

**Regular Meeting****THE LEAWOOD CITY COUNCIL****May 4, 2020****Minutes**

**Councilmembers Present:** Julie Cain, James Azeltine, Lisa Harrison, Chuck Sipple, and Mary Larson.

**Councilmember present via Zoom:** Jim Rawlings, Debra Filla, Andrew Osman.

**Councilmembers Absent:** None

**Staff Present:** Scott Lambers, City Administrator  
Dawn Long, Finance Director  
Chief Troy Rettig, Police Department  
Chris Claxton, Parks and Rec Director  
David Ley, Public Works Director  
Kelly Varner, City Clerk

Patty Bennett, City Attorney  
Mark Tepesch, Info. Services Specialist III  
Colin Fitzgerald, Fire Chief  
Nic Sanders, HR Director  
Stacie Stromberg, Assistant City Clerk

**Staff Present via Zoom:** Richard Coleman, Planning Director and Travis Torrez, City Planning.

- 1. PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF AMENDED AGENDA**

Mayor Dunn pointed out the amended agenda will include reports from all department heads and Scott Lambers.

**A motion to approve the agenda was made by Councilmember Harrison, seconded by Councilmember Cain. Motion was approved with a unanimous vote of 7-0.**

**3. CITY CLERK STATEMENT**

Ms. Varner introduced the new Assistant City Clerk Stacie Stromberg from Lenexa, Kansas.

The City Clerk read the Clerk Statement: To reduce the likelihood of the spread of COVID-19 and to comply with social distancing recommendations, this meeting of the Leawood Governing Body is being conducted remotely using the Zoom media format and some of the members of the Governing Body are appearing remotely. The meeting is being livestreamed on [YouTube] and the public can access the livestream by going to [www.leawood.org/](http://www.leawood.org/). The public is strongly encouraged to access this meeting electronically; however, City Hall is open and persons with items on the agenda may, if necessary, attend the Governing Body meeting in person. Staff will strictly enforce social distancing measures.

Public comments on non-agenda items will not be accepted during this meeting. Public comments on agenda items not requiring a public hearing may not be accepted. As always, public comment on any agenda item can be submitted in advance. Written public comments received at least 24 hours prior to the meeting have been distributed to members of the Governing Body prior to the meeting. Public comments should be directed to [LeawoodPublicCommentGB@leawood.org](mailto:LeawoodPublicCommentGB@leawood.org)

**4. PROCLAMATIONS**

**Kids to Parks Day, May 16, 2020**

Mayor Dunn read the proclamation into the record. She expressed appreciation to Chris Claxton, Brian Anderson, and the entire Parks team for their efforts to keep the parks system beautiful.

**5. PRESENTATIONS/RECOGNITIONS**

**6. SPECIAL BUSINESS**

- A. Approve the City Administrator’s recommendation of appointment of Colin Fitzgerald as Fire Chief

Scott Lambers expressed pleasure to recommend Colin Fitzgerald as Fire Chief.

Mayor Dunn stated that the appointment was originally scheduled for March 16, 2020, and she appreciated his efforts as Interim Chief.

**A motion to approve Item 6A was made by Councilmember Larson, seconded by Councilmember Azeltine. Motion was approved with a unanimous roll call vote of 8-0.**

City Clerk Kelly Varner swore in Colin Fitzgerald as Fire Chief.

Mr. Fitzgerald expressed his gratitude for the appointment and the flexibility of the community during the uncertain times.

- B. Resolution accepting proposed assessments for Tax Year 2021 for Improvements within the Park Place Development; and authorizing and directing the City Clerk to give notice thereof to the owners of properties within the District by publishing notice thereof and providing written notice to owners of property of such proposed assessments [Project # 83196] (F)

Mr. Azeltine noticed several measures to delay deadlines and ease restrictions to relieve financial pressure. He asked if there was discussion of a delay in the assessments.

Ms. Long replied that there was not and that the debt was issued years ago for these special assessments.

Mr. Azeltine expressed support but asked that discussions occur regarding delaying the assessments if necessary.

Ms. Long stated that no property owners had requested a delay but agreed to discussing the matter with Mr. Lambers.

**A motion to approve Item 6B was made by Councilmember Rawlings, seconded by Councilmember Larson.**

Mr. Lambers stated that the matter is on the agenda because of the property tax assessment methodology that transfers the amount of assessments based upon the value of the property as the project develops.

Almost all properties in the city that have a special assessment are not set up this way and would have to be paid every year regardless.

**Motion was approved with a unanimous roll call 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. 2020-9, 2020-10, 2020-11, 2020-12, 2020-13, 2020-14 and 2020-15
- B. Accept minutes of the March 2, 2020 Governing Body meeting
- C. Accept minutes of January 14, 2020 Parks and Recreation Advisory Board Meeting
- D. Accept minutes of July 23, 2019 Leawood Arts Council Meeting
- E. Accept minutes of September 24, 2019 Leawood Arts Council Meeting
- F. Accept minutes of December 16, 2019 Leawood Arts Council Meeting
- G. Accept minutes of the January 8, 2020 Bike/Walk Leawood Committee meeting
- H. Resolution calling for a Public Hearing to be held on Monday, June 1, 2020, at 7:00 P.M., or as soon thereafter as may be heard to consider the 2021-2025 Capital Improvement Program [C.I.P.] for the City of Leawood, Kansas (F)
- I. Resolution accepting the 2019 Annual Report regarding the Leawood Park Impact Fee, pursuant to Section 12-409 of the Code of the City of Leawood, Kansas, 2000 (PR)
- J. Approve 5<sup>th</sup> and Final Payment in the amount of \$2,734.50 to Freeman Concrete Construction pertaining to the 2019 Residential Reconstruction Project, Phase 1 [Project #80219] (PW)
- K. ~~Approve an expenditure in the amount of \$44,436.00 to IDEMIA for the purchase of two LiveScan fingerprint systems (PD)~~
- ~~L.~~ Approve an expenditure in the amount of \$49,602.12 to KA-COMM Inc., for the purchase and installation of equipment (PD)
- ~~LM.~~ Approve an expenditure in the amount of \$59,466.27 to KA-COMM Inc., for the purchase and installation of 10 Harris 185M Mobile Radios (FD)
- ~~Approve an expenditure in the amount of~~
- ~~MN.~~ Approve an expenditure in the amount of \$25,065.00 from Industrial Sales, Inc., for the purchase of an irrigation boost pump at Gezer Park (PR)
- ~~NO.~~ Approve an expenditure in the amount of \$116,838.00 from American Equipment Company for the purchase of a Swap Loader SL with Hook Lift, Force American Central Hydraulic System, Warren Dump Bed, Monroe Snowplow, Monroe Wing Plow and Monroe Spreader (PW)
- ~~OP.~~ Approve an expenditure in the amount of \$44,340.53 from Crafcoc Inc., for the purchase of a Crack Pour Machine Easy Melter (PW)
- ~~PQ.~~ Approve an expenditure in the amount of \$15,516.40 from Kirby-Smith Machinery for the purchase of a Tack Machine (PW)
- ~~QR.~~ Approve an expenditure in the amount \$9,950.00 from GW Van Keppel Co., for the purchase of a Slot Cutter Machine (PW)
- ~~RS.~~ Approve an expenditure in the amount of \$177,717.00 from Foley Equipment for the purchase of a Wheel Loader (PW)

- ~~ST~~. Approve an expenditure in the amount of \$222,230.00 from Cues Inc., for the purchase of a HI-Cube Van TV Inspection Vehicle (PW)
- ~~TU~~. Approve an expenditure in the amount of \$47,641.00 from K.C. Bobcat for the purchase of Bobcat E35 25 HP R-series Compact Excavator for Ironhorse Golf Course (PR)
- ~~UV~~. Approve an expenditure in the amount of \$125,364.47 from Professional Turf Products for the purchase of a Toro Sandpro 5040, True Surface vacu-cutter and Spiker inserts and Toro Lynx Smart Satellite boxes for Ironhorse Golf Course (PR)
- ~~VW~~. Approve an expenditure in the amount of \$20,000 from Kansas Golf and Turf Sales for the purchase of a 2020 Smithco Tournament XL 7000 Roller for Ironhorse Golf Course (PR)
- ~~WX~~. Resolution accepting a Temporary Construction Easement from Grantor Joy A. Self, Trustee of the Joy A. Self Revocable Trust, for property located at 12604 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW)
- ~~XY~~. Resolution accepting a Permanent Drainage Easement from Grantor Joy A. Self, Trustee of the Joy A. Self Revocable Trust, for property located at 12604 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW)
- ~~YZ~~. Resolution accepting new GASB-34 Public Infrastructure in accordance with GASB-34 Guidelines of Reporting Inventory of Assets for property located in the 10300 block of Glenfield, for the New Development Donation for “The Reserve at Mission Woods” (PW)
- ~~ZAA~~. Resolution accepting new GASB-34 Public Infrastructure in accordance with GASB-34 Guidelines of Reporting Inventory of Assets for property located at approximately 126<sup>th</sup> Terrace and Delmar Streets in the Patrician Woods Subdivision pertaining to the Patrician Woods Stormwater Improvements (PW)
- ~~AABB~~. Resolution accepting new GASB-34 Public Infrastructure in accordance with GASB-34 Guidelines of Reporting Inventory of Assets for properties located in the 8900 block of Pawnee, 8900 block of Cherokee Lane and the 3400 block of West 92<sup>nd</sup> Street, Leawood Subdivision pertaining to the 2019 Residential Reconstruction Project, Phase 1 (PW)
- ~~EBBC~~. Resolution approving and authorizing the Mayor to execute Addendum No. 3 to the Agreement dated November 1, 2010, between the City and the City of Overland Park, pertaining to maintenance of street lighting systems along common borders (PW)
- ~~CCDD~~. Resolution approving and authorizing the Mayor to execute an Amendment to the Agreement between the City and Next to Nature Landscape, LLC., pertaining to maintenance of medians and the right-of-way (PR)
- ~~DDEE~~. Resolution approving and authorizing the Mayor to execute Amendment No. 1 to the Agreement between the City and Kansas Gas Service pertaining to costs for 143<sup>rd</sup> Street Utility Relocation [Project #80129] (PW)
- ~~EEFF~~. Approve Final Payment to Kansas Gas Service in the amount of \$225,180.74 pertaining to 143<sup>rd</sup> Street Utility Relocation [Project #80129] (PW)
- ~~FFGG~~. Resolution approving and authorizing the Mayor to execute a Professional Services Agreement in the amount of \$36,900.00 between the City and George Butler Associates (GBA) pertaining to the 2020 Bridge Inspections (PW)
- ~~GGHH~~. Resolution approving and authorizing the Mayor to execute an Agreement between the City and the City of Prairie Village, Kansas, for Public Improvements Engineering Work for the 8400 Block of Reinhardt Street and Reinhardt Lane Storm Drainage Improvement Project [Project #77021] (PW)

- HHH. Resolution approving and authorizing the Mayor to execute an Agreement between the City and the City of Prairie Village, Kansas, for Public Improvements for the 8400 Block of Reinhardt Street and Reinhardt Lane Storm Drainage Improvement Project [Project #77021 (PW)]
- IJJ. Resolution approving and authorizing the Mayor to execute a Professional Services Agreement in the amount of \$408,334.81 between the City and Lamp Rynearson pertaining to the 2020 Corrugated Metal Pipe Replacement Project [Project #80256] (PW)
- JKK. Resolution approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,704,209.25 between the City and Superior Bowen Asphalt d/b/a O'Donnell & Sons Construction pertaining to the 2020 Residential Mill & Overlay Project [Project #70028] (PW)
- KKL. Resolution approving and authorizing the Mayor to execute a Professional Service Agreement in the amount of \$11,833.00 between the City and Phelps Engineering pertaining to City owned property located at approximately 96<sup>th</sup> Street and Lee Boulevard [Leawood Estates Lots 115, 116, 117, 118 and 119] [Project #80219] (PW)
- LLM. Resolution approving and authorizing the Mayor to execute an agreement in the amount of \$44,436.00 between the City and IDEMIA ~~Ademia~~ Identity & Security USA, LLC., for the purchase of LiveScan fingerprint equipment (PD)
- MMN. Declaration of Surplus Property: (2) Engine Jacks, (1) Brush Leaf Vacuum (2) 4-Ton Hydraulic Service Jacks, (2) Leaf Boxes, (2) Stihl Saws, (1) Stihl Backpack Blower, (1) Command Post Vehicle and (2) leather lobby chairs (PW)
- NNO. Declaration of Surplus Property: maintenance equipment at Ironhorse Golf Course (PR)
- OOP. Police Department Monthly Report
- PPQ. Fire Department Monthly Report
- QQR. Municipal Court Monthly Report

Councilmember Sipple requested to pull Items 7A and 7Z.

Councilmember Cain requested to pull Items 7M.

Councilmember Harrison requested to pull Items 7BB

**A motion to approve the remainder of the Consent Agenda was made by Councilmember Azeltine, seconded by Councilmember Sipple. Motion was approved with a unanimous roll call vote of 8-0.**

- A. Accept Appropriation Ordinance Nos. 2020-9, 2020-10, 2020-11, 2020-12, 2020-13, 2020-14 and 2020-15

Councilmember Sipple recused himself because his wife's name is listed as a payee for the Parks Department.

**A motion to approve Item 7A was made by Councilmember Larson, seconded by Councilmember Harrison. Motion was approved with a unanimous roll call vote of 7-0, including an abstention from Councilmember Sipple.**

- M. Approve an expenditure in the amount of \$25,065.00 from Industrial Sales, Inc., for the purchase of an irrigation boost pump at Gezer Park (PR)

Councilmember Cain stated appreciated the measure, as the irrigation system needs the support.

**A motion to approve Item 7M was made by Councilmember Cain, seconded by Councilmember Sipple. Motion was approved with a unanimous roll call vote of 8-0.**

- Z. Resolution accepting new GASB-34 Public Infrastructure in accordance with GASB-34 Guidelines of Reporting Inventory of Assets for property located at approximately 126th Terrace and Delmar Streets in the Patrician Woods Subdivision pertaining to the Patrician Woods Stormwater Improvements (PW)

Councilmember Sipple asked for clarification because the neighborhood island was torn out, and all the work was done on the stormwater. The island was replaced with just turf. He asked if money was set aside to share construction of something on the island with the subdivision. He asked if there was a timetable for the subdivision to complete the work.

Mr. Ley stated that the HOA provided an estimate for landscaping; they have chosen to not replace the stone retaining walls. The cost of the project will be split equally between the HOA and the City. The cost of irrigation is still being discussed, as it will be required.

Councilmember Cain stated that the island was heavily discussed and wondered why the stone wall and monument were eliminated from the project.

Mr. Ley replied that the HOA spoke with the homeowners, and they decided they wanted open space with landscaping.

Mr. Lambers stated that they were originally claiming that the City was risking hundreds of thousands of dollars of property values for this. They indicated that they don't want to put in irrigation, but it is required.

Councilmember Cain asked if the island was irrigated previously.

Mr. Lambers stated that it was not, but it is now required in the Leawood Development Ordinance (LDO).

**A motion to approve Item 7Z was made by Councilmember Sipple, seconded by Councilmember Azeltine. Motion was approved with a unanimous roll call vote of 8-0.**

- BB. Resolution approving and authorizing the Mayor to execute Addendum No. 3 to the Agreement dated November 1, 2010, between the City and the City of Overland Park, pertaining to maintenance of street lighting systems along common borders (PW)

Councilmember Harrison wondered if the City could use LED lighting and save money. She recognized that it was a shared project with another city.

Mr. Ley said Overland Park is replacing their HPS lights with LED, and Leawood is willing to share the costs.

Councilmember Harrison encouraged the discussion to continue in order to take advantage of savings. She asked if the lights were on the Overland Park side of shared streets.

Mr. Ley replied that they are on medians and are staggered on either side of the roadway.

**A motion to approve item 7BB was made by Councilmember Harrison, seconded by Councilmember Cain. Motion was approved with a unanimous roll call vote of 8-0.**

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

- Mayor Dunn extended sincere sympathies to the family and friends of the deceased Overland Park Police Officer Mike Mosher, who was killed in the line of duty on May 3<sup>rd</sup>. He served with the Overland Park Police Department for nearly 15 years, and he was only the second officer killed in the line of duty since 1985. She asked for a moment of silence.
- Mayor Dunn expressed appreciation for City Administrator Scott Lambers for his leadership during the last couple of months, keeping staff heads and volunteers safe. It took extensive planning, and many participated. She thanked all, but especially Police Chief Troy Rettig, for serving on a Task Force on reopening for maybe 15+ hours of meetings. He is the head of the Johnson County Police Chiefs and represented the City of Leawood well. Fitzgerald participated in many meetings as well with first responders.
- The Council of Mayors was hosted by the DeSoto Mayor Rick Walker in early March. Subsequent meetings have been over Zoom. The March meeting's guest speaker was Kansas Department of Transportation Secretary Julie Lorenz, who provided reports on the Forward Kansas. Copies were provided in the packets. She stressed that the program would have been reviewed every two years. The program will focus on the use of technology. Ms. Lorenz stated that 69 Highway is the worst in the whole metro area, and her hope is that it might become a toll road. She hopes for a nimble and pragmatic plan, and the maintenance cost per mile is going from \$3,000 to \$5,000. She also mentioned that many legislative priorities would change, given the effects of Covid-19.
- Mayor Dunn extended congratulations to Police Chief Rettig because Leawood was recognized as the 8<sup>th</sup> safest city in Kansas.
- Mayor Dunn had the privilege of serving as a co-host at the invitation of Dr. Eyyup Esen of the Dialogue Institute of the Midwest, who did a virtual Iftar dinner during the holy month of Ramadan. The sponsor for the event was Pastor Howard Johnson of the Leawood United Methodist Church. The event was viewed in 22 cities across the United States and in Germany and Canada.

## **9. COUNCILMEMBERS' REPORT - None**

## **10. CITY ADMINISTRATOR REPORT**

Mr. Lambers expressed appreciation to the staff for working through the difficult times which, he begrudgingly admitted, were probably going to be considered the new normal. Staff will continue to adapt as the situation progresses. He expressed concern with progression in the wrong direction with everything being opened. He stated that he believed Leawood is in a good position to deal with it. Staff heads will give reports on how the City is currently responding. It is important to recognize that the

current fiscal year is halfway over, so the options for mitigating potential loss of sales tax revenues in the current fiscal year are limited. As of the reporting period for 2020, including the months of January and February, Leawood has taken in the normal amount of expected sales tax revenue of \$1.4 million. Annual sales tax for the year from all sources, including general fund, special sales taxes approved by voters, and also sales tax from Transportation Development District (TDD) and Capital Improvement District (CID), is approximately \$17 million. The impact to the City is less than the \$17 million because the money for the TDDs and CIDs does not come to the City; Leawood is simply a conduit. Leawood will start to see the impact with the report at the end of May, but it will only be a partial indication. The following month will give a clear picture of the anticipated difference in the months to follow. That data will allow for extrapolating sales tax loss. Crises of this magnitude are the reason for reserves, and the City will use those; however, the extent will not be known until much further into the year. The City has adequate reserves because a total meltdown of sales tax revenues is not anticipated, despite a significant decrease. Staff will look to counter with reduction on the expenditure side of the ledger sheet in 2021, 2022, and 2023. The City does not anticipate the need for any furloughs. There is a plan to purchase equipment because the City still needs to be maintained to the standards expected by citizens.

Councilmember Osman asked about sales tax revenue, pointing out that there would be a spike with grocery stores. He asked about retail and if Leawood recognized sales tax revenue for online purchases.

Mr. Lambers replied that it is voluntary and would be seen by Leawood if it provided by the purchaser.

Councilmember Osman asked about Johnson County property tax. He talked about an option to pay property tax in portions but with a penalty on the interest. He asked about projected collection rates from the county.

Mr. Lambers stated that there are no projections and that property taxes are typically part of a mortgage payment.

Councilmember Osman talked about the commercial property tax and how the property owners handle the payment. Jackson County had several property owners withhold taxes last year, and he wanted to draw attention to that.

Mr. Lambers replied that the county would provide a revenue statement in June and that payments typically run at 98%. A drop would therefore be easily identifiable. He agreed that the penalty for nonpayment is not significant, and some may say that it is a business decision.

Councilmember Osman stated that it is approximately 1%.

Mr. Lambers stated that it should not have a significant effect.

Councilmember Azeltine was relieved that no one would need to be furloughed. He also called attention to Leawood's distinction of being a city in the state that has a AAA credit rating and a balanced revenue stream. The financial crisis of 2008-2009 affected Leawood much less than it did other cities throughout the state.

Councilmember Filla asked about the official open date for City Hall.

Mr. Lambers stated there is not a projected date at this time, and when it is open, it will be limited as far as public access.

## **11. STAFF REPORT**

### **Legal**

Ms. Bennett stated that she did not have much to report. The Municipal Court has continued nearly all cases. She is working with the City Administrator with an anticipated restart date with smaller dockets on more days. She is hoping for June 1<sup>st</sup> but is monitoring the situation, hoping to firm up the decision in the middle of May.

### **Public Works**

Mr. Ley reviewed current projects. Street projects currently under construction include Mission road from 119<sup>th</sup> to 127<sup>th</sup> Street, which is about five weeks from completion.

Mayor Dunn stated that the buried power lines look fabulous.

Councilmember Sipple agreed.

Mr. Ley stated that the 143<sup>rd</sup> Street project is on track for late October completion. The first phase will open 143<sup>rd</sup> and Kenneth intersection and will be complete in approximately four weeks. The Lee Boulevard project from 83<sup>rd</sup> to 95<sup>th</sup> Street was delayed. It will be bid in December with a February start date. Lee Boulevard in Phase 3, north of 83<sup>rd</sup> Street, will be delayed from 2021 to 2022. Also, 83<sup>rd</sup> Street will be reconstructed from the west city limits to State Line Road. It will occur in 2024.

Mayor Dunn asked about other monetary participants.

Mr. Ley stated that County Assistance Road System (CARS) funding for the Lee Boulevard project will be provided in 2021 and will not impact the ability to get funding on the next project.

Mayor Dunn asked if he anticipated that interest rates would still be as favorable in a year or two.

Mr. Ley said he did. All residential reconstruction projects were moved back two years with the 2021 residential recon being canceled to help with the expected budget shortfall. Mill and overlay projects will continue in order to avoid the need to reconstruct streets. Mission Road from 133<sup>rd</sup> to 143<sup>rd</sup> will continue with the design with anticipated construction in late 2020 and an 18-month construction schedule. The Cloister Stormwater project will begin the week of May 11<sup>th</sup> and will be managed by Prairie Village. The Leawood South Stormwater Management Advisory Council (SMAC) project will be delayed one year because of the issue of getting through condemnation through the courts. This delays the Waterford project, which will now go from April, 2021 to April, 2022. The metal pipe project will continue. Regarding Public Works and Stormwater Committee meetings, the logistics are still being discussed. Items up for discussion are Mission Road from 133<sup>rd</sup> to 143<sup>rd</sup> traffic study to determine whether it is a three- or four-lane section roadway election of a consultant for Lee Boulevard Phase 3 and 83<sup>rd</sup> Street project, and selection of a consultant for Mission Road from 85<sup>th</sup> to 92<sup>nd</sup>.

Councilmember Harrison asked how a traffic study on Mission could be conducted if 143<sup>rd</sup> and Kenneth is shut down, causing rerouting.

Mr. Ley stated that traffic was counted early in 2019 and the model will project future traffic volume.

Councilmember Cain asked if the website is current and how residents will be notified of delays, especially Mission Road.

Mr. Ley stated that letters would go out in the next couple weeks for the Leawood south SMAC project and for the Lee Boulevard project. The website will also be updated.

Councilmember Cain asked if KCP&L was done working on the Mission Road project and if the five-week projection was feasible.

Mr. Ley replied that it depends on the weather and that irrigation is the only system left to bury.

Councilmember Sipple referenced community discussion on Lee Boulevard project and the need for a children's crosswalk. He asked if that would be delayed or if something could be done.

Mr. Ley stated it would be delayed with the project.

Mayor Dunn pointed out that communication had already begun regarding the project. She thanked Mr. Ley for his hard work.

## **Human Resources**

Mr. Sanders thanked everyone for their efforts to protect employees. He stated 20+ interviews have been conducted using social distancing to hire for eight openings. There have been seven new hires since March 13<sup>th</sup>. They appreciate the efforts Leawood has made to continue to employ everyone. Status quo is the goal as much as it is possible. He didn't know how the health insurance market will work, and it is a little high currently. Employees have had opportunities to access pension funds. Through legislation, employees have ability to utilize protected leave through FMLA and paid sick leave.

Councilmember Harrison stated that her employer has offered unpaid time off as an option. She asked if Leawood's staff has people working from home and how it was going. She asked if he felt any of the staff needed extra support in light of having to care for families and work from home.

Mr. Sanders replied that in this new reality, some employees are working remotely due to risk factors. Staggered start times have been implemented. The Family First legislation calls for protection for childcare issues. Emergency personnel are needed, so efforts are being made to cover that. The staff is gradually coming back on location with nearly 90% onsite.

## **Police**

Chief Rettig reported that the Police Department is faring well. Staffing went through phasing, and remote work went relatively well. Some schedules were altered to observe social distancing as much as possible. The department stayed healthy overall with no confirmed cases of Covid-19. The department is doing well with equipment needs, though it could be a little better. The department has enough hand sanitizer but could use more masks and wipes. Residents have provided many donations.

Councilmember Cain asked how the public knew about the need for hand sanitizer.

Chief Rettig replied that they have just come with the donations. He expressed gratitude for all that has been done.

Councilmember Cain asked if there are no confirmed cases because there aren't tests or if there are truly no confirmed cases.

Chief Rettig replied that, as first responders, tests have been available to them.

Mayor Dunn asked if police cars only had one officer in each.

Chief Rettig replied that they do, other than the training officers, who must have two.

## **Fire**

Chief Fitzgerald spoke about three upcoming openings, for which 31 people have applied. He spoke about accreditation. Documents were submitted, but the assessments have been put on hold. He anticipated late summer. Hearings in Phoenix before the commission have been canceled, so a six-month extension has been granted to the accreditation. After that, the department will go before the commission in Orlando in March for reaccreditation. The team reviewing documents has had all positive things to say. He spoke about Covid-19 and that the training and supplies have been exactly what was needed. The challenge was with cache of supplies with the high need and breakdown of supply chain. Supplies have come from unique places and have alleviated concern. Call volume hasn't increased as predicted; rather, call volume has reduced by 25-27% in Johnson County and 10% in Leawood, most likely because Leawood is primarily residential and not industrial. The current challenge is continuing with the public outreach elements such as CPR classes. He applauded the community for the continuous supplies being provided. He was grateful for people's understanding that homemade treats cannot be accepted. The personnel is grateful for the support from the City and Governing Body.

Mayor Dunn was pleased as well for the fortunate position the City is in.

Councilmember Sipple asked if any new equipment acquisition or equipment rehab would be delayed.

Chief Fitzgerald said he understood that there would be no delays because funding comes from the Public Safety side.

Councilmember Harrison asked how many nursing homes/assisted living facilities Leawood has.

Chief Fitzgerald replied that there are seven.

Councilmember Harrison asked if there was an increase in calls from those facilities.

Chief Fitzgerald said there hasn't been an increase. He understood many are taking preventative measures. Sunrise long-term care facility was linked to five cases and deaths attributed to it. The last positive case was 27 days ago, and the last death was near the 17<sup>th</sup>. In a given year, 27% of EMS calls come from long-term care facilities, and that has been consistent.

Councilmember Filla asked if special training had occurred for emergency responses, including special precautions. She also expressed appreciation for public outreach to provide participation in birthdays.

Chief Fitzgerald spoke about the joy the birthday parades have brought to the department. He expressed gratitude for the robust training his personnel have received and the daily updates on procedures, including nebulizing treatments. There are over 700 responders in the county between Fire and EMS, and all have been working well together.

Councilmember Osman offered congratulations on the appointment to Fire Chief. He asked if a plan is in place in case multiple firefighters are sick at the same time.

Chief Fitzgerald replied that the department is following a best practice model with temperature screens upon arrival, halfway through the shift, and at the end of the shift. There is training on reporting new symptoms. The Johnson County Medical Director is heavily involved in the area hospitals. He established testing for any first responder with a 24-hour turnaround. The sleeping quarters are separated, but the fire trucks don't allow for separation. Personnel takes every precaution possible.

Councilmember Osman asked about planning of Fire Station One.

Mr. Lambers replied that the property is being re-platted, and once it is complete, next steps will be decided in terms of moving forward with the deed restriction removal.

Councilmember Osman asked if the project would be put on hold if funds reduce from property tax or sales tax revenues.

Mr. Lambers replied that the project is to be bonded, so revenues won't affect it. The annual cost is not excessive and will proceed.

Mayor Dunn pointed out that Fire Station One has been put off for several budget seasons.

Mr. Lambers stated that the re-platting is intended to remove the internal property line to remove setbacks so the Fire Station can be moved farther south.

## **Parks and Recreation**

Chris Claxton participated at the direction of the Governor through the Kansas Parks and Recreation Association (KRPA) Executive Director to develop a task force to show the phasing plan for almost 21 activities. The Leawood plan has been realigned with the Johnson County plan. She emphasized the importance of remaining aligned as a community because impacts can be far reaching. The plan will be shared with the City Administrator by Friday, May 15<sup>th</sup>. Some programs have been cancelled for summer, including The First Tee and Swim and Dive League. The Stage Company has canceled the Civil War production as well as the summer production. The spring soccer program has been canceled by the City. A suggestion was made to move the 4<sup>th</sup> of July fireworks to Labor Day without losing a deposit. The goal is to make positive social media posts, including art projects and photos of positive events. Ironhorse has put together a phased plan for reopening using touchless golf. The pool house design for the parks maintenance facility will continue, as will footings for the art pieces Inspiration and Women of the World. The goal is to deliver safe programs.

Mayor Dunn asked if the pool would open around the 4<sup>th</sup> of July.

Ms. Claxton replied that it has been discussed but that staffing and training are a challenge. The goal is to have an agency to use for information and guidelines, whether it is the National Swimming Pool Alliance or another. Many options are being discussed, including sessions or staggered openings. Social distancing is the main issue.

Mr. Lambers spoke about the fireworks and pointed out that the shuttle system will not work with the current social distancing requirements. He was not optimistic for Labor Day and asked for it to be an aspiration.

Councilmember Osman said that the Governor put out guidelines for reopening pools. He asked for clarification about the distinction between private pools and neighborhood pools.

Ms. Claxton stated that HOAs are currently getting pools ready and are hiring staff. They are able to do that because their configuration is different than the City's pools. She confirmed that the reopening of the pools is in Phase 2, but the social distancing still creates an issue. Even though the water is safe in terms of chlorine killing the bacteria and ultraviolet light, people still get close in the pool. The guidelines for reopening are not coming from the Governor. It is a logistically challenging exercise.

Councilmember Sipple stated that the Tomahawk Creek trail is incredibly crowded. He complimented the staff on the cleanliness of the area. He asked where the city stands on Women of the World at College and Tomahawk.

Ms. Claxton stated that footings are going in, and Inspiration needs to be refurbished.

Councilmember Sipple asked if they would both be up this year.

Ms. Claxton replied that she hoped they would be. The process to refurbish Inspiration takes two months, and she didn't know how far behind they were on the projects.

Councilmember Larson expressed gratitude for the efforts to keep the parks going. She pointed out that she was an advocate for opening Ironhorse Golf Course. Kansas and Johnson County have allowed golf courses to open, and Ironhorse remains closed. Crown Pass holders are expressing frustration about it not being open. She is interested in keeping staff and the public safe but that touchless golf appears to be a good outlet for people to enjoy the facilities. KU Med says touchless golf is fine. She advocated for opening Ironhorse and asked who makes that decision.

Ms. Claxton stated that she will get information and discuss the matter with Mr. Lambers the following day.

Councilmember Larson added that Johnson County courses have been open since March 30<sup>th</sup>.

Councilmember Sipple agreed with Mrs. Larson.

Councilmember Azeltine agreed about opening the course as well. He said that Johnson County Best Times had an article that talked about how to keep the golf courses safe. The new measures have been

approved by the Johnson County Health Officer and the Director of the Johnson County Health and Environment Office. He appreciates the caution but urges moving forward.

Mr. Lambers replied that his reason for holding off was concern about compliance with social distancing. He was waiting for the order to lift.

Councilmember Cain also agreed with opening the course. She asked about Ten Cap on the courts.

Ms. Claxton said it would be up to Genesis because of their instructors. She spoke of the challenges in activities such as pickleball and tennis because people play doubles and get close.

Councilmember Cain echoed the sentiments about the trails being crowded. She asked if police were visiting the trails on bicycles.

Mayor Dunn stated that she saw one last week.

Chief Rettig stated that the bicycle unit was cut but that officers had been trained to do that, and he hoped to get them on the trails soon.

Councilmember Cain asked about considering a fireworks display on Labor Day and sync the display to music, encouraging residents to watch from cars.

Ms. Claxton mentioned that the Bike Walk Committee discussed striping big sections of the trail, which could help to keep people in line. She also thanked Scott Fanning and Chis Foley for their work creating the new counters and plexiglass.

Mayor Dunn thanked them for their efforts and also pointed out that citizens have remarked about bathrooms being locked on the trails and parks. She hoped for some sanitizing measures to be added.

Councilmember Filla thanked the staff for support of the community garden, which is sold out.

Councilmember Rawlings echoed the urging to open Ironhorse Golf Course. He recommended opening the course and not waiting for approval from City Council since it was not closed by City Council.

Mr. Lambers affirmed that he had the authority to open the course without City Council approval. He expected to be able to make an announcement for phased reopening.

Councilmember Cain asked if the City is being transparent online about what is being canceled and what is not.

Ms. Claxton replied that cancelations were handled individually based on registrations. Other items are still being discussed, such as T-Ball. The only information being shared is about what has officially been canceled.

Councilmember Cain pointed out that the Parks and Recreation guide is out and has dates and asked that it be considered. She also stated that she got a call from one of the HOAs about the pool, and she mistakenly thought the City issued a permit when it is the County Health Department. She asked if a tab refers visitors to the information.

Ms. Claxton stated something to redirect people could be added.

Councilmember Sipple hoped that the delays would be documented so councilmembers could pass information on to constituents who ask about them.

Ms. Claxton referred him to the Leawood website, where all the information will be shared. Protocol at all the facilities will be shared with staff in order to maintain safety measures.

## **Finance**

Dawn Long shared that the audit was completed and will be presented in June. She spoke about the budget process. The Capital Improvement Plan (CIP) work session was canceled, and directors talked about the delaying of projects to save money. The Finance Department chose to not do bonding and encouraged rolling temporary notes into 2021 to save money on debt servicing in coming years. She worked with the financial consultant about refunding to get bond payments reduced in coming years. The best alternative is to do small refunding that will lower bond payments, and then they will go up in the following years, allowing time to recoup the revenue lost during this time. Area finance directors have been talking to the Eastern Kansas Government Finance Officers Association (EKGFOA) about the budget process, and everything is uncertain because the event is unprecedented. She was hoping for more information by the budget session in June.

Mayor Dunn had heard about other groups doing refunding and realizing tremendous savings. She asked why Leawood would only do a small refunding.

Ms. Long replied that after careful consideration, it wasn't recommended because the cost of refunding every issue would be quite high. The current plan appeared to be the best option for Leawood long term, but she could ask for research on the difference.

Councilmember Sipple asked about the closings and if the "Dark Store" theory would take hold.

Ms. Long replied that no one could answer that.

Councilmember Sipple stated that proponents are building their case for it, which could have a detrimental effect.

Ms. Long replied that Leawood is fortunate in that regard because of the lack of big-box retailers.

Councilmember Sipple asked if there would be a CIP work session with revised plans.

Ms. Long replied that it was canceled, and the new document was included in the packets. Approval of the CIP will be June 1<sup>st</sup>.

Councilmember Azeltine asked if Mr. Arterbury mentioned that the facility was set up to buy temporary notes.

Ms. Long replied that he did not but she could ask about it. One of the reasons he did not recommend a big refunding is the SEC made changes to bonding, and an advance refund becomes taxable.

## **Information Services**

Ross Kurz stated that his staff came up with different solutions to set up remote access for working from home. They have been searching for permitting and licensing systems so the processes can be automated. There are all new screens at City Hall, and new audio-video equipment will help facilitate video streaming. Refinements will continue to occur, but it is working well.

Mayor Dunn thanked him for all his efforts.

Councilmember Larson asked to increase the volume.

Councilmember Osman stated that there are deficiencies that can be improved from an IT perspective, such as permitting and applications through the Planning Department with an online credit card service. He appreciated the efforts to improve the services.

Ms. Claxton reported that Prairie Village and Roeland Park voted to not open pools at all this summer. She sent the information to the task force.

Mayor Dunn asked if Leawood has to follow suit.

Ms. Claxton replied that it is not necessary to do so.

Mayor Dunn stated that Lenexa was planning to not open, and she thought Overland Park would open one pool.

Ms. Claxton said that Lenexa, Overland Park, and Olathe will only open one facility if they do open. It will be the most centrally located pool.

Mayor Dunn emphasized how important swimming is to children.

Councilmember Harrison asked if it was possible to open pools for swimming lessons only. She felt they are a life-saving activity and very different than hundreds of unsupervised kids at the pool, creating an enforcement challenge.

Ms. Claxton replied that none of the decisions being considered are based on finances. Swimming lessons are different because of the instructor and the potential for contact. It will be considered in the deliberations.

Councilmember Cain commented on the possibility to open only one pool in a city and the potential for overcrowding. She thought it would be unmanageable.

Ms. Claxton stated that the task force would consider all the questions, and they are looking to the agencies for direction.

Mr. Lambers stated that if Overland Park proceeds in that fashion, Leawood could expect a surge in non-residents.

## **Planning**

Richard Coleman spoke about the electronic permitting and stated he and Mr. Kurz have been working on it for a few months. Currently, over 200 permits have been issued electronically since the Covid-19 stay-at-home orders began, and credit cards are being accepted for payment. Construction items are in full swing with no slowdown. About half of the staff works outside City Hall and has been able to continue. On the Planning side, about twelve items have been delayed. There are four building projects, including the US Toy store that is being converted to a training center and Onspring at Nall and 135<sup>th</sup> Street. He stood for questions.

Councilmember Cain asked about Onspring and the training that will occur in the US Toy location.

Mr. Coleman replied that it is a 42,000-sq.-ft. office complex with two buildings, located in Cornerstone. It is a computer tech company. The training facility will include tennis and personal athletic training.

Councilmember Sipple asked about the opening date of the hotel in Cornerstone.

Mr. Coleman replied that there is not an opening date yet. Construction has not slowed down; in fact, construction in Leawood is fairly robust now.

Councilmember Cain was thrilled to hear that construction hasn't slowed down in Johnson County but wondered if it had slowed down in Johnson County as a whole.

Mr. Coleman replied that construction is a bright spot, while retail has been mostly shut down.

Councilmember Osman asked about the twelve projects on hold.

Mr. Coleman replied that they were delayed because the Planning Commission meeting could not be held.

Councilmember Osman asked about getting the Planning Commission running again.

Mr. Coleman replied that there are twelve items on the agenda, and they are scheduled for May 12<sup>th</sup> with a virtual meeting.

Mr. Torrez checked in to answer questions.

Mayor Dunn was encouraged that construction is robust.

Councilmember Harrison noticed the issuance for provisional massage therapy licenses was going to be delayed until it could be done safely. Jim Rawlings, Chuck Sipple and she are a part of Leawood Rotary and had a sexual trafficking informational event. Massage therapy is a concern in this area occasionally. Rotary International has made sex trafficking an issue. She asked where Leawood is with the permitting.

Ms. Bennett replied that Governing Body passed changes to massage therapy the first meeting in March. They will be allowed to reopen May 18<sup>th</sup>.

## ***COMMITTEE RECOMMENDATIONS***

**12. PLANNING COMMISSION**

**[From the October 22, 2019 Planning Commission Meeting]**

- A. Ordinance amending Section 16-2-10.3 of the Leawood Development Ordinance entitled “Materials and Colors” and repealing existing Section 16-2-10.3 and other sections in conflict herewith (PC Case 39-19) [ROLL CALL VOTE] *[Continued from December 2, 2019, January 21, 2020, March 2, 2020 and March 16, 2020 Governing Body Meetings] CONTINUED TO JUNE 1, 2020*

**[From the January 28, 2020 Planning Commission Meeting]**

- B. Ordinance approving Planning Commission’s Recommendation of Denial of Request for Amended Preliminary Plan for Regents Park Multi-Family Development, located south of 135th Street and West of Kenneth Road (PC Case 04-20) [ROLL CALL VOTE] *CONTINUED TO MAY 18, 2020*

**[From the February 25, 2020 Planning Commission Meeting]**

- C. Resolution approving a Revised Final Plan for Camelot Court Waterway Gas and Wash Company located north of 119th Street and west of Tomahawk Creek Parkway (PC Case 11-20) [ROLL CALL VOTE] *[Continued from March 16, 2020] CONTINUED TO MAY 18, 2020*

**[From the October 22, 2019 Planning Commission meeting]**

- D. Ordinance amending Section 16-4-5.4 of the Leawood Development Ordinance entitled “Required Parking Ratios” and repealing existing Section 16-4-5.4 and other sections in conflict herewith (PC Case 20-20) [ROLL CALL VOTE] *[Continued from March 16, 2020] CONTINUED TO MAY 18, 2020*

**13. OLD BUSINESS - None**

**14. OTHER BUSINESS - None**

**15. NEW BUSINESS**

- A. Ordinance amending Article 1 of Chapter 1 of the Code of the City of Leawood, 2000, by adding a new Section 1-121a pertaining to suspension of certain code requirements due to the COVID-19 Pandemic [ROLL CALL VOTE]

Ms. Bennett stated that the City Administrator wanted to make provisions in light of the closure of City Hall and other extenuating circumstances. This ordinance suspends the requirement that persons get a business license from July 1, 2020-July 1, 2021. It allows applicants to use the prior building code or the new building code as long as they filed before June 1<sup>st</sup>. This suspends the penalty for late pet licensing as long as it is paid before December 31, 2020. It allows for provisional, three-month massage licenses without fingerprinting. It also lowers the fee for alcohol, liquor, and malt beverage licenses to the statutory minimums where they exist.

**A motion to approve Item 15A was made by Councilmember Azeltine, seconded by Councilmember Cain.**

Councilmember Sipple approved of the measure because it will make it easier to do business in Leawood.

**Motion was approved with a unanimous roll call vote of 8-0.**

- B. Ordinance calling for an election to be held on November 3, 2020, for the purpose of voting on a proposition to re-authorize the City of Leawood, Kansas to levy a one-eighth percent [.125%] City Retailers' Sales tax, in addition to the one percent [1.0%] currently levied, with the City of Leawood, Kansas, and to use the revenue from the additional tax to fund an accelerated Residential and Thoroughfare Street Improvement Program and to make Stormwater Improvements when such improvements are not otherwise eligible for funds from other governmental sources. Such additional tax to take effect on July 1, 2021 and to end on June 30, 2028 [ROLL CALL VOTE] (F)

Mayor Dunn expressed the importance of education for the residents to understand what has been done with regard to this. She asked Mr. Lambers and the media to put something together to get out to the public.

Mr. Lambers reminded that the last cycle went from five to seven years, and this is continuing the seven-year cycle for the tax, and the rate remains the same.

Mayor Dunn pointed out that this is a continuation and not a new tax. She also talked about knowledge of how much is brought in on an annual basis is important. The money has intentionally been split evenly between streets and stormwater.

Councilmember Azeltine asked if the ballot wording would include the original authorization.

Ms. Bennett replied that Section 2 has the special question to be submitted.

Mr. Lambers stated that some cities have gone as much as ten years for this type of sales tax renewal.

Councilmember Azeltine thought it might be useful to include it in the language.

Mr. Lambers said that he would try to get an article in The Star talking about the history from inception, identifying the amount of revenue.

Mayor Dunn stated that Shawnee Mission Post is widely read.

Ms. Bennett stated that the first resolution was most likely in 2005.

Councilmember Azeltine thought it was before that.

**A motion to approve Item 15B was made by Councilmember Cain, seconded by Councilmember Larson. Motion was approved with a unanimous roll call vote of 8-0.**

- C. Ordinance Amending Section 1-115 entitled "Quorum" and Section 1-117 entitled "Procedures" of the Code of the City of Leawood, Kansas, 2000, and Repealing Existing Sections 1-115 and 1-117 and Other Sections in Conflict Herewith [ROLL CALL VOTE]

Ms. Bennett stated that this clarifies virtual meeting, incorporating different methods of meetings. Planning Commission and committees are covered in Section 1-117 on procedures. They can only meet by teleconference in order to continue items; they cannot meet by teleconference and develop a quorum in order to act on items. This clarifies it and allows action by telephone or other interactive communication to take action.

**A motion to approve Item 15A was made by Councilmember Rawlings, seconded by Councilmember Cain. Motion was approved with a unanimous roll call vote of 8-0.**

## **ADJOURN**

*Meeting was adjourned at 9:38 PM*