leawood Arts Council presents the Art Gallery Crawl, September 13, 2019, from 5:30 P.M. to 8:00 P.M. There will be five participating galleries: 2010 Gallery, Epsten Gallery, Eva Reynolds Fine Art, Gallery V and Leawood Fine Art. More detailed information is available on the City’s website.

9. COUNCILMEMBERS’ REPORT

A. Councilmember Cain- Naming of art piece, Walking Woman sculpture

Ms. Bishop stated sculptor Michael Stutz was asked for three potential names for the piece, and name suggestions were also taken from the general public. The Selection Panel reviewed the names received, selected three and presented these to Arts in Public Places Initiative [APPI] and Arts Council. The first choice was “Walking Woman”, second choice was “Green Queen” and third choice was “Spirit of the Trail”.

Councilmember Cain shared the sculptor stated he always referred to the piece as “Walking Woman” during design, so that name was recommended. Mayor Dunn stated the sculptor had shared with her the same strongly felt comments about the name.

Mayor Dunn thanked Ms. Bishop and Ms. Blessing for their attendance.

A motion to approve Agenda Item 9.A. for name “Walking Woman” was made by Councilmember Cain; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 8-0.

B. Referral to October 2, 2019 Public Works Committee to review the 135th Street Corridor Impact Fee and South Leawood Transportation Impact Fees

Councilmember Osman stated the Public Works Committee and the Public Works Department has been quite active for the past four or five months and the Public Works Committee needs to schedule review of the fees prior to presenting recommendations to the Council.

A motion to approve Agenda Item 9.B. was made by Councilmember Osman; seconded by Councilmember Cain. The motion was approved with a unanimous vote of 8-0.

C. Councilmember Sipple- Referral to Bike-Walk Leawood, regarding request for crosswalk at 89th and Lee Boulevard

Councilmember Sipple stated he received a lengthy email last week from a husband and wife who live near 89th Street and Lee Boulevard. The email stated about 20 children on the east side of Lee Boulevard wish to ride their bicycles to school on the west side of Lee Boulevard, and expressed concern about crossing safety. Councilmember Sipple stated potential visible safety measures could be reviewed at the next Bike-Walk Leawood committee meeting scheduled for October 9, 2019, and then Bike-Walk Leawood committee recommendation made to the Public Works Committee.

Mayor Dunn pointed out the next Public Works Committee meeting is scheduled prior to October 9, and she asked if timing of committee meetings would be problematic, especially if this would need to be part of the engineering contract for Lee Boulevard. Mr. Ley stated the agenda for the November Public Works Committee meeting is full, but this could be placed on their December agenda. Possibilities include striping or a flashing beacon, which could be added to design near the end of the project so timing of committee meetings should not have a negative impact. Mayor Dunn pointed out that after committee meetings, any recommendations would need to be brought to the Governing Body.

Mayor Dunn, Councilmember Sipple and Mr. Ley stated agreement to timing.

A motion to approve Agenda Item 9.C. was made by Councilmember Sipple; seconded by Councilmember Filla. The motion was approved with a unanimous vote of 8-0.

10. CITY ADMINISTRATOR REPORT – None

11. STAFF REPORT

Chief Troy Rettig - City - Ring “Doorbell/Spotlight” - Citizen partnership, equipment purchase incentive program, \$15,000

Chief Rettig stated for a recent call to the City Administrator’s neighborhood, a neighbor had a “Ring Doorbell”, software/equipment that can provide video. Mr. Lambers and he has discussed the benefits of having more of these “eyes and ears” systems throughout the City. The quality of camera is very good. Several years ago the City launched the “Capture” program with limited success, and Ring’s capabilities are far above those of Capture.

Chief Rettig stated Ring offers an incentive program whereby the City would contribute \$50, Ring would \$50 and single family residence owner would pay the rest of cost for Ring doorbell/spotlight camera video equipment. Residents would voluntarily participate and register through the Ring software app. Ring has established privacy measures which error on the side of caution. Only Ring would know who participates/has the Ring system. Police would access a Ring portal, place a “geo-fence” over an area and citizens could check their system and provide video, if they wish, for suspicious activity. The proposed \$15,000 of City funding could add 300 systems in Leawood.

Councilmember Filla inquired about system price, if locations would be scattered throughout the City and if there are other camera vendors. Chief Rettig estimated the Ring doorbell camera system costs about \$300; cost of spotlight camera was not known. Mr. Lambers stated locations would not be chosen or known, but program participation would be first-come, first-serve, with funding from the Public Safety Fund. He stated having video from several adjacent or a cluster of residences would be very beneficial. Chief Rettig stated the City would maintain the Capture, but hopes that residents would move to the Ring. Ring is the leader in this technology, but Nest is another camera company and takes part in Capture.

Councilmember Larson asked if residents would be able to purchase Ring equipment at vendors other than Ring. She stated that Costco sells the basic camera system for \$150 and the spotlight camera system for \$250. Chief Rettig stated participants were free to purchase their style of equipment from a vendor of their choice. They would be provided one code per household; Ring performs address verification.

Councilmember Larson shared the system is motion-activated and sensitivity can be adjusted to decrease the number of alerts issued, but decreased sensitivity may reduce benefit to the Police. She supports the program as there is the possibility to boost ability to detect crime, but there may need to be some minor modifications.

Mr. Lambers stated residents could determine the sensitivity of their own systems. The City would only provide subsidy on a first-come, first-serve basis, and Ring and the resident would be responsible for the rest of the program. The program would be emphasized as a three way partnership: City public, Company private and Resident private. Funding would be through a City budget amendment. If approved, the program would start immediately and budget amendment presented at the September 16 or October 7 Governing Body meetings. If there was additional resident interest in the program beyond the initial \$15,000, a request for additional funding could be brought before the Council.

Councilmember Filla asked how long data is maintained after a lockdown is initiated and how does Ring charge for the data or services to generate revenue. Chief Rettig stated that Ring charges for services. Councilmember Larson stated alerts are quickly received and estimated video look-back of at least five days.

Mayor Dunn inquired if other area cities are using Ring. Chief Rettig stated about 400 agencies are working on the Ring portal, but Ring has stated Leawood would be the first city in Kansas to offer an incentive program.

Councilmembers Sipple and Cain asked how information about the program would be distributed. Chief Rettig stated media interest would be expected and Ring participates in media campaigns. Councilmember Sipple suggested a summary incentive document be developed that could be distributed to Home Owner Associations [HOAs] starting as early as Friday morning or next week. Information could also be shared at Fall HOA annual meetings. Mr. Lambers stated the City would utilize social media and City website. He anticipated positive media coverage and that residents would contact the City.

Councilmember Filla asked what criteria would be used to evaluate the initial pilot and what Ring might charge in the future. Mr. Lambers stated criteria would include how quickly the initial \$15,000 was absorbed and a waiting list. To maintain privacy, the City will not be able to provide specific from the system. Privacy concerns, including those raised by the American Civil Liberties Union [ACLU], have been reduced by the way Ring operates. He stated the more eyes on homes, the better.

Mayor Dunn stated that careful thought needs to be given before expanding the program beyond 300 residents. The City typically does not endorse one company and the City is getting involved in commerce. Mr. Lambers stated if another company wishes to participate in a similar manner, they would not be prohibited. The program would be for single-family homes only; there are about 10,000 such households in Leawood.

Councilmember Osman stressed the need for strategic approach, stating \$15,000 is a significant amount, regardless of whether with Ring or another company. A dual marketing roll-out with Ring is very important, with approach similar to that taken for Google Fiber. He referred to a Tweet involving two fast-food chains that garnered massive social media. The City should not just place information on the NextDoor media app or City website, but get all parties to come together in advance and have momentum. The value is security and protection, but this must be handled in the proper way.

Mayor Dunn agreed with Councilmember Filla about having a report provided before moving forward beyond 300 participants and also with Councilmember Osman on the importance of a dual marketing roll-out. First-come, first-serve is also important. She thanked Mr. Lambers and Chief Rettig.

A motion to approve the \$15,000 City funded Ring incentive program was made by Councilmember Cain; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 8-0.

COMMITTEE RECOMMENDATIONS

12. PUBLIC WORKS COMMITTEE

[from the August 7, 2019 Public Works Committee meeting]

Review design Consultant Selection Process for 2020 Lee Boulevard Improvement Project, from 83rd Street to 95th Street [Project # 72054]

Recommendation: Contract with BHC Rhodes, as sole source to complete design of Lee Boulevard

Councilmember Osman deferred comment to Councilmember Cain.

Councilmember Cain stated the Public Works Committee met on August 7, 2019, and after extensive discussion recommended to continue use of BHC Rhodes for Phase 2 of the project. Although it is atypical for the City to utilize a sole source, cost savings are anticipated because of the vendor's considerable knowledge from Phase 1.

Mr. Ley confirmed to Councilmember Azeltine that contract, cost and fund source will be brought forward at the next Governing Body meeting.

A motion to approve the recommendation in Agenda Item 12. was made by Councilmember Cain; seconded by Councilmember Filla. The motion was approved with a unanimous vote of 8-0.

13. ARTS COUNCIL

[from the July 23, 2019 Arts Council meeting]

Accept recommendation for relocation of 'Point Defiance' to Ironwoods Park Entrance

Ms. Bishop stated the Council had previously approved a new art-on-loan piece, so the "Point Defiance" bison sculpture currently located on the art-on-loan site west of the City Hall parking lot needs to be moved for site preparation for the new piece to arrive October 1 and October 2. The Arts Council recommends moving "Point Defiance" to Ironwoods Park for its natural and rustic qualities. There are many visitors to the park, Nature Center and cabins, and this was felt to be an appropriate location. Placement would be near, but not exactly at the park entrance, adjacent to Mission Road on a hillside which would provide a nice backdrop and allow the piece to be further elevated since it fairly small. The piece would be lit, but not expected to be visible from Mission Road. The piece was difficult to place, as there is only a small parcel of land available due to park perimeters and sidewalk being adjacent to the road, and there are also utilities and signage in the area.

Councilmember Harrison questioned if consideration had been given to placement with regard to future widening of Mission Road. She stated the City has a responsibility to have public art be as viewable as possible, and many residents do not visit the park. She asked if park signs could be moved now in advance of street widening. Ms. Bishop stated the proposed placement would be about 30 yards from the road, near signage and split-rail fence. Parks would install the piece on a rock shelf where currently rocks protrude. The piece would have a natural base in addition to its current base.

Councilmember Larson stated she viewed the location today and although it may not be seen from Mission Road, it would be seen by park visitors and is a great location for the piece.

Mayor Dunn noted the "Women of the World" sculpture at the Justice Center would be elevated and visible from Town Center Drive, and she hoped the same for this piece. Mr. Lambers inquired about placement on the other side of the park entrance, stating the piece would not be visible by northbound traffic at the recommended location.

Ms. Bishop stated the other side slopes downhill and is the location of a large utility box. She did not believe the piece would be easily visible from either side, from either direction.

Ms. Claxton stated visibility where proposed may be dependent on height of the base and of the rock shelf, but otherwise placement is a matter of preference. Placement on the sloped side would require slightly more work. On either side, the piece would be visible from only one direction, and during the daytime the rust-finished piece will be harder to see.

Councilmember Cain recalled committee discussion was to refrain placement far up on the hill where it may not be seen, but to place the piece where the bison would look like it belonged.

Councilmember Rawlings asked if the placement at the T-shaped intersection of the park drive, with the Lodge on one side and playground on the other side, had been considered. Ms. Claxton stated that would place the piece further within the park, and the Arts Council and Arts in Public Places Initiative wanted to locate the piece in a natural setting rather than in an open space. In either location, viewership would be the same.

Mr. Lambers stated since pedestal and lighting would need to be installed, the location needs to be right and he requested further investigation. Ms. Claxton agreed to requests by Mayor Dunn and Councilmember Sipple for “height pole” and photographic mock-ups of various placements, viewed from entering and exiting the park as well as from Mission Road.

A motion to continue Agenda Item 13. to the September 16, 2019 Governing Body meeting was made by Councilmember Azeltine; seconded by Councilmember Filla. The motion was approved with a unanimous vote of 8-0.

Mayor Dunn requested a cover sheet memo be provided along with mock-ups.

14. OLD BUSINESS – None

15. OTHER BUSINESS – None

16. NEW BUSINESS

- A. Schedule a Governing Body Executive Session on Monday, October 7, 2019 at 6:00 P.M., Executive Session to consult with attorney regarding matters subject to the attorney-client privilege; discuss matters relating to possible acquisition of real property

A motion to approve Agenda Item 16.A. was made by Councilmember Filla; seconded by Councilmember Larson. The motion was approved with a unanimous vote of 8-0.

- B. Executive Session immediately following the regular Governing Body meeting for privileged consultation with attorney regarding matters subject to the attorney-client privilege

A motion to recess into Executive Session for 25 minutes for consultation with the City Attorney which would be deemed privileged in the attorney-client relationship pursuant to the attorney-client exception of K.S.A. § 75-4319(b)(2) with open meeting to resume in the Main Conference Room at 9:30 P.M. was made by Councilmember Filla; seconded by Councilmember Larson. The motion was approved with a unanimous vote of 7-0.

The Governing Body reconvened into open meeting at 9:30 P.M. in the Main Conference Room.

ADJOURN

There being no further business, the meeting was adjourned.

Debra Harper, CMC, City Clerk

Cindy Jacobus, Assistant City Clerk