

Regular Meeting**THE LEAWOOD CITY COUNCIL****October 19, 2020****Minutes**

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

Councilmembers Present via Zoom: Andrew Osman 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	Chief Colin Fitzgerald, Fire Department
Chris Claxton, Parks and Rec Director	Ross Kurz, Info. Services Director
David Ley, Public Works Director	Kelly Varner, City Clerk
Mark Tepesch, Info. Services Specialist III	Stacie Stromberg, Assistant City Clerk
Holly York, Cultural Arts Coordinator	

Staff Present via Zoom: Richard Coleman, Community Development Director; and Mark Klein, Planning Official

Others Present via Zoom: Chris Horney, Murphy Real Estate Services LLC; John Petersen, Polsinelli PC; Stephen Harris, Washington Prime Group; and Jon Shepard, First Ascent

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

Mayor Dunn stated there is an amended agenda. Two Councilmember reports were added by Councilmember Cain.

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

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 - None

6. PRESENTATIONS/RECOGNITIONS

Mayor Dunn stated the Fire Department's newest truck was on display in the parking lot as the Council entered the building tonight. Chief Colin Fitzgerald addressed the Governing Body and told the Council that there had been a gentleman and his daughter driving by who saw the lights on the truck and pulled into the parking lot to get a closer look. Chief Fitzgerald stated the man was a 45-year veteran of the St. Joseph, Missouri Fire Department, and was very excited to see the truck and asked many questions.

Chief Fitzgerald stated the truck took nine months to build. He stated there will be training over the next three days with a factory representative. He stated the truck is called Quint 33 and it is in-between the size of an engine and a ladder truck. The Quint has a 75' ladder with no platform and will fit better in neighborhoods. He stated the department is excited to have it.

Councilmember Rawlings asked how the truck was transported from the factory to Leawood. Chief Fitzgerald stated it is driven to the local dealership in Olathe.

7. SPECIAL BUSINESS - None

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. 2020-38 and 2020-39
- B. Accept minutes of the October 5, 2020 Governing Body meeting
- C. Accept minutes of the September 21, 2020 Governing Body Work Session
- D. Accept minutes of the September 15, 2020 Parks and Recreation Advisory Board
- E. Resolution calling for a Public Hearing to be heard on Monday, November 16, 2020 at 7:00 P.M., or as soon thereafter as may be heard regarding amendments to the 2020 Fiscal Budget for the City of Leawood, Kansas (F)
- F. Resolution approving the 2021 Human Service Fund Recommendation from United Community Services of Johnson County [UCS] and the City of Leawood's participation for an amount of \$16,500.00 (F)
- G. Resolution approving a Final Plan for Parkway Plaza – Weber Carpet, located north of 135th Street and east of Briar. (PC Case 80-20) (PC)
- H. Resolution approving and authorizing the Mayor to execute a Construction Services Agreement between the City and MegaKC in the amount of \$130,940.60, pertaining to trail maintenance from City Park to College Boulevard Bridge (PR)
- I. Resolution approving and authorizing the Mayor to execute a Construction Agreement between the City and Realm Construction, Inc. in the amount of \$224,729.00 pertaining to the 2020 135th Street Concrete Repair Program (PW)
- J. Resolution accepting a Temporary Construction Easement from Grantors Kristen Baehr and Justin Baehr, for property located at 12706 Cherokee Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW)

- K. Resolution accepting a Temporary Construction Easement from Grantor Randy L. Brooks, Trustee of the Randy L. Brooks Trust for property located at 12719 Sagamore Road, pertaining to the Leawood South Stormwater Project [Project #80256] (PW)
- L. Resolution accepting a Temporary Construction Easement from Grantor Stephan K. Matthews for property located at 12602 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW)
- M. Resolution accepting a Permanent Drainage Easement from Grantor Stephan K. Matthews for property located at 12602 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW)
- N. Resolution accepting a Temporary Construction Easement from Grantors Robert O. Schock and Carla J. Schock for property located at 12703 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW)
- O. Resolution accepting a Temporary Construction Easement from Grantors Ryan J. Gildea and Courtney C. Gildea for property located at 12704 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW)
- P. Resolution approving and authorizing the Mayor to execute Change Order No. 2 in the amount of \$69,000.00 between the City and J.M. Fahey Construction Company, pertaining to the Mission Road Improvement Project from 119th Street to 127th Street [Project #72065] (PW)
- Q. Police Department Monthly Report
- R. Fire Department Monthly Report
- S. Municipal Court Monthly Report

Mayor Dunn pulled Item 8Q.

Councilmember Sipple pulled Items 8E and 8H.

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

Item 8E Discussion:

Councilmember Sipple asked where the additional funds are coming from to raise the budget from \$1.1M to approximately \$4.1M, and if these are funds that have been reallocated. Dawn Long, Finance Director, addressed the Governing Body. She stated these are all balances that were rolled forward from projects budgeted in 2019 that were not completed.

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 8-0.

Item 8H Discussion:

Councilmember Sipple stated he is in support of this project. He stated he is a frequent user of that part of Tomahawk Creek Trail and believes the new improvements will make it safer. Mayor Dunn agreed.

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

Item 8Q Discussion:

Mayor Dunn stated she was very pleased to read in the Police Department Report that Chief Rettig's detectives had charged a suspect with four auto burglaries in Leawood, as well as stealing at the Ironhorse Golf Club and I-Lan Park and in two other Johnson County cities. She hoped this will be the beginning of other persons being apprehended. Police Chief Troy Rettig addressed the Governing Body. He stated it has been a busy time for the Police Department and this is just one of many individuals committing these crimes, yet it is a step in the right direction. Mayor Dunn stated she has seen the signage at the parks to educate visitors on how to be safe. She thanked Chief Rettig and his staff for their hard work.

Councilmember Larson commented that Captain Brad Robbins posted on the Nextdoor app tips on how to reduce the opportunities for crime. She stated there was a lot of positive feedback in support of the Police Department.

Councilmember Sipple stated the numbers on crime statistics in the Police Department's report are increasing across the board. Chief Rettig responded that is due to things getting closer to normal and the active groups that are in the area. He stated there are more suspicious activity stops being made in certain areas. Mayor Dunn reminded the Council the statistics only go back to last May when most things were shut down.

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

9. MAYOR'S REPORT

- A. I recently attended the October Johnson and Wyandotte Counties Council of Mayors meeting hosted by Prairie Village Mayor, Eric Mikkelson. It was held at the Meadowbrook Activity Center in Prairie Village. The guest speaker was Erik Sartorius, Executive Director of the League of Kansas Municipalities. He gave a legislative agenda report and internet sales tax update.
- B. I attended the LKM virtual annual conference last week. Councilmember Mary Larson also attended.
- C. My sincere thanks to Councilmember Chuck Sipple for assisting the Daughters of the American Revolution (DAR) Shawnee Mission Chapter at their Days of Service beautifying the Linwood Pioneer Cemetery.
- D. Congratulations to Leawood Police Chief Troy Rettig and Fire Chief Colin Fitzgerald, as well as the Leawood Rotary and the South Bike Loop group for the featured stories in the Fall 2020 "Look to Leawood" magazine. Thank you to Chamber CEO Kevin Jeffries and the Leawood Chamber Board of Directors for all of the great public relations.
- E. Also, I want to thank the Chamber Board for their endorsement of the upcoming 1/8 cent sales tax reauthorization question that is on the November 3rd ballot. More details are now available on the main page of the City's website under News and Events.

10. COUNCILMEMBERS' REPORT

- A. Councilmember Cain Discussion of Leawood's 135th Street Community Plan

Councilmember Cain stated that she spoke with the Mayor, City Administrator, and City Attorney over the last few days on what options are available in which to move forward on further discussion of the 135th Street Plan. She would like to move that the City Council schedules at least one work session as

soon as possible to discuss and review the 135th Street Community Plan as it stands and how best to proceed under extraordinary circumstances. She stated that after the discussion by the City Council at the work session that the item be deferred to the Planning Commission to have their own work session, then together plan how best to proceed.

Councilmember Sipple stated he would like to add to Councilmember Cain's recommendation to invite the Leawood Chamber of Commerce and Economic Development Council to the discussion. Mayor Dunn suggested inviting written testimony from the groups instead. Councilmember Sipple stated he is agreeable to that.

Mr. Lambers stated the next work session on schedule is for the Fire Station design and the Council still needs to finish the Economic Development policy reviews. He stated the earliest work session would not be until February of next year.

A motion to approve Item 10A was made by Councilmember Cain, seconded by Councilmember Filla. Motion was approved with a unanimous roll-call vote of 8-0.

Councilmember Harrison suggested switching the swimming pool discussion already scheduled for a work session in January with the 135th Street discussion. Mr. Lambers recommended the Council stay on track with the planned schedule due to COVID and residents' questions regarding pools this summer.

B. Councilmember Cain Discussion of Villa de Fontana

Councilmember Cain stated the Council was told at the beginning of the Villa de Fontana discussion that it was a time sensitive project. She stated the City showed a great willingness to accommodate the developer's time frame, but the Council ultimately voted 5-4 (see below detail vote) to deny the plan that was originally presented to them.

(At the October 12, 2020 Governing Body Special Call meeting a motion was approved to Item 5A with a roll call vote of 5-4. Councilmembers Osman, Harrison, Cain, and Filla voted AYE. Councilmembers Azeltine, Sipple, Rawlings, and Larson voted NAY. Mayor Dunn voted AYE to break the tie.)

She stated since that vote, she has received numerous phone calls, emails, and texts imploring her to make a motion to reconsider the Villa de Fontana proposal. Councilmember Cain stated she is unaware if the developer has made an offer for revisions or changes since the denial. She suggested she could make a motion for the Council to agree to hear and respond to the developer and residents and propose that the developer will choose to work with City staff, in the next two weeks with revisions or changes they are willing to make for the Council to consider at the November 2nd Governing Body meeting.

Mayor Dunn stated it would be a rescission versus a reconsideration.

Councilmember Azeltine agreed with Councilmember Cain. He also received many phone calls and emails from residents. He stated it is worth reconsideration, especially since the property tax continues to increase.

(Audio/technical difficulties were experienced in the Council Chambers from 8:00 p.m. to 8:06 p.m. No discussion was held during that time.)

Councilmember Azeltine continued that he believes it is unfair for the developer to pay for the traffic signal. Mayor Dunn reminded Councilmember Azeltine there will be no discussion tonight of the project, but rather to agree if it should be discussed at a later time.

Councilmember Osman stated he originally voted no on this project because the Council's time to review and make a decision had been condensed down significantly. He stated he agrees with Councilmembers Cain and Azeltine over what the proper process should be in order to work with staff.

Councilmember Rawlings stated his concern that the developer has not asked for any opportunity to return to the Council with a different proposal. He stated he would be open to discussion if the developer is willing to make any changes.

Mayor Dunn stated that Mr. Simpson made a verbal statement at the last meeting that he would abide by the stipulations, except for the street issue.

Councilmember Filla stated her concerns for the developer's unwillingness of diversity in housing stock and on the issue of CID (Community Improvement District) funding in which they have requested. She stated the funding would be a nice subsidy for developers to build expensive homes for folks who do not need help in acquiring and buying \$1.5M homes. She stated a further discussion is unfair to staff when there are so many obstacles associated with this project.

Councilmember Larson respectfully disagreed with Councilmember Filla, but does support further discussion if the developer is willing to do the same.

Councilmember Azeltine stated it is important to give the staff some direction if there is to be further discussion. He stated the traffic light issue and tearing up 137th St. is unreasonable to ask the applicant to do.

Councilmember Cain clarified her intent was not to give staff direction but to give the developer a chance to come back after hearing concerns of the Council. She stated if there is no willingness on their part, her vote of denial will stand.

Mr. Lambers reminded the Council that the issue of the Planning Commission's non-action regarding the street issue. He explained it cannot be addressed by the Council when it is not properly in front of them. He stated that currently the list of stipulations has to remain the same. He stated the proper process would be that a particular stipulation would need to go back to the Planning Commission, if the developer is willing to do so.

Mayor Dunn stated she believes tearing out the storm sewers is not part of the Public Works stipulation in the street issue, although it had been mentioned by several people.

David Ley, Public Works Director, addressed the Governing Body. He stated the Public Works Department never told the developer to remove the roadway in order to remove the storm sewers. Staff stipulated to remove the curbs, replace by increasing them by approximately 4 inches, and do a 2 inch mill with a 4 ½ inch overlay in order to bring the road up to standard. Mr. Ley stated he did a cost estimate and found approximately \$400,000.00 difference between the developer's proposal versus public standards. Mayor Dunn asked if the City could take over the streets and maintain them if they were brought up to public standards. Mr. Ley responded that he talked to Mark Klein in Planning and verified they would meet all the requirements.

Councilmember Harrison asked about 137th Street as a private street. Mr. Ley stated 137th Street is already a public street.

A motion to rescind in hopes the developer chooses to work with City staff in the next two weeks to return to the Council on November 2nd with revisions or changes they are willing to make for the Council to reconsider was made by Councilmember Cain seconded by Councilmember Azeltine. Motion was approved with a roll-call vote of 7-1. Councilmember Filla voted NAY.

Mr. Lambers reminded the Council that the Planning Commission still has a recommendation of denial in place, so a supermajority of the Council is needed to move forward.

11. CITY ADMINISTRATOR REPORT - None

12. STAFF REPORT

Holly York, Cultural Arts: Report on City of Leawood Banners

Holly York addressed the Governing Body. She stated she was able to get a few samples of the Sunbrella fabric material that will be used in the banners. She acknowledged the Council's concern with the yellow shade on the previous banners being too light. She held up examples of the new banner with a darker shade of yellow and an original banner that was never put outside.

Councilmember Osman stated in the beginning he mentioned the importance of using UV ink. Ms. York explained the manufacturer will use Sunbrella fabrics, UV threads, and UV ink.

Councilmember Sipple asked how many new banners will be manufactured and when they will be installed. Ms. York stated there will be 185 banners and it will take 3-4 weeks for production and a week to be hung, weather permitting. She stated it is expected to be done before the end of the year.

Councilmember Filla asked if additional banners could be made to sell for the 75th anniversary of the City. Mayor Dunn stated a different design will be created for the anniversary banners. Councilmember Filla asked what the average cost is per banner. Ms. York stated because of using Sunbrella fabric the cost is \$119 for the single-ply banner on aqua and sailor's navy blue fabrics. It is \$141 each for the dual-ply banner on the yellow fabric.

Mayor Dunn stated the less pastel yellow color will be a nice improvement and thanked Ms. York for her work on this project.

13. COMMITTEE RECOMMENDATIONS

PLANNING COMMISSION

[From the September 22, 2020 Planning Commission meeting]

- A. Ordinance approving a Special Use Permit, Preliminary Plan, and Final Plan for Plaza Pointe – Guidepost Montessori, located south of 135th Street and west of Roe Avenue (PC Case 68-20)

Chris Horney, Murphy Real Estate Services, 227 W. Monroe, Chicago, IL, addressed the Governing Body via Zoom. Mayor Dunn asked about the stipulation regarding a curb height issue. Mr. Horney stated he worked with staff to resolve the issue. He explained the area east of the building are parking spaces near where the proposed playground is planned. Mr. Horney stated that because of expressed

concerns for safety, instead of having a 4-6 inch curb, they designed to build a 2 foot wall that will be bordered with brick from the exterior and a fence above. He stated this wall will be built on both the east and west sides of the playground.

Mr. Horney stated he represents the applicant, Guidepost Montessori, a national company of daycare facilities that has 75 schools nationwide. Their intent is to convert the existing Carpet Corner building into a daycare facility and playground. He explained that to follow City's requirements for square footage, they have reduced some greenspace and removed 8 parking spaces on the east side. Mr. Horney stated they are meeting the LDO (Leawood Development Ordinance) requirements of the ratio of number of spaces to the number of staff during maximum shift hours. He stated peak hours are considered to be a two-hour time period for drop off in the morning and 3 hours for pick up in the afternoon. He stated the existing building is not planned to change much except for signage and an additional egress door will be added. He stated the bulk of the work would be for the playground wall.

Mayor Dunn stated the documents in the packet stated nine parking places would be removed. Mr. Horney stated it is currently 35 (33 normal spaces and 2 handicapped spaces) and that 27 is the requirement outlined in the LDO for the current use.

Councilmember Sipple asked about the ages of the children using the playground and expressed a concern over the wall separating the playground from the parking lot and Roe Ave. Mr. Horney explained the wall will be constructed of concrete but will also include a fence along the top, which is similar to other daycare facilities in the City. He stated the State of Kansas has very strict requirements for fencing for any daycare to be licensed. Mr. Horney explained the concrete wall is an addition the applicant added in response to the neighbors' and Planning Commission concerns.

Councilmember Larson stated she understands the wall location and construction but questioned why the same treatment is not planned at the front of the building. Mr. Horney stated a wrought iron fence will be at the front of the building because there will also be a 6' sidewalk in between the parking spaces and the building. Councilmember Larson asked about staff parking and where that is located. Mr. Horney stated it is located at the south and southeast corners of the property. He explained the bulk number of staff is not usually present at the same time as drop off and pick up times.

Councilmember Cain stated she is thrilled to see the infill of an existing building and how the applicant is meeting the LDO and responding to staff.

Councilmember Harrison stated she was surprised to see a very organized opposition of neighbors in the area in regards to the parking lot. She stated after driving to the proposed area, she noticed a huge empty parking lot to the southwest of the building. She stated it was not clear who could park in that lot. Mr. Horney stated the original developer and the City created an easement agreement between the sites in the area for overflow. He stated the daycare facility still meets the requirements of the LDO by design without needing the overflow parking lot.

Mayor Dunn thanked Mr. Horney for responding so quickly to the concerns of nearby tenants and readily accepted the continuance of the sidewalks and other issues.

A motion to approve Item 13A was made by Councilmember Filla, seconded by Councilmember Cain. Motion was approved with a unanimous roll-call vote of 8-0.

- B. Ordinance amending Section 16-2-6.3, of the Leawood Development Ordinance [LDO] entitled “SD-CR (Planned General Retail)” and repealing existing sections 16-2-6.3 and other sections in conflict herewith (PC 75-20)

Mark Klein, City Planner, addressed the Governing Body via Zoom. He stated this application is to change the height requirement within the SD-CR (Planned General Retail) Zoning District. He stated that for every additional foot over the standards there is a requirement to have an additional 10 feet of setback. The maximum height on the proposed project is 65 feet; currently, the height limit in an SD-CR is 50 feet. Mr. Klein explained that for each foot that goes over 50 feet in height, there would need to be an additional 10 feet, so before it could reach 65 feet there would need to be an additional 150 feet (of setback.) Mr. Klein stated SD-CR zoning has a residential setback of 150 feet, so this would be in addition to the 150 feet increase, bringing it to approximately 300 feet.

Councilmember Sipple asked if there are any buildings in Leawood that currently do not meet this requirement. Mr. Klein stated all the buildings in SD-CR are 50 feet or under, but the tallest building is Restoration Hardware on the south side of Town Center Plaza. Mr. Klein corrected himself to say the residential setback is 125 feet, not 150 feet.

Councilmember Sipple asked if this requirement pertains to the large buildings along Tomahawk Creek Parkway. Mr. Klein clarified that most of those are zoned Office and are allowed to have a higher height restrictions. Mr. Klein stated the main buildings in the SD-CR zoned districts are Town Center Plaza, Town Center Crossing, Camelot Court, Village of Seville, Ranchmart, and a small portion of Nall Valley Shops. Councilmember Sipple asked about the parking garage at Park Place. Mr. Klein stated that the parking garage is in an MXD (mixed-use development area.)

Councilmember Filla asked what prompted a need for this request. Mayor Dunn stated it is for the next item on the agenda.

John Petersen, Polsinelli PC, addressed the Governing Body via Zoom. He stated that the applicant he represents not only requested the amendment, but he believes the staff drafted a well-thought-out ordinance from the standpoint of having enough separation from residential and sufficient setbacks.

Councilmember Harrison asked that if in the future could a building in an SD-CR be built as high as 65 feet with a setback. Mr. Klein stated it could as long as it met the required residential setback.

A motion to approve Item 13B was made by Councilmember Rawlings, seconded by Councilmember Larson. Motion was approved with a unanimous roll-call vote of 8-0.

- C. Ordinance approving a Preliminary Plan for Town Center Plaza – First Ascent (Climbing/Health Club), located north of 119th Street and west of Roe Avenue. (PC 64-20)

John Petersen stated he represents Washington Prime Group, owners of Leawood Town Center and Leawood Town Crossing. He introduced Stephen Harris, VP of Washington Prime, and Jon Shepard, Co-founder of First Ascent, who were both present on Zoom.

Mr. Petersen presented an aerial map of Town Center Plaza. He stated this is a preliminary plan for an existing part of Town Center Plaza on the northeast side next to the former Bravo restaurant. Mr. Petersen stated five tenant spaces will be removed. He stated that the architecture will be discussed later, but this

plan will add a level of interest and attraction to the area. He stated there is a 65 foot tower designed in the plan for rock climbing. Mr. Petersen pointed out rock climbing is one of the fastest growing sports in the United States and will be one of the newest Olympic sports at the Games in Tokyo. He explained it will be designed with Olympic training standards for serious climbers, but it is also a fitness facility that will be open to the public. He stated that First Ascent will have training and community programs.

Mayor Dunn asked about the removal of tenant spaces and if there are plans for Kim's Tailor Shop to be relocated. Mr. Petersen stated they are in discussion with the tenants and will do everything they can to keep them. Stephen Harris, Washington Prime Group of Columbus, Ohio, addressed the Governing Body via Zoom. Mr. Harris stated Kim's Tailor Shop has been in Town Center Plaza for many years. He stated the other four spaces are vacant. He stated they plan to demolish one section to reconfigure the space.

Councilmember Sipple asked how many clients will be in the building at any given time and what the hours of operation are. Jon Shepard, First Ascent, responded via Zoom. He explained they are both a full-service gym and climbing gym so they will start at 6:00 a.m. and go until 11:00 p.m. Mr. Shepard stated on an average weekend approximately 500 people will be there over the course of a day, and during the weeknight, it would be 400-450 people.

Councilmember Cain stated she is excited about the project and asked about the pedestrian area that had been discussed at one time. Mr. Harris stated there was a plan at one point, but they determined to close the driveway for a pedestrian area, it would be a challenge and deterrent for retail opportunity on the north side. Mr. Harris stated they have done temporary closures of the roadway for concerts, but because they have grown in popularity, concerts have moved to the body of the parking lot.

Councilmember Larson stated the project is very exciting. She asked what the square footage of the health club portion is and if classes and personal training will be offered. Mr. Shepard stated the fitness area is approximately 4,000-5,000 sq. ft. and 1,500 sq. ft. of dedicated yoga space. He stated they offer about 35 yoga classes per week. He explained guests will have general access to the fitness area for self-guided workout routines, in addition to personal training, group classes, boot camps, etc.

Mayor Dunn mentioned the existing metal archway over Cedar St. will be removed. Richard Coleman, Community Development Director, stated staff had some concern about the archway, but it would need to be a completely different design from what was existing to keep it. He stated there will be screening on the east side of First Ascent, in which Mr. Petersen stated the developers accepted all the stipulations of the Planning Commission.

A motion to approve Item 13C was made by Councilmember Larson, seconded by Councilmember Cain. Motion was approved with a unanimous roll-call vote of 8-0.

14. OLD BUSINESS - None

15. OTHER BUSINESS - None

16. NEW BUSINESS

- A. Schedule Work Session for Monday, November 2, 2020, at 6:00 P.M.

Mayor Dunn stated the work session topic is to review Fire Station elevations or plans. Councilmembers Sipple and Azeltine made suggestions to move either the Work Session or Governing Body meetings earlier in anticipation of the time needed to discuss items on the agendas. Mr. Lambers and Mayor Dunn

both expressed the time as planned should be sufficient and that the work session will start promptly at 6:00 p.m.

Councilmember Sipple asked if adjoining neighbors have seen designs of the Fire Station. Mr. Lambers stated the neighbors immediately adjacent to the property have seen the site plans, but the public will have ample time to participate as the process unfolds.

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

B. Schedule Governing Body meeting Monday, November 2, 2020, at 7:30 P.M.

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

Meeting was adjourned at 9:30 P.M.