

Regular Meeting**THE LEAWOOD CITY COUNCIL****October 5, 2020****Minutes**

Councilmembers present: Julie Cain, James Azeltine, Chuck Sipple and Mary Larson

Councilmembers present via Zoom: Lisa Harrison, Andrew Osman, Debra Filla and Jim Rawlings

Councilmembers Absent: None

Staff present: Scott Lambers, City Administrator	Patty Bennett, City Attorney
Dawn Long, Finance Director	Nic Sanders, HR Director
Chief Troy Rettig, Police Department	Chris Claxton, Parks and Rec Director
Mark Tepesch, Info. Services Specialist III	Kelly Varner, City Clerk
Mike Pelger, Information Services Specialist	Stacie Stromberg, Assistant City Clerk
Holly York, Cultural Arts Coordinator	

Staff present via Zoom: Mark Klein, Planning Official

Others present via Zoom: None

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF AGENDA**

Mayor Dunn stated at the request of the developer, Item 13 is being remanded to the Planning Commission. She stated there will be no developer's presentation, no staff presentation, and no presentation from the public. Mayor Dunn noted this modification of the agenda will take place under Special Business, Item 7A.

A motion to approve the agenda as amended was made by Councilmember Filla, seconded by Councilmember Sipple. Motion was approved with a unanimous roll-call vote of 8-0.

Councilmember Cain asked how and when the public was notified of Item 13 being pulled from the agenda. Patty Bennett, City Attorney, stated that Mark Klein, Planning Official, notified each of the residents who asked to address the Council. She stated Ross Kurz, Information Services Director, also added a flag to the front page and YouTube link on the City's website to notify the public that there was a remand request and that the developer would not be making a presentation at this meeting.

Councilmember Larson asked if there is a date in which it will be remanded to the Planning Commission. Mr. Klein stated it would be at the October 27, 2020 Planning Commission meeting to make it eligible for the November 2nd City Council meeting. Mayor Dunn reminded the Council that the Planning Commission is a different body and the date in which it is scheduled can be subject to change.

4. CITY 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/.

Public comments on non-agenda items will not be accepted during this meeting. Public comment 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.

5. PROCLAMATIONS

National Arts & Humanities Month, October, 2020

Mayor Dunn read the proclamation into record. Holly York, Cultural Arts Coordinator, accepted the proclamation on behalf of the Parks and Rec Department. Mayor Dunn thanked Ms. York for all her work for the City. She mentioned she noticed the preparation for the two new sculptures that will be installed soon. Ms. York stated the goal is have them installed by the end of the year.

Councilmember Cain stated she has worked with Ms. York on several projects and how thrilled she is for Ms. York’s enthusiasm and energy as the new Cultural Arts Coordinator. Ms. York thanked Councilmember Cain and the Governing Body for their support.

Double Ten Day, October 10, 2020

Mayor Dunn read the proclamation into record. She stated the proclamation will be sent to Director General Jerry Chang of the Taipei Economic and Cultural Office in Denver. Mayor Dunn stated this celebration will be held virtually for the first time. Director General Chang invited Mayor Dunn to prepare a video that she was able to make with the help of Ross Kurz and then sent to them last week. Mayor Dunn congratulated them on their holiday.

6. PRESENTATIONS/RECOGNITIONS - None

7. SPECIAL BUSINESS

- A. Approval to remand Item 13 to the October 27, 2020 Planning Commission meeting.

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

Ms. Bennett recommended to the Mayor that the Planning Commission will need instruction from the Council to cover the changes and completion of the plan. Mayor Dunn stated the plan has changed since it was denied by the Planning Commission and still needs to be completed. The staff has yet to review it and make their comments. She stated for those reasons the Developer has requested it be remanded. Mayor Dunn stated she is unsure if the Planning Commission will have another public hearing. Ms. Bennett stated if the changes are not substantial it would not warrant a new INTERACT meeting or public hearing. Mayor Dunn stated the Council has been provided all the written citizen comments. The public will have the opportunity to speak at a City Council meeting, if they choose.

Councilmember Cain asked if the plan is not complete will the Planning Commission still hear it. Mayor Dunn replied that they typically do not hear incomplete plans.

- B. Resolution Amending Resolution 5405 and providing for a Special Call for a Special Governing Body meeting for October 12, 2020, for the purpose of considering Planning Case Nos. 70-20 and 81-20, pertaining to the Villa De Fontana Development and request for public financing.

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

8. 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. 2020-36 and 2020-37
- B. Accept minutes of the September 21, 2020 Governing Body meeting
- C. Accept minutes of the July 14 , 2020 Historic Commission Meeting
- D. Accept minutes of the May 26, 2020 Leawood Arts Council Meeting
- E. Resolution approving and authorizing the Mayor to execute 2021 Employee Benefit Plan documents (HR)
- F. Resolution designating holidays for the year 2021, in accordance with the personnel rules and regulations of the City of Leawood, Kansas (HR)
- G. Resolution approving and authorizing the Mayor to execute a Professional Services Agreement with Plaid Collaborative in an amount not to exceed \$23,300.00 pertaining to a Master Plan for Public Art (PR)
- H. Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement between the City and KC Banner in the amount of \$29,249.98 pertaining to the replacement of street banners in various locations throughout the City (PR)
- I. Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$34,430.00 between the City and Warren Moore Painting, LLC, pertaining to the painting and repair improvements of Leawood Fire Stations No. 2, located at 12701 Mission Road, and No. 3, located at 14701 Mission Road (PW)

Councilmember Sipple pulled Item 8E.

Councilmember Larson and Councilmember Harrison pulled Item 8H.

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

Item 8E Discussion:

Councilmember Sipple commented about the City decreasing its contribution for health insurance for the employee plus spouse plan to 65%. He asked how it compares to other cities in Johnson County and by what recent percent is it decreasing.

Nic Sanders, HR Director, addressed the Governing Body. He stated the contribution rate for employee plus spouse on the base plan was 83%. Part of the reason of the decrease is managing costs for a spouse.

It is approximately 50% of the City's cost on claims. The decrease allowed the City to stay within budget. Councilmember Sipple asked if that 65% includes family. Mr. Sanders stated the family is at 75%. Councilmember Sipple asked how many employees does this affect. Mr. Sanders stated it is 38 employees, including retirees if they pay 100% of the cost for themselves. He stated he expects approximately 10 employees to move from that plan to single coverage and about the same amount of employees to move from single coverage to family.

Mr. Sanders pointed out that other municipalities in Johnson County pay a little more but have been discussing spousal surcharges, meaning there will be additional fees to an organization if spouses have health coverage elsewhere. He stated it is becoming the trend in the market. Councilmember Sipple asked if it has been a high benefit year for insurance companies. Mr. Sanders stated he is unsure at this time, but through negotiations and long-standing agreements with Blue Cross Blue Shield the City was able to negotiate an 11.8% increase with no plan design changes.

A motion to approve Item 8E was made by Councilmember Sipple, seconded by Councilmember Larson. Motion was approved with a unanimous roll-call vote of 7-1. Councilmember Osman voted nay.

Councilmember Osman stated he had concerns last year and again at this time with Blue Cross Blue Shield targeting large companies, making it difficult for sole proprietors and small business owners to obtain affordable health insurance in the open market.

Mayor Dunn complimented Mr. Sanders on his work in getting the fee lowered from the initial projections. Mr. Sanders pointed out they did due diligence to shop the open market and found the rate increase was competitive.

Councilmember Cain thanked Mr. Sanders for the care package. He thanked his staff and stated the packages could not have been done without the support of the Council and the City Administrator.

Item 8H Discussion:

Councilmember Larson thanked staff and Councilmember Cain on their work with the new, replacement banners around the City. She asked if the City will receive a refund on the original banners. Holly York replied that instead of a refund the City did not make the final payment of \$3,719.89 to the company because they did not provide what was promised. Councilmember Harrison asked if there is still an opportunity to make edits to the new banner design to make them easier to read. Ms. York stated that changes can be made and she would ask the company for samples before mass production is started.

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

9. MAYOR'S REPORT

A. I recently participated in the Kansas Legislative Affairs virtual discussion presented by Kansas Secretary of Commerce David Toland. Highlights included:

1. Johnson County's unemployment rate is 6.1%
2. 7,000 applications were submitted across the State of Kansas for \$1.25 billion of CARES ACT money. \$110M will go to Johnson County for distribution.
3. The KS/MO "Border War" truce is working well.
4. The Kansas Advantage, the Nation's first comprehensive Economic Development Strategic Plan that reflects the Pandemic is coming this November.

5. Areas of growth are E-Commerce, up 146% from 2019; Capital Expenditures are fewer in projects, but higher in dollar amounts.
 6. Areas of decline are in total spending, health care, restaurants and hotels.
- B. I had the pleasure of touring the new PT Solutions Physical Therapy Center located in Market Square at 135th and Mission Road. We thank them for being Leawood Chamber of Commerce members and we wish them much success.
 - C. Congratulations are in order to the City of Leawood as being named as one of the Top 50 Best Places to Live by Money.com. Leawood was the only city in Kansas to place in the top 50. The rankings were derived from 115 separate types of data, with categories including economy and income, housing market, cost of living, diversity, public education, health and safety, weather and lifestyle, and quality of life amenities.
 - D. Thank you to HR Director Nic Sanders and his team for the care boxes recently delivered to all Leawood employees. The sentiments on the enclosed card were most thoughtful and demonstrated a true appreciation to one and all for the selfless service to our community during these trying times. My sincere appreciation to all as well!

10. COUNCILMEMBERS' REPORT - None

11. CITY ADMINISTRATOR REPORT - None

12. STAFF REPORT

- A. Scott Lambers, City Administrator: Discussion Report on the 2020 Holiday Lighting Ceremony

Mr. Lambers addressed the Governing Body. He requested a recommendation to cancel the lighting ceremony due to the issue of social distancing and the disparity in ages of the participants. Councilmember Cain asked if there will still be lights on the building, in which Mr. Lambers stated yes. Councilmember Azeltine asked what the lead time would be if the Council decided to postpone a decision tonight. Mayor Dunn pointed out there are schools who participate in the ceremony and Mr. Lambers added the decision should be made at this time. Councilmember Larson asked if the date of the lighting could still be announced to the public. Mr. Lambers stated the night to turn on the lights will be the same as normal. Mayor Dunn stated a message should be on the City's website to notify residents of a change. Councilmember Filla asked if the lighting could be aired on the City's YouTube channel. Mayor Dunn suggested that Mr. Lambers and Mr. Kurz work on providing a link to allow the public to watch via YouTube of the Mayor flipping the switch.

- B. Dawn Long, Finance Director: Discussion Monthly 2020 Sales Tax Report

Ms. Long addressed the Governing Body. She briefly reviewed the updated report provided to the Council in their packets. The updates to the report were the sales tax information received for the month of September that were for the July sales. She pointed out amounts shown in the Sales and Use Tax Combined table were up slightly in June but fell in July. Ms. Long stated she will continue to bring monthly updates to the Council.

Councilmember Sipple asked about the utility amounts on the report and why the figures fluctuate greatly. Ms. Long stated the utilities always fluctuate month to month, but it could be because of usage. She added that the Finance Department did look for any anomalies and did not find anything unusual. Ms. Long stated she would do more research into the utilities and will email the Council on what she finds.

13. COMMITTEE RECOMMENDATIONS

[From the August 25, 2020 and September 9, 2020 Planning Commission meeting]

Ordinance approving Planning Commission’s recommendation of denial of a rezoning from AG (Agricultural) and SD-O (Planned Office) to RP-2 (Planned Cluster Residential Detached) and MXD (Mixed Use Development District), Preliminary Plan and Preliminary Plat for Cameron’s Court, located south of 133rd Street and west of State Line Road. (PC Case 49-20) ROLL CALL VOTE

14. OLD BUSINESS - None

15. OTHER BUSINESS - None

16. NEW BUSINESS

- A. Schedule Work Session Monday, October 19, 2020, at 6:00 P.M.

A motion to approve Item 16A was made by Councilmember Rawlings, seconded by Councilmember Filla. Motion was approved with a unanimous roll-call vote of 8-0.

Councilmember Azeltine asked for clarification on the subject matter of the October 19th meeting. Mayor Dunn stated it is the continuation of the EDC’s (Economic Development Council) tools.

- B. Schedule Governing Body meeting Monday, October 19, at 7:30 P.M.

A motion to approve Item 16B was made by Councilmember Filla, seconded by Councilmember Sipple. Motion was approved with a unanimous roll-call vote of 8-0.

The Mayor confirmed the Governing Body Special Call meeting on Monday, October 12, 2020 will start at 6:00 P.M.

ADJOURN

Meeting was adjourned at 8:20 P.M.